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VOLUME THIRTEEN

PURITANISM-SERVICE

THE MACMILLAN COMPANY
MCMLIV NEW YORK

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Published July, 1934
Reprinted April, 1935

Reissued (Volumes XIII and XIV combined), November, 1937.

Eleventh Printing 1954



THE MACMILLAN COMPANY
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DALLAS · ATLANTA · SAN FRANCISCO

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CONTENTS

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Articles

PURITANISM	*M. James*
PUTMAN, FREDERIC WARD	*Alfred M. Tozzer*
PÜTTER, JOHANN STEPHAN	*Ernst von Hippel*
PUTTING OUT SYSTEM	*Edwin F. Gay*
PYM, JOHN	*Phyllis Doyle*
QUAKERS	*Isabel Grubb*
QUANTITY THEORY OF MONEY	*See* MONEY
QUARRYING	*O. E. Kiessling*
QUATREFAGES DE BRÉAU, JEAN-LOUIS ARMAND DE	*T. Wingate Todd*
QUENTAL, ANTHERO TARQUINIO DE	*Fidelino de Figueiredo*
QUESNAY, FRANÇOIS	*G. Weulersse*
QUETELET, ADOLPHE	*Maurice Halbwachs*
QUINET, EDGAR	*Crane Brinton*
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RABELAIS, FRANÇOIS	*A. F. Chappell*
RACE	*Franz Boas*
RACE CONFLICT	*Hans Kohn*
RACE MIXTURE	*Melville J. Herskovits*
RACE PREJUDICE	*See* RACE CONFLICT
RACHEL, SAMUEL	*Curt Rühland*
RACHFAHL, FELIX	*Hermann Oncken*
RACKETEERING	*Murray I. Gurfein*
RAČKI, FRANJO	*Josef Matl*
RADIĆ, STJEPAN	*Josef Matl*
RADICALISM	*Horace M. Kallen*
RADIO	
HISTORY AND ECONOMIC ORGANIZATION	*Howard T. Lewis*
CULTURAL ASPECTS	*William A. Orton*
LEGAL ASPECTS	*Harry Shulman*
RADISHCHEV, ALEXANDR NIKOLAEVICH	*Paul Miliukov*
RADOWITZ, JOSEPH MARIA VON	*Sigmund Neumann*
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RAFFI, HAKOP MELIK HAKOPIAN	*V. Totomianz*
RAFFLES, SIR THOMAS STAMFORD	*Howard Robinson*
RAI, LALA LAJPAT	*See* LAJPAT RAI, LALA
RAIFFEISEN, FRIEDRICH WILHELM	*Ernst Grünfeld*
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RAŠÍN, ALOIS
RATE REGULATION

RATHENAU, WALTHER
RATIONALISM
RATIONALIZATION
RATIONING
RATKE, WOLFGANG
RATZEL, FRIEDRICH
RATZENHOFER, GUSTAV
RATZINGER, GEORG
RAU, KARL HEINRICH
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RAW MATERIALS
RAWLINSON, SIR HENRY CRESWICKE
RAYMOND, DANIEL
RAYMOND, HENRY JARVIS
RAYMOND DE PENNAFORT
RAYNAL, GUILLAUME THOMAS FRANÇOIS
RAYON

REAL ESTATE
REAL ESTATE TAXATION

REALISM
REASON OF STATE
REBELLION
RECALL
RECEIVERSHIP
RECEPTION
RECIDIVISM
RECIPROCITY
RECLAMATION
RECLUS, JACQUES ÉLISÉE
RECOGNITION, INTERNATIONAL
RECONSTRUCTION
RECORDS, HISTORICAL
RECREATION
RECRUITING
RED CROSS

REEVES, WILLIAM PEMBER
REFERENDUM
REFORMATION—LUTHERAN
NON-LUTHERAN

See RAILROADS
I. L. Sharfman and *Shorey Peterson*
Jacob Perlman
C. F. Andrews
Charles Diehl
Karl W. Bigelow
Hans Kohn
Ernst Simon
Merle E. Curti
Charles Engliš
Felix Frankfurter and *Henry M. Hart, Jr.*
Emil Lederer
B. Groethuysen
Moritz Julius Bonn
See WAR ECONOMICS
Robert Reigbert
Carl Sauer
Gottfried Salomon
G. Briefs
Karl Pribram
Percy Ford
William F. Notz
W. F. Albright
A. D. H. Kaplan
Allan Nevins
A. Van Hove
Anatole Feugère
See TEXTILE INDUSTRY; SILK INDUSTRY
Morton Bodfish
See PROPERTY TAX; GENERAL PROPERTY TAX
C. E. M. Joad
Carl Joachim Friedrich
K. Smellie
Frederick L. Bird
A. A. Berle, Jr.
William Seagle
Nathaniel Cantor
See COMMERCIAL TREATIES
Frank Adams
Max Nettlau
Taylor Cole
Howard K. Beale
Austin P. Evans
Lee F. Hanmer
See MILITIA; CONSCRIPTION
Elizabeth Todd and *Gladys Meyerand*
J. B. Condliffe
See INITIATIVE AND REFERENDUM
W. Köhler
H. Richard Niebuhr

REFORMATORIES	*See* PENAL INSTITUTIONS
REFORMISM	*Horace M. Kallen*
REFRIGERATION	*W. P. Hedden*
REFUGEES	*Carlile A. Macartney*
REFUGEES, POLITICAL	*See* REFUGEES; POLITICAL OFFENDERS
REGIONAL PLANNING	*John Nolen*
REGIONALISM	*Hedwig Hintze*
REGISTRATION	*See* STATISTICS
REGISTRATION OF TITLES	*See* LAND TRANSFER
REGISTRATION OF VOTERS	*Joseph P. Harris*
REHABILITATION	*Oscar M. Sullivan*
REICHENSPERGER, AUGUST and PETER FRANZ	*G. Briefs*
REICHSRAT	*See* LEGISLATIVE ASSEMBLIES
REICHSTAG	*See* LEGISLATIVE ASSEMBLIES
REID, WHITELAW	*Julius W. Pratt*
REIMARUS, HERMANN SAMUEL	*Michael Freund*
REINACH, SALOMON	*A. Eustace Haydon*
REINACH, THÉODORE	*Gustave Glotz*
RELIGION	*Alfred Bertholet*
RELIGIOUS EDUCATION	*See* EDUCATION, section on SECTARIAN EDUCATION
RELIGIOUS FREEDOM	*Guido de Ruggiero*
RELIGIOUS INSTITUTIONS, CHRISTIAN	
ROMAN CATHOLIC	*Augustin Fliche*
EASTERN ORTHODOX: BYZANTINE	*V. Leontovich*
RUSSIAN	*Paul Miliukov*
PROTESTANT	*H. Richard Niebuhr*
RELIGIOUS ORDERS	*Alfred Bertholet*
REMEDIES, LEGAL	*See* PROCEDURE, LEGAL
RENAISSANCE	*B. Groethuysen*
RENAN, ERNEST	*Lewis F. Mott*
RENAUDOT, THÉOPHRASTE	*Raphael Levy*
RENAULT, LOUIS	*Jean Devaux*
RENOUVIER, CHARLES BERNARD	*D. Parodi*
RENT	*Frank A. Fetter*
RENT CHARGE	*Frank A. Fetter*
RENT REGULATION	*A. A. Friedrich*
RENTENMARK	*Harold L. Reed*
RENTIER	*Ida Craven Merriam*
REORGANIZATION, ADMINISTRATIVE	*See* ORGANIZATION, ADMINISTRATIVE
REORGANIZATION, CORPORATE	*See* CORPORATION FINANCE; RECEIVERSHIP
REPARATIONS	*James W. Angell*
REPGOW, EIKE VON	*Eberhard von Künssberg*
REPRESENTATION	*Francis W. Coker* and *Carlton C. Rodee*
REPRESENTATIVE GOVERNMENT	*See* REPRESENTATION
REPRESENTATIVES, HOUSE OF	*See* LEGISLATIVE ASSEMBLIES
REPRISALS	*Philip C. Jessup* and *Francis Deák*
REPUBLICAN PARTY, UNITED STATES	*See* PARTIES, POLITICAL, section on UNITED STATES
REPUBLICANISM	*Peter Richard Rohden*
REPUDIATION OF PUBLIC DEBTS	*Paul Studenski*

REQUISITIONS, MILITARY	*E. G. Trimble*
RESALE PRICE MAINTENANCE	*Melvin T. Copeland*
RESEARCH	*Donald Slesinger* and *Mary Stephenson*
RESERVES, BANKING	*See* BANK RESERVES
RESORTS	*Adolf Grünthal*
RESTAURANTS	*Alice C. Hanson*
RESTRAINT OF TRADE	*Milton Handler*
RETAIL CREDIT	*W. C. Plummer*
RETAIL TRADE	*Paul H. Nystrom*
RETALIATION	*See* REPRISALS; TARIFF
RETORSION	*See* REPRISALS
RETROACTIVE LEGISLATION	*Harry Shulman*
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RIPARIAN RIGHTS	*See* WATER LAW
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RITUAL MURDER ACCUSATION	*See* BLOOD ACCUSATION
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RURAL INDUSTRIES	*Carl Brinkmann*
RURAL SOCIETY	*Carle C. Zimmerman*
RURAL SOCIOLOGY	*See* RURAL SOCIETY
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SAINTHOOD	*See* RELIGION
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SAMPLING	*See* STATISTICS; PROBABILITY
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SANATORIA	*See* HOSPITALS AND SANATORIA
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SANCTION, SOCIAL	*A. R. Radcliffe-Brown*
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Encyclopaedia of the SOCIAL SCIENCES

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PURITANISM, a term with a wide variety of connotations, is applied most often to those group movements of the sixteenth and seventeenth centuries in England and the United States which attempted to arrive at a purified version of Reformation teaching. The core of Lutheran doctrine had been insistence on immediate contact between the individual soul and God. Puritanism endeavored to remove all hindrances to this contact. It distrusted hierarchical ecclesiastical organization and elaborate ceremonies and vestments, and was disposed to seek guidance solely in the teaching of the Bible and to deny the value of ecclesiastical tradition.

The term Puritan first appeared in England about 1566. In 1567 a secret conventicle met at Plumbers' Hall in London to use the Genevan order of service instead of the *Book of Common Prayer*. A foreign observer wrote from London in 1568 that there had been discovered "a newly invented sect, called by those who belong to it 'the pure or stainless religion.' " The Puritans began by criticizing ecclesiastical vestments and ritual and by expressing a preference for Calvinistic dogma. They then passed to a criticism of the existing system of church government. During the session of 1576 the House of Commons, which was becoming Puritan in sympathy, considered an abortive scheme for transferring ecclesiastical authority from the crown and bishops to more democratic bodies. After 1580 Presbyterian organization increased, and the units known as "classes" were established in various parts of the country. There occurred also a growth in the numbers and pretensions of the Independent sects. In 1575 the Spanish ambassador referred to the presence of Anabaptists and "many other sects" in London, and in 1581 Browne and Harrison set up an independent, self-governing congregation at Norwich. Opposition to the bishops became more violent and in 1588 the scurrilous *Martin Marprelate* tracts were published. By the end of the sixteenth century the main lines of the historical development of English Puritanism were laid down. In comparison with its continental and Scottish prototypes it implied rather a way of life and habit of mind than a fixed and definite doctrine and system of church government. Presbyterianism and Independency, the latter itself a comprehensive term, counted among their adherents only a part of the total number of English Puritans.

By the end of Elizabeth's reign it had already become apparent that Puritanism had special affinities with certain sections of the community. It struck its deepest roots among the rising middle classes, who were conscious of their growing importance in the state and eager to remove whatever barriers stood in the way of a full development of their powers. The reason for this affinity is not easy to discover or define. It was due possibly to the attraction felt between broadly similar ideals and interests. Puritanism, with its insistence on the importance of the individual and on the expression of faith through a righteous and industrious way of life, found a natural home among those classes which were engaged in carving out an improved position for themselves. Again, the affinity may have been due to the fact that Puritanism was to them an enchanted mirror, in which they saw an enhancement of their own particular virtues. Whatever the cause of the connection, its consequences were far reaching.

The importance of this connection became apparent first in the political sphere. During Elizabeth's reign it was noticeable that the most stalwart champions of parliamentary rights were the Puritan members of the House of Commons. This was partly because the Puritans hoped to introduce a reformed religious polity by means of parliamentary legislation. In 1576 Peter Wentworth, one of the Puritan members, was committed to the Tower by order of the House itself for making a too outspoken plea for freedom of speech in Parliament and for criticizing the power of the bishops. In 1587 he again spoke on similar lines in support of the proposals for alteration of the prayer book brought forward by another Puritan member, Cope. As a result of an interview with the Privy Council, Wentworth, Cope and three other members were ordered to the Tower. The House of Commons

as a whole began to show itself increasingly Puritan in sympathy. In 1584 it drew up a petition for ecclesiastical reform which revealed Presbyterian tendencies and which questioned the legality of the proceedings carried on by the Court of High Commission against Puritan offenders. By the beginning of James I's reign the connection between Puritanism and parliamentarianism was widely discernible. The king greatly increased both his religious and his political difficulties by adopting an intransigent attitude toward the Millenary Petition and the Hampton Court Conference. Parliament supported the petitioning ministers in 1604 and in 1610 reiterated its request for a purification of religion and the abolition of the Court of High Commission. When James turned a deaf ear, Parliament retaliated by refusing or stinting supplies. The bishops, already criticized in their ecclesiastical capacity, now became doubly hateful as champions of the royal prerogative in opposition to parliamentary claims. During the eleven years of personal government discontent with the government's ecclesiastical policy spread. Using the weapons of the Court of High Commission and the Metropolitical Visitation, Laud endeavored to enforce complete religious conformity. In doing so he frequently violated individual liberties and roused indignation among men outside the Puritan ranks. The fusion of political and religious grievances did much to precipitate the civil war.

In the social and economic sphere the affinity between Puritanism and the middle classes was particularly well marked and significant. While Puritanism was widely diffused and was not peculiar to any one class or locality, it is evident that its most numerous and enthusiastic adherents were among the middle trading classes. Roland Usher in *The Reconstruction of the English Church* (2 vols., New York 1910) has conducted a statistical inquiry into the distribution of Puritan ministers in England in the first decade of the seventeenth century. Of the 281 ministers whose names are known 35 belonged to London and Middlesex, where a very large proportion of the middle trading classes were congregated; 96 to the important manufacturing counties of Norfolk, Suffolk and Essex; 29 to Northamptonshire, a county of prosperous farmers; 17 to Lancashire, which was becoming increasingly important as a center of the clothing industry; and only 104 to the rest of the country. Usher also estimates that the strength of the Puritan laity lay chiefly in the economically advanced area of the southeast and midlands, showing its greatest strength in the weaving towns. This statistical evidence is confirmed and supplemented by contemporary opinions. "Freeholders and Tradesmen," said Richard Baxter, "are the Strength of Religion and Civility in the Land; and Gentlemen and Beggars and Servile Tenants are the Strength of Iniquity." The course of the civil wars in England made it unmistakably clear that Puritanism was strongest among the middle classes, especially in the towns. London supported the parliamentary cause vigorously and became known as "the rebellious city." The clothing towns of Lancashire were Puritan and parliamentarian, despite the existence of a surrounding Roman Catholic countryside. In Yorkshire, Bradford, Leeds and Halifax; in the midlands, Birmingham and Leicester; in the west, Gloucester, Taunton and Exeter, were all Puritan strongholds. Puritanism was therefore strongest among those classes which for economic reasons objected to the restrictions imposed by monarchical and Anglican rule. Thus spiritual conviction and economic interest reacted upon and reenforced each other.

Puritanism was a factor common to the most vigorous opponents of prerogative power in politics, religion and trade. Its binding influence helped to unite the different parties and interests against a common foe and to give them a zeal which they might otherwise have lacked. Broadly speaking, the ideal of the Stuart government rested on a conception of divinely appointed kingly power, exercised arbitrarily for the good of the state in all departments of life. To this, Puritanism opposed the ideal of vigorous, untrammeled individualism, expressing itself freely in the House of Commons, throwing off restrictions in trade and commerce, and dispensing with traditional forms of authority in religion, although the conception of full religious freedom was not to develop until later. The whole theory and practise of monopolistic power was criticized, but the sphere in which it was attacked most vigorously was that of industry and trade. The custom of granting monopolies in the manufacture or sale of commodities was an important part of Stuart economic policy. While the grants were made with varying intentions, some of which were good, the economic consequences were nearly always disastrous. When the Long Parliament met these monopolies were attacked, some of them were called in and the system never regained its old vigor. In

politics, the concentration of power in the hands of the ruler and a small circle of advisers had to give way before the claims of a partially representative Parliament, and some of the paper constitutions of the Interregnum attempted to diffuse the powers of government even more widely. In religion, the powers of the bishops were attacked by Puritans of all shades of opinion. John Lilburne in *England's Birth-Right Justified* (London 1645) and *London's Liberty in Chains Discovered; a Postscript Written in the Tower of London* (London 1646) traced a direct connection between the three main types of monopoly—that of the trading concerns, the Anglican church and the Stuart government—and declared that each bolstered up the others.

In 1649 Puritanism triumphed. Until then it had been concerned mainly with the work of destruction and had been able to unite various elements within itself. Now it became apparent that it was not homogeneous. At one end of the scale was Presbyterianism, which represented stringent control on a democratic basis. At the other was Independency, which stood for individualism in all its various forms. In between were men of a Puritan trend of opinion who refused to group themselves definitely under either party, but who would be influenced by whichever group gained the strongest position. Because of uncongenial features in English social stratification and political development Presbyterianism failed to establish itself, despite the efforts of the Scots. Independency, on the other hand, attained a wide and enduring influence. Although the monarchy and the Anglican church were restored in 1660, Independent Puritanism persisted as a religion and still more as a way of life and type of outlook. In the political sphere its main influence was ended. It had helped to bring about a rebellion whose chief objectives were successfully obtained and retained. Future lines of political development owed little to the direct influence of Puritanism. In the religious sphere it combined with other factors to secure greater toleration. In the economic and social sphere its influence was exceedingly important. A particular type of character and way of life received a powerful stimulus. Puritanism now gave an unqualified blessing to the middle class individualistic and economic virtues. The attraction already felt between Puritanism and the middle trading classes increased after the victory of Independency, despite a temporary democratic outburst during the Interregnum on the part of some of the more extreme sects. An austere way of life and devotion to a "calling" which should be crowned with moderate worldly success became at once the ideal and the hallmark of Puritans and of many others who adopted their view of life. The reverse of this ideal was an attitude of stern reprobation toward those who failed to achieve such success. Poverty and failure, like frivolity and idleness, appeared the outward manifestations of an unregenerate soul. It is not surprising that in the eighteenth century many of the pioneers of the industrial revolution were nonconformists.

The influence of English Puritanism was not confined to England. In the early seventeenth century the colonization of America was carried out mainly by Puritan settlers. The motives for colonization were mixed, the economic motive playing an important part. Following upon the economic changes of the sixteenth century a certain displacement of population had taken place, particularly in the more advanced economic areas, where Puritanism was strongest. As in England, it was the role of Puritanism to act as a binding force and motive power among the settlers. In New England, it was possible for the Puritans to develop their ideals unhindered in a peculiarly favorable environment which put a premium on the Puritan virtues. The soil was hard to cultivate but moderately fertile, the climate fairly severe. To the west lay a great continent with vast resources to be discovered and exploited. In such an environment the skilled and strenuous workman who represented the Puritan ideal would flourish, while the idle or incompetent would go to the wall. In later years unfettered individualism carried all before it, but in the early period of the New England settlements the side of Puritanism which favored stringent control was dominant. This was due partly to the exigencies of the situation, partly to the religious zeal of the leaders. For a small band of settlers in unknown territory surrounded by enemies it was expedient to pool resources and set limits to individual enterprise. Membership in the state was synonymous with membership in the church, and in his double capacity as citizen and church member every individual was criticized and controlled. Industry was enforced upon all settlers, but it had to be carried on for the good of the whole. Acts regulating wages were to be found in almost all the Puritan colonies. In Boston markets and sometimes gristmills were publicly regulated. The Massachusetts government attempted to impose a just price for all essential

commodities. But from the first such regulations were difficult to enforce; and theocracy in Massachusetts was weakened by the terms of the new charter of 1692, which substituted a property qualification for church membership as a basis for the franchise.

As in England the aspect of Puritanism which encouraged individual freedom triumphed. In the religious sphere this triumph was marked by the spread of Congregationalism. In the social and economic sphere it was marked by the development of economic individualism, backed consciously or unconsciously by religious sanctions and fostered by a growth in economic prosperity and general security which decreased the necessity for collective control. The representative attitude is illustrated in the works of Benjamin Franklin, the son of a zealous Puritan and himself influenced by the general Puritan outlook. Franklin lays down a series of maxims stressing the importance of profitable industry, and when asked why money should be so important replies with a Biblical quotation: "Seest thou a man diligent in his business? He shall stand before Kings" (*Advice to a Young Tradesman*, Philadelphia 1748; also *Autobiography*, ed. by F. W. Pine, New York 1912). This religious sanction of profitable industry, with the feeling of assurance and stimulus which it gave, exercised an important influence on entirely secular men and activities and may be reckoned as one of the formative influences in the development of the modern American conception of business.

M. JAMES

See: REFORMATION; PROTESTANTISM; SECTS; RELIGION; RELIGIOUS INSTITUTIONS, CHRISTIAN; QUAKERS; RELIGIOUS FREEDOM; INDIVIDUALISM; CAPITALISM; ASCETICISM; BLUE LAWS; CENSORSHIP; LEISURE.

Consult: Tawney, R. H., *Religion and the Rise of Capitalism*, Holland Memorial Lectures, 1922 (London 1926) ch. iv; Weber, Max, "Die protestantische Ethik und der Geist des Kapitalismus" in his *Gesammelte Aufsätze zur Religionssoziologie*, 3 vols. (2nd ed. Tübingen 1922–23), vol. i, tr. by Talcott Parsons (London 1930) p. 95–128; James, Margaret, *Social Problems and Policy during the Puritan Revolution, 1640–1660* (London 1930); Niebuhr, H. R., *The Social Sources of Denominationalism* (New York 1929), especially ch. iv; *Select Statutes and Other Constitutional Documents Illustrative of the Reigns of Elizabeth and James I*, ed. by G. W. Prothero (4th ed. Oxford 1913); Gardiner, S. R., *The History of the Great Civil War, 1642–1649*, 4 vols. (new ed. London 1893) vol. i, p. 9–11, vol. iii, p. 203, and *History of the Commonwealth and Protectorate, 1649–1656*, 4 vols. (new ed. London 1903) vol. ii, ch. xviii; Neal, Daniel, *The History of the Puritans*, 5 vols. (new ed. by J. Toulmin, Bath 1793–97); Doyle, J. A., *The English in America*, 2 vols. (London 1887); Adams, J. T., *The Founding of New England* (Boston 1921); Schneider, H. W., *The Puritan Mind* (New York 1930).

PUTNAM, FREDERIC WARD (1839–1915), American anthropologist. With practically no formal academic background, Putnam came under the influence of Agassiz, from whom he learned his methods of thorough inductive research. His interest shifted from ichthyology to American archaeology and ethnology and in 1874 he became curator of the Peabody Museum at Harvard University, where he remained for forty years. There he revolutionized American museum methods by inaugurating scientific expeditions; he emphasized that the methods of these expeditions should be determined not by the quantity of specimens to be secured but by their scientific objectives. The excellent museum collections which he assembled manifest the variety of his interests in the history of mankind. Among the most outstanding are those on the antiquity of man in America: materials from the mound and village sites in Ohio and Wisconsin; extensive collections from Mexico and Central America; and archaeological and ethnological collections of old New England. Putnam was appointed professor of American archaeology and ethnology at Harvard in 1886. In 1891 as chief of the ethnological section of the World's Columbian Exposition in Chicago he was instrumental in founding the Field Museum of Natural History and stimulated other institutions to carry on intensive field work among the American Indians. After the exposition he organized the anthropological work of the American Museum of Natural History, where between 1894 and 1903 he extended field investigations beyond the limits of North America and developed a comprehensive program of active scientific research. He was largely responsible for the foundation of the department of anthropology at the University of California, becoming professor and director of the anthropological museum in 1903.

Putnam's scientific activities were not confined to anthropology. As permanent secretary for twenty-five years, beginning in 1873, of the American Association for the Advancement of Science and as president of this organization in 1898 he played a significant role in shaping the policies of the association and in promoting the influence of science in the United States.

ALFRED M. TOZZER

Consult: For complete bibliography of Putnam's works, Mead, Frances H., in *Putnam Anniversary*

Volume, Anthropological Essays (New York 1909) p. 601–27. See also Kroeber, A. L., in *American Anthropologist*, n.s., vol. xvii (1915) 712–18; Tozzer, A. M., in Massachusetts Historical Society, *Proceedings*, vol. xlix (1915–16) 482–87; Boas, F., in *Science*, n.s., vol. xlii (1915) 330–32.

PÜTTER, JOHANN STEPHAN (1725–1807), German jurist. Pütter is undoubtedly the most important expounder of the public law of the old Reich. With almost unbelievable energy Moser had not long before assembled and organized the mass of legal material, but in this form it remained hardly more than laboriously hewn cyclopean blocks. In the work of Pütter, on the other hand, the law appears disentangled from its difficulties, in a form which by virtue of its grace, rationality and elegance rises above the ponderous structure of the old Reich. Certainly by virtue of his spiritual depth, the firmness of his Christian faith as well as his saturation with the ideals of the old liberties Moser is closer to the mediaeval foundations of the Reich. But since these had been displaced in the territorial state, in which princely absolutism, imbued with utilitarianism, had undermined antiquated institutions, it is Pütter not Moser who seems to have been the true oracle of the times.

In the field of public law, in which he made his chief contribution, Pütter had separated constitutional from administrative law and then had treated the particular branches of administration as parts of a highly lucid system. In his method he became the founder of juristic dogmatism, which later had its positivistic echo in Laband, and thus represents the beginning of modern theory. In the field of the private law of the princely houses, which interested him particularly, Pütter's strict conception of the principle of equality of birth had important influence. His description of the imperial law of procedure, the hopeless impotence of which he demonstrated, was definitive. Finally, Pütter's works on imperial history, which he treated by way of introduction to the public law of his time, are noteworthy not only because of their complete mastery of the material but also because of their literary quality.

In the field of civil law Pütter rendered a service in his insistence on a clear separation of its Germanic and Roman elements, the confusion of which he deplored. In natural law he appears more as a follower of Wolff than as a philosophical thinker but again shows that ability to draw distinctions which lends value to his juristic encyclopaedia. To his wealth of scientific accomplishments must be added his practical work and his lectures at the University of Göttingen, which contributed to its glory and brought him a circle of pupils of unusual importance.

ERNST VON HIPPEL

Chief works: *Nova epitome processus Imperii* (Göttingen 1757, 5th ed. 1796); *Institutiones juris publici germanici* (Göttingen 1770, 6th ed. 1802); *Teutsche Reichsgeschichte in ihren Hauptfäden entwickelt* (Göttingen 1778, 3rd ed. 1793); *Historische Entwickelung der heutigen Staatsverfassung des Teutschen Reichs*, 3 vols. (Göttingen 1786–87, 3rd ed. 1798–99), tr. by J. Dornford, 3 vols. (London 1790); *Über Missheirathen teutscher Fürsten und Grafen* (Göttingen 1796); *Literatur des teutschen Staatsrechts*, 3 vols. (Göttingen 1776–83).

Consult: Pütter's *Selbstbiographie*, 2 vols. (Göttingen 1798); Mohl, Robert von, *Die Geschichte und Literatur der Staatswissenschaften*, 3 vols. (Erlangen 1855–58) vol. ii, p. 425–38; Stintzing, R. von, and Landsberg, Ernst, *Geschichte der deutschen Rechtswissenschaft*, 3 vols. (Munich 1880–1910) vol. iii, pt. i, p. 331–53.

PUTTING OUT SYSTEM is the term which is coming to be used by economic historians to designate that stage of economic organization commonly known as the domestic system, or in German and French *Hausindustrie* and *industrie à domicile*. As descriptive of a stage of economic organization, these terms have long been regarded as unsatisfactory, since they stress one feature, work at home, which likewise characterizes all the stages of economic development except the factory system. German writers, following Karl Bücher's initiative, therefore substituted *Verlag* for *Hausindustrie*, while English and American writers are adopting the term "putting out," which formerly was in common usage in those districts of England where this type of organization was prevalent.

Following Liefmann's acute analysis, his emphasis upon the character of the labor contract may be accepted as basic to the history of the confusingly varied forms of this industrial institution. The self-directing worker of the putting out system agrees to do, or to have done by those he hires, work which has been entrusted to him by one who plans to sell the product. This distinguishes him from the handicraftsman, who makes his product for sale or to the order of a consumer. It also distinguishes his liberty of economic action, even if he becomes increasingly dependent upon one employer, from the lack of economic self-direction of the worker subordinated to factory discipline. In theory it is immaterial whether the industrial

producer to whom work is put out be only a single workman or one of many or a great modern concern, such as a bleachery or a dyeing or cleaning establishment working on material entrusted to it by a trader. The size of capital employed, whether by the putter out or by the worker, is also immaterial to the definition, although in its historical development the rise and spread of the system may be attributed largely to the relative wealth of the merchant industrialist who employed, and to the poverty of the majority of workers who competed for employment. In fact, however, some of the modern forms of the system where conditions are most unfavorable for the workers, such as the sweatshops of the clothing trade, are precisely those which require but a minimum of capital.

That the work should be carried on in the worker's own or rented home or workshop is characteristic of the putting out system, as it is of the handicraft and country household systems which historically preceded and accompanied its growth. But it is not a necessary characteristic; especially in the later period, it was not uncommon for putting out workers to rent a seat or the use of a machine, not only in shops erected for the purpose by those outside the industry or by another worker but even in the employer's own workshop or factory. Such cases as those described in the parliamentary reports of 1806 and 1840, in which hand loom weavers working in the owner's premises were free to "come and go when they like," or those reported from the Swiss embroidery industry, where machine workers in the employer's factory were bound by no factory discipline or factory legislation, or the sub-contracting system within the factories of the English metal industries, were (and perhaps are) probably more frequent than inadequate observation has recorded.

The distinction between workers under the putting out system and handicraftsmen is of particular importance for an understanding of the later periods of the handicraft system, when, with the widening market and the increasing surplus of handicraftsmen, they turned in larger numbers from production primarily for local consumers to regular production for the outside market, selling their wares to merchants or their agents. Such handicraftsmen—to whose appearance the term "wholesale handicraft" applied by N. S. B. Gras to the entire stage here under discussion should properly be narrowed—might for a period seek out the wholesalers by long journeys to a distant market. Ordinarily, however, the wholesalers soon came to some market town convenient to the handicraftsmen, who could then congregate for sale of their staple wares at stated days and hours. This was long the custom at Leeds, the market for the West Riding woolen makers, the picturesque description of which by Defoe has so colored subsequent English writing on the "domestic system." A similar long maintenance of the wholesale handicraft system, with handicraftsmen dependent upon their regular sales to merchants, characterized the gradual emergence from the guild system in a number of industries both in England and on the continent.

When, however, as was the case as early as the thirteenth and fourteenth centuries in the southern Netherlands and northern Italy, the high development of certain luxury trades made necessary considerable trading capital and expert knowledge, the function of the merchant or market specialist was greatly enhanced. Or when the refinement or changeability of demand called for elaboration of existing patterns or introduction of new wares, as ultimately occurred in the Yorkshire woolen industry, or when the substitution of a wage payment to putting out workers instead of a price to a handicraftsman promised greater profit, the trader tended to become also an employer. The pressure for control over the industrial process marked the inception of the new system and its whole subsequent development.

The transformation took place gradually and in manifold adaptations of form. There was opposing guild legislation, but in the main the new system seems to have become ensconced, in suitable industries and places, without at first seriously upsetting the established order. Although its spirit of initiative, risk taking and profit seeking was alien to the social ideals of subsistence, security and equality of economic opportunity which animated the craft guild, and although ultimately, from both within and without, it was to be largely instrumental in undermining and destroying the guild system, in its first beginnings it appeared to contemporaries to fit into the existing economic and social situation. It used the traditional technical methods; it employed handicraftsmen already habituated both to work to the order of local consumers and to seek the merchant's skill in outside marketing; and it relieved the growing pressure upon poor workers, craftsmen or others pressing into the towns, who found themselves unable to wait from one uncertain market day to another. The new contract frequently assumed the old form;

indeed it often continued in Germany to be called a *Kauf*. The putter out might sell the raw material, as if it were a sale to a handicraftsman, but with the condition that the worker must sell the finished product exclusively to him, presumably at a price specified in advance. Frequently the raw material was sold at a price to be paid by the worker as a deduction from the predetermined price of the finished product when he returned it. This practise, which converted a handicraftsman's price into the equivalent of a putting out wage payment, is found in one of the earliest cases of putting out to be recorded in detail—that of Jehan Boine Broke at Douai, active between 1270 and 1300.

The merchant often penetrated into the shell of the guild system, and there used a dominant position to subordinate and integrate the formerly independent crafts. Such was the history of one of the greatest of the Florentine craft guilds, the *arte della lana*, in which the woolen masters, probably, as Davidsohn suggests, rising from the status of weavers to that of entrepreneurs, managed by the putting out system all the interlocked processes in the industry. Such was also the final outcome of the long struggle whereby the merchants at Lyons in the seventeenth century secured the control of the silk weavers' guild. In other cases the entrepreneur dealt with the guild from the outside. Craft guilds made collective bargains with the putter out, such as the series of contracts in the sixteenth and seventeenth centuries between the merchant entrepreneurs of Nuremberg and Leipsic and the linen weaver guilds of towns in eastern Germany, where the putters out (named as *Verleger* in the contracts) agreed with the guild to take the total annual production of its members or a certain stipulated quantity, at a price fixed for the year, and to make a cash advance to enable the poor weavers, among whom the order was divided, to buy their raw materials, the weavers pledging themselves to work for no other merchants.

It is proper to speak of these organizers of industry as merchants, since that was their essential function. But the impetus to the establishment of the putting out system and the subsequent recruiting of its leaders came largely from the more energetic and ambitious craftsmen. An interesting case is that reported fully by Gothein from Freiburg i. Br. Here in the midst of a busy community occupied in the cutting and polishing of semiprecious stones, in which the small handicraftsmen were strongly organized for an export trade under typical guild regulations, there appeared among the craftsmen, early in the sixteenth century, a gifted innovator named Hans Scher. His invention of hollow boring brought him more orders than he could fill. When he began on a considerable scale to employ his fellow craftsmen as putting out workers, he was banished; but when he set up a rival establishment in a neighboring village, his recall to Freiburg resulted in the acceptance of the new industrial form and the decay of the guild.

The diffusion of the industrial population from the towns to the countryside with the decline of the feudal system and the growth of state protected security brought a wide extension both of wholesale handicraft and of the putting out system. Since any quantitative evidence is absent and much of the descriptive material is vague, the relative importance of these two groups in the sixteenth to eighteenth centuries cannot be determined. They overlapped and intermingled. There were marked regional differences; notably in Germany, because of its slower economic development after the sixteenth century, the handicraft system and its protective institutional framework, the guild, remained strong while they declined elsewhere. Generally speaking, the handicrafts persisted in the industries concerned primarily with local consumption and in those marketing certain staple goods. The appearance of new industries with no guild tradition; the new requirement of industries, like mining, for large capital investment; the industrial employment of the country workers and especially the unprecedented call upon the labor of women and children; the pressure for large scale deliveries to governments engaged in frequent wars, a factor noted by Sombart; and above all the enormous rise in prices, rapidly mounting for nearly a century after 1550 in central and northern Europe and seriously depressing wages and the condition of labor, all these changes were elements which favored the spread of the putting out system.

The outstanding characteristic of the system in its expansion is the tendency toward increasing control over the worker. Since he is ordinarily working outside the employer's premises, his work cannot easily be supervised, and the employer's losses, by waste and embezzlement of materials, are the subject of perennial complaint. Since he is self-directing, he is free to shift from employer to employer at the conclusion of any specified task, and within certain

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technical limits he can work when, where and how he pleases—conditions highly regarded by workers in a period of growing individualism. The competition among employers for workmen was on the whole outbalanced by the competition among workers for employment. The result was a readily explicable effort to keep the worker in dependence. Holding him in a chain of debt was common. At Lyons, for instance, the municipal regulations held that a silk weaver could not change to a new employer unless his debt to the old was paid or transferred with the old employer's consent. The worker's tools had usually been his own property, but later he found himself tied to the employer by rented tools or machines or even a rented house. Because of the increasing economic pressure all his family had to work long hours. No social condemnation or public regulation checked child labor. On the continent as well as in England there was a fair amount of legislation on wages, which appears, however, to have been largely ineffective; and the legislative prohibition of truck payment, which gave the employer an opportunity for a double profit, was only sporadically effective. Josiah Tucker, comparing in 1757 the condition of the putting out workers in the woolen industry of southwestern England with that of the handicraftsmen of Yorkshire, declares that the southern system tempts the master "to consider his people as the scum of the earth, whom he has a right to squeeze whenever he can, because they ought to be kept low, and not to rise up in competition with their superiors." To the hopeless situation of the workers ("they shall always be chained to the same oar and never be but Journeymen") he traces their drunkenness, their proclivity to mobs and rioting and their belief that it is no crime to cheat the master, their common enemy. The regime of the putting out system brought no golden age. It inaugurated the widespread employment of women and children in industry; it helped to strengthen the mercantilistic predilection for grinding work and low wages for "the laboring poor"; and it was largely accountable for the growth of conscious opposition of class interests, as between employer and employed.

Against these disadvantages for the laborer there were some attractions which the system offered him. Entrance to employment became easy as apprenticeship regulations relaxed or disappeared. The family could work and live together. There were possibilities of removal to better paid branches or to more inviting regions of employment. There were relaxations of pressure during the prosperity phases of business fluctuations. In the countryside or even in the spreading towns, until population grew, there was often a bit of land with the laborer's cottage, which added somewhat to income and to change of occupation; there was also a chance of extra earnings at harvest time. Above all, the deep rooted desire for economic liberty, however illusory, survived the attacks upon the worker's independence. The artisan was extremely loath to endure the iron discipline of the factory and strove bitterly, as the long and persistent struggle of the hand loom weavers showed, against its encroachments.

To the entrepreneur the system gave wider scope than had before been possible, even under the wholesale handicraft system, for the profits of a relatively more coordinated industrial organization. It offered opportunity to men of small means, and for a placement of capital, for the most part circulating rather than fixed, which was comparatively safe at a period when capital was timorous and credit poorly organized in the greater part of Europe. This was especially pertinent in the frequent and serious business depressions, the burden of which could to a large extent be thrown upon labor. But with the growth of business security and opportunity the disadvantages inherent in the system became more obvious. The wastes of time, with the carriage back and forth of materials through the successive steps of manufacture, and of materials entrusted to scattered, careless and pilfering workers, were distressing; the difficulties of supervision, despite all efforts, were great; and the obstacles to the introduction of new methods, such as the subdivision of labor, or of new machinery seemed practically insurmountable. Furthermore, the expansion of demand for industrial products both in quantity and quality, which marked the advance of the eighteenth century, made increasingly evident the serious limitations upon the growth of enterprise. Attempts were made to seek new supplies of labor farther afield, with branch depots under factors or subputters out, or to concentrate the putting out workers in the employer's workshop and even to equip them with power and machinery. These efforts succeeded in maintaining the declining system in some regions and industries; indeed in a few cases, such as the Swiss embroidery industry and the Crefeld silk manufacture, it has won ground back from the factory. The machines in these instances have been moved to the

workers' homes or workshops, and in considerable measure the control of hours and conditions of labor has bettered the present day lot of the putting out worker. But in the last half century the putting out system, except in India and China, where it remains strong, has given way to the superior discipline and efficiency of the modern factory. In European countries and in the United States it has survived in the form of sweated industries, such as the clothing and needlework trades, chiefly in the slums of great cities, or in processes ancillary to factory production which employ town and country workers, mainly women and children. With the utilization of electrical power, however, and the consequent decentralization which that makes possible, some revival of the putting out system may be attempted. If one of the major stages of industrial organization should thus receive a new lease of life, it will demand close study to insure the provision of adequate social safeguards which its history shows to be essential.

EDWIN F. GAY

See: GUILDS; HANDICRAFT; HOMEWORK, INDUSTRIAL; FACTORY SYSTEM; RURAL INDUSTRIES; ORGANIZATION, ECONOMIC.

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PYM, JOHN (1584–1643), British parliamentarian. Pym sat in Parliament from 1614 until his death and during the Long Parliament played a conspicuous part as unacknowledged leader of the House of Commons. Both in his parliamentary speeches and in his actions Pym displayed a firm belief in parliamentary sovereignty based on popular consent and in the liberties of the subject. Despite his support of the Root and Branch bill as a bid for Scottish cooperation he preferred a moderate Erastian church policy with Parliament rather than the king in control. As a trained lawyer he helped to maintain the authority of the law of the land as administered by the courts of common law. Pym's convictions not only forced him into direct opposition to the early Stuart system of royal absolutism, which he wished to reduce to a limited monarchy, but threw upon him the burden of constructing a machinery of parliamentary government to take the place of the existing system dominated by the king. In both tasks he was successful.

From 1621 onward he took the lead in organizing parliamentary resistance to the royal power. He saw the necessity of controlling the king's advisers as key positions of the executive and had an active hand in all the important impeachments of the period, notably that of Strafford. He insisted on redress of grievances before supply. By the abolition of the courts of Star Chamber and High Commission in 1641 he deprived the king of his most effective ad-

ministrative instruments. But his greatest achievement was in forging a parliamentary executive machinery based on the committee system. He developed this hitherto desultory procedure to a high degree of efficiency, constituting committees both during and between sessions. This innovation and the bill forbidding the dissolution of Parliament without the consent of its members provided the continuity which was essential to a supreme executive body. Pym's genius for administration was responsible for the creation of the first executive of parliamentary sovereignty, which later developed into the cabinet system.

PHYLLIS DOYLE

Consult: Gardiner, S. R., *History of England from the Accession of James I to the Outbreak of the Civil War, 1603–1642*, 10 vols. (new ed. London 1893–95), and *History of the Great Civil War, 1642–1649*, 4 vols. (new ed. London 1893–97); Holdsworth, W. S., *History of English Law*, 10 vols. (3rd ed. London 1922–32) vol. vi, p. 108–40; Tanner, J. R., *English Constitutional Conflicts of the Seventeenth Century, 1603–1689* (Cambridge, Eng. 1928); Gooch, G. P., *English Democratic Ideas in the Seventeenth Century* (2nd ed. Cambridge, Eng. 1927); Marriott, J. A. R., *The Crisis of English Liberty: a History of the Stuart Monarchy and the Puritan Revolution* (Oxford 1930) chs. vii–ix.

QUAKERS. Applied at first as an epithet of contempt evoked by manifestations of religious ecstasy, the term Quakers has become the accepted designation for members of the Society of Friends. Quakerism arose in England in the middle of the seventeenth century under the leadership of George Fox. In contrast to contemporary dissenting sects, its emphasis was not upon matters of theology and doctrinal interpretation but rather upon divine guidance in the life of the individual—the "inner light," or "Christ within." Quaker reaction against sacerdotalism and formalism found its expression in worship based on silence, the meeting of a group for divine communion without prearranged program, sermon or observance of outward rites. Holding that the will of God for the individual must take precedence over state laws, Quakers refused to pay tithes for the support of a state church because they considered the gift of God to be free, not mediated through a privileged class. They met to worship in their own way, although such worship was forbidden by law. They protested against luxury as oppressive to the poor and appealed to all to live simply for the sake of their less fortunate brethren. This desire for simplicity underlay the adoption of the peculiar dress which was characteristic of Quakers as well as their "plain speech," that is, the use of "thee" and "thou" in place of the more formal pronoun. Insisting on one standard of truth in everything, speech as well as action, they refused to take even a judicial oath. For upholding such principles many thousands were imprisoned; yet their uncompromising stand was an important factor in the struggle for religious freedom in England. Despite persecution and oppression Quaker doctrines spread throughout the British Isles, reached New England as early as 1656, and other parts of the American colonies soon after.

This early period of intense religious activity lasting until about 1690 was followed by an interval of quietism, during which, although no formal creed or confession had been developed, rigid adherence to Quaker principles was expected of members. Those whose lives were not in accordance with the "discipline" of the society were "disowned," that is, denied the rights of membership. Nineteenth century Quakerism witnessed a relaxing of the discipline, followed by a gradual revival, a reaffirmation of practical mysticism and an increasing sense of the social implications of religion with emphasis upon organized philanthropy.

Before 1670 George Fox planned a democratic organization for the Quakers, which has been little altered. One or more congregations form a Monthly Meeting, which is the unit for managing the society's affairs in any one district. Several Monthly Meetings form a Quarterly Meeting and a number of Quarterly Meetings a Yearly Meeting, usually the national or state unit. Each Yearly Meeting, of which there are over thirty in the world, calls itself a Society (or Religious Society) of Friends. In the meetings for church affairs the clerk, who combines the offices of chairman and secretary, may be either a man or a woman (women share equally with men in all community activities, and have always taken an important part in the ministry of preaching). There is no voting, the meeting attempting by deliberation rather than debate to find the will of God in any matter. Within their own Society Quakers, or Friends, as they call themselves, care for their poor and needy and supervise the education of their members through educational institutions of various grades. Formerly they exercised a stringent supervision over the personal, social and business life of each member. Variations in emphasis on points of doctrine and in organization occur

among the branches of Quakerism in the United States, where a pastor and arranged services, with voting in business meetings, often replace the historic Quaker procedure.

Like other religious and reform movements, Quakerism was both an expression of the broader humanitarian tendencies of the eighteenth century and a factor in the resolution of those tendencies into concrete social reform. In the abolition of slavery, the protection of Indians and other backward races, the improvement of conditions in prisons and insane asylums, anti-militarist agitation and reconstruction work following wars as well as in general philanthropic endeavor Quakers have been pioneers.

On the American continent William Penn founded Pennsylvania as a refuge against persecution. While the Quaker regime in that colony endured, Indians were paid for their lands and received fair and equitable treatment at the hands of the whites. Quakers also took a prominent share in the administration of Rhode Island and of New Jersey, and liberty of conscience and democratic institutions were characteristic of their rule. But the Quaker would not force his beliefs upon others; when the majority became non-Quaker, Quaker administrators usually either compromised in matters relating to the military defense of the country or withdrew from the government.

Quakers were among the earliest opponents of slavery. By patient personal work, by appealing to the good in the oppressor as well as caring for the oppressed they eliminated slaveholding from among their own groups before the end of the eighteenth century and sought to influence public opinion in this direction. Many Quaker names are connected with the antislavery cause, notably that of John Woolman, who labored untiringly for all who were oppressed by the economic system, Anthony Benezet, who influenced Clarkson to make the abolition of the slave trade his life work, and later the poet Whittier.

Until one hundred years ago Quakers were chiefly middle class farmers and traders, most professions and the fine arts being closed to them either by law or by conviction. As shopkeepers they tended to engage in business relating to food, clothing and other essentials rather than in "luxury" trades. Believing there could be but one true price for an article, they refused to bargain. Hence there arose in England the custom of adhering to a set price for retail goods. The honesty and integrity of the Quakers brought them popularity with their customers and constantly increasing trade; but if wealth came, it was used for the building up of larger businesses rather than for luxurious living. Their freedom from convention and stress on personal responsibility produced among them experimenters and inventors: in the iron industry, the Darbys; in pottery, Cookworthy; in science, Dalton and Eddington. The personal interest of Quaker employers in their employees and of traders in their customers arose from their belief in the spiritual value of each individual. In early Quaker households apprentices and servants were considered part of the family. Later, as big business concerns developed, practical attention was given to the welfare of employees. Bournville, near Birmingham, England, built for the employees of Cadbury Brothers is one well known example. Quakers have also made experiments in corporate undertakings for community welfare. John Bellers, "the pioneer of modern Christian socialism," published his *Proposals for raising a Colledge of Industry* (London 1695, new ed. 1696; reprinted as *Industry brings Plenty*, 1916). Out of his suggestions grew Quaker experiments in industrial education at Clerkenwell and Bristol. During the next century William Allen, editor of the *Philanthropist*, a magazine devoted to social welfare, founded an industrial training colony for laborers at Lindfield, Sussex. Together with several other Quakers Allen also participated in Owen's experiment at New Lanark. At the present time Quakers are engaged both in England and in America in allotment and other schemes for helping the unemployed.

Other causes which early enlisted Quaker support were the education of the poor, as in the Lancastrian schools; penal reform, led by Elizabeth Fry and Peter Bedford, both of whom were opposed to capital punishment; humane treatment of the insane, as in the York Retreat founded in 1796 by William Tuke; and temperance reform. For the last two generations Quakers have carried on foreign missionary work, in which they have recognized the place of the educational and medical missionary alongside that of the evangelist. Formerly debarred from the universities and most public offices by their refusal to take an oath, they played little part in politics in England until the nineteenth century. In public life they have figured chiefly as pacifists and social reformers; among these Joseph Sturge and John Bright were outstanding.

Opposition to war has always been a distinctive Quaker doctrine, and in every war members of the sect have suffered for their refusal to fight. During the World War many Quakers were conscientious objectors; some accepted alternative non-combatant service, while others who took an absolutist position went to prison under conscription laws. A number of nominal Quakers who did not hold the peace principles of the society became soldiers. The Quakers' traditional peace testimony has, however, rested not merely on negative war resistance but also on an active promoting of reconciliation at all times and on the relief of distress attendant upon war. During the years 1914–18 Quakers cared for enemy aliens and their families, organized ambulance units, carried relief to civilians in war zones and as soon as it was feasible undertook reconstruction work in devastated areas. After the war they assumed, with generous public assistance, the burden of feeding the destitute children in Germany and Austria and of much reconstructive work in France, Poland and Russia.

Because of prevailing conscription laws under most governments Quakerism failed to gain any considerable following in Europe. At the present time it is estimated that there are fewer than 500 adherents of the faith on the continent. Quaker membership in the British Isles is approximately 22,000; in the United States 110,000; and in other parts of the world, chiefly Madagascar, Australia and New Zealand, 8000. Despite this numerical insignificance Quakerism has exerted a potent influence throughout the Christian world. Its strength has lain in the example set by thousands of ordinary men and women, who, in spite of many failures in practical obedience, have sought to follow the "light within" in their daily occupations. As a body they have been distinguished by their long tradition of religious tolerance and humanitarianism, and many of the causes in which they were pioneers have become world movements.

ISABEL GRUBB

See: PROTESTANTISM; SECTS; HUMANITARIANISM; CONSCIENTIOUS OBJECTORS; RELIGIOUS FREEDOM; SLAVERY.

Consult: Braithwaite, William C., *The Beginnings of Quakerism* (London 1912), and *The Second Period of Quakerism* (London 1919); Jones, Rufus M., *The Later Periods of Quakerism*, 2 vols. (London 1921), and *The Quakers in the American Colonies* (London 1911), in collaboration with I. Sharpless and A. Gummere; Thomas, Allen C. and R. H., *A History of the Friends in America* (6th ed. Philadelphia 1930); Emmott, Elizabeth B., *A Short History of Quakerism (Earlier Periods)* (New York 1923); Graham, John W., *The Faith of a Quaker* (Cambridge, Eng. 1920); Grubb, Edward, *What is Quakerism?* (2nd ed. London 1919); Best, Mary A., *Rebel Saints* (New York 1925); Rowntree, Joshua, *Social Service; Its Place in the Society of Friends* (London 1913); Grubb, Edward, *Social Aspects of the Quaker Faith* (London 1899); Grubb, Isabel, *Quakerism and Industry before 1800* (London 1930); Sharpless, I., *A Quaker Experiment in Government* (rev. ed. Philadelphia 1902); Jorns, A., *Studien über die Sozialpolitik der Quäker*, Volkswirtschaftliche Abhandlungen der badischen Hochschulen, n.s., no. 10 (Karlsruhe 1912), tr. by T. K. Brown as *Quakers as Pioneers in Social Work* (New York 1931); Fry, Anna Ruth, *A Quaker Adventure* (London 1926), and *Quaker Ways* (London 1933); Jones, L. M., *Quakers in Action* (New York 1929); Brayshaw, S. N., *Unemployment and Plenty* (London 1933).

QUANTITY THEORY OF MONEY. *See* MONEY.

QUARRYING.

Stone production, one of the most widespread of industries, present in every country in the world and in every state of the United States, is described incompletely by the term quarrying, which originally was applied to the production of stone blocks from surface operations, the principal activity a century ago and earlier, as distinguished from the shaft operations of metal mines. Today dimension stone is obtained from both open pits and slopes and shaft mines. Moreover mechanized production of stone for crushing with high explosives and power shovels at surface operations is similar to open pit mining of iron ore, the recovery of coal by stripping and the production of copper ore. The average annual output of stone of all kinds, including slate, in the United States for the five-year period 1927–31 was more than 176,000,000 short tons with an average annual value exceeding $216,300,000. The production of unfinished stone alone in 1929, excluding noncommercial stone and stone used in the manufacture of lime and cement, ranked fifth among the mineral producing industries in total value of products and third in the number of wage earners employed; the tonnage was more than twice that of iron ore or of anthracite coal. This is indicative of the important part stone plays in the world of raw materials. Dimension stone is used not only in monuments and as a premier facing material for modern steel skyscrapers but in a wide variety of fields, such as electrical, lavatory and laboratory equipment; roofing; blackboards; art goods; decorative interiors; and road and bridge construction. In

crushed form, however, stone attains its greatest economic utility, the largest quantities finding outlets in road building, as concrete aggregate and as railroad ballast. The delivery of enormous tonnages of quarry products to markets is an important transportation item involving rail, water and truck haulage. Coal and oil used in quarries, mills, cement plants and limekilns account for an appreciable part of the total fuel supply, and the machinery and explosives required provide an outlet for factory goods.

Unlike most of the non-metals, stone has an important ancient history. Its use identifies a whole epoch in man's development, the stone age, when it served as material for tools and weapons. It provided man's earliest construction material, crude domestic equipment and ornaments, and upon it were recorded legal documents and artistic impressions. Stone was to the ancients what metals and fuels are to modern industry; it was the boast of a Roman emperor that he found the Eternal City brick and left it marble. Granite and sandstone and some limestone were quarried as well as rarer stones, such as alabaster and marble, which were used to make statues, cups, bowls, vases and other artistic objects. At their apexes the significant ancient civilizations showed a high degree of skill in stone working and construction, which found expression in palaces, pyramids, temples, statuary, tombs, fortresses, amphitheaters, aqueducts and roads. Since it was too costly to hew rock from its native beds with the crude hand tools then available, such as drills and saws made of copper and later of iron, it could be used only for major public works. The production process was slow and laborious and the structures represented the efforts over long periods of years of innumerable slaves and convicts, who labored under conditions of the utmost cruelty and degradation (*see* MINING). Hand methods and forced labor employed by the ancients were modified but slightly during the epoch of fortress and cathedral construction in the Middle Ages.

The importance and utilization of stone were greatly augmented by the economic and social changes wrought by the industrial revolution. Increasing urbanization required more stone for building and street paving and incidentally for public monuments. The growth of commerce made better highways imperative, and the macadamizing method of road construction created a great demand for broken stone. The increasing use of Portland cement after the 1880's required large amounts of limestone, one of the essential raw materials of the new hydraulic cement. These two developments stimulated and improved crushed stone quarrying. Production costs were diminished, and the employment of stone became more general, through the mechanization of the industry. At the same time stone acquired new uses. Limestone is used not only because of its bulk, but also for its desirable chemical and physical properties, which make it an important raw material, particularly in cement and lime manufacture. Indeed in chemical industries lime is known as "king of all the bases." Crushed limestone is employed also in metallurgy as furnace flux, in sugar refining, in rubber, paper, glass, mineral, wool and refractory manufacture and in many other ways, as in coal mine dusting and as fertilizer.

There is an abundant variety of stone in the United States. In the Appalachian district from Maine and Vermont to Georgia are crystalline marbles, slates, unaltered granite, sandstone and limestone; in the region between the Appalachians and the Rocky Mountains limestone and sandstone are the characteristic commercial stones, although isolated areas of granite occur; in the Rocky Mountain belt both igneous and metamorphic stones are abundant and accessible granites and marbles are of commercial importance; in the Pacific coast region are to be found granite, basalt, marbles, slates, unaltered limestones and sandstones and various forms of volcanic rocks. The exploitation of stone is undertaken wherever markets exist sufficiently close to desirable stone deposits. Favorable endowment of resources permits most communities to satisfy from relatively nearby sources local requirements for the ordinary rough uses of stone.

Early colonization in the United States took place in New England and the middle Atlantic states where rock was abundant, so that stone was the most widely used mineral in the first part of the nineteenth century. Many quarries supplied granite for houses and public buildings; in 1833 a number of structures in Boston, including the courthouse and several churches, were built of granite, which was also used in the Bunker Hill Monument. Several marble, sandstone and slate quarries were in operation in Vermont, Pennsylvania and Connecticut. The principal equipment of these early quarries consisted of crowbars, wedges, sledges, crude windlasses and horse drawn carts. By 1880 the annual value of stone, which consisted mainly of dimen-

sion products, was $22,000,000. There was a fluctuating although gradually expanding use during the succeeding twenty years. After 1900 the development was more rapid; the value of output of limestone, granite, sandstone, basalt, slate and marble rose from $75,992,000 in 1909 to $101,685,000 in 1919. Virtually the entire increase was in limestone, which rose in value from $29,832,000 to $52,944,000.

The stone industry of the United States since the World War has been characterized by a slowly rising demand for dimension products and by a very rapidly growing demand for crushed stone. The use of crushed stone was confined almost exclusively to road building until 1898, when larger quantities began to be utilized for concrete aggregate and railroad ballast. Its phenomenal advance accompanied the spectacular rise of Portland cement, for which it supplied the principal constituent and with which it was used as aggregate. In 1886 the output of crushed and broken stone was smaller in volume than that of dimension stone, while in 1930 the tonnage of crushed stone was 30 times larger than that of dimension stone. In 1929 the sales of limestone exceeded the sales of any other stone, while sales of stone in crushed form exceeded the sales of any other form. Total sales of stone other than slate in 1930 amounted to $178,948,611 (Table I); sales of slate amounted to $7,911,618.

TABLE I

SALES OF STONE BY VARIETIES AND USES, UNITED STATES, 1930

VARIETIES	
Limestone	$100,002,114
Granite	30,423,853
Basalt	17,053,031
Marble	12,905,596
Sandstone	10,285,391
Other	8,278,626
Total	178,948,611
USES	
Crushed stone	87,554,354
Building stone	39,111,527
Monumental	13,157,550
Industrial*	17,686,433
Agricultural†	3,309,329
Other	18,129,418

* Limestone and marble; includes furnace flux but not limestone used in the production of Portland cement, natural cement, lime, etc.
† Limestone.
Source: Compiled from United States, Bureau of Mines, *Mineral Resources of the United States, 1931* (1933) pt. ii, p. 298.

The failure of dimension stone to show substantial gains for building purposes is due both to the relatively high cost of stone and to the time saved by the speedier type of steel and concrete construction. The loss of income from funds tied up in large building projects on valuable city real estate is often the determining factor against the use of stone in favor of materials and methods which promise earlier completion. In addition to the time element various dimension quarry products meet sharp competition from other industries; natural roofing slate competes with manufactured roofing materials, building stone with brick and soapstone toilet basins with colored ceramic basins. The dominance of crushed stone production is due largely to the numerous uses to which limestone is put (Table II).

TABLE II

OUTPUT OF CRUSHED LIMESTONE AND OTHER CRUSHED STONE, UNITED STATES, 1930

(In short tons)

CRUSHED LIMESTONE	
Concrete aggregate and railroad ballast	56,775,060
Portland cement, including "cement rock"	40,500,000
Fluxing stone	17,021,350
Lime	6,780,000
Alkali works	4,436,160
Riprap	2,918,110
Agriculture	2,542,100
Refractory stone (dolomite)	453,350
Asphalt filler	430,290
Sugar refineries	414,340
Calcium carbide works	364,750
Natural cement ("cement rock")	341,000
Paper mills	248,790
Glass factories	224,180
Road base	139,030
Whiting substitute	119,350
Magnesia works (dolomite)	111,740
Mineral (rock) wool	64,850
Stucco, terrazzo and artificial stone	59,570
Coal mine dusting	47,750
Poultry grit	45,920
Filter beds	30,860
Mineral food	30,350
Fertilizer filler	12,240
Carbonic acid works	2,290
Roofing gravel	1,740
Other uses	310,260
Total limestone	134,425,430
OTHER CRUSHED STONE	
Basalt and related rocks	16,045,091
Granite	6,989,334
Sandstone	2,770,908
Miscellaneous stone	7,594,704
Total other crushed stone	33,400,037
Grand total crushed stone	167,825,467

Source: Compiled from United States, Bureau of Mines, *Mineral Resources of the United States, 1930* (1933) p. 355, 360.

Dimension stone, including slate, and crushed stone operations constitute two sharply defined branches of the stone industry, differing in technology, types of products, management require-

ments, location and marketing processes. For quarrying dimension stone explosives are used very sparingly as the integrity of blocks must be maintained. Cuts are made with channeling machines or wire saws or rock masses are separated by wedging, whereas in quarrying crushed stone heavy charges of explosives are used. Similarly all subsequent steps in the preparation of the two products for market differ. The producer of dimension stone uses saws, planers, "carborundum" machines, rubbing beds and polishers; the producer of crushed stone employs churn drills, power shovels, crushers, screens, elevators and belt conveyors. Dimension stone is sold chiefly by the cubic foot, and much of it commands a price sufficiently high to give it a nation wide market. Crushed stone is sold by the ton and is so low priced that it will not bear heavy transportation expense. Raw materials for crushing are available in many places; quarries are numerous and are scattered throughout the country. The dimension stone industries are centralized in a much smaller number of localities. This is true particularly of marble and slate.

As stone suitable for crushing is obtainable in many places, it is practically impossible for an operator to monopolize available deposits. The producer is usually faced with competition from nearby quarries, from natural gravel and, in the vicinity of smelters, from crushed and granulated slag. Assuming reasonably favorable natural conditions with reference to depth of overburden and distance from markets, successful management eliminates competitors through corporate consolidations and by maintaining low prices through mechanized production and low cost transportation. Thus in the vicinity of large consuming centers ownership of plants shows a remarkable degree of concentrated control. In the United States in 1929, 7 of the 1453 companies producing concrete aggregate, road metal and railroad ballast accounted for more than 15 percent of the national production; 84 companies produced more than 50 percent of the output; and 869, or 60 percent of all the companies, produced less than 7.5 percent of the country's total.

Because of the need for heavy machinery to facilitate mass production of a low value product about 85 percent of the investment of crushed stone companies is in plant and equipment, the remainder representing the value of the land and mineral. Markets are chiefly local in character and transportation is of vital importance. Haulage charges represent a large part of the delivered price and limit the potential marketing area. A survey made in 1926 indicated that crushed stone shipments by rail ranged from 20 to 300 miles, 80 miles being about the average; boat hauls were from 20 to 350 miles; and motor truck shipments were from 1 to 25 miles. With the extension of hard surfaced highways and the development of motor trucks capable of hauling heavy loads at speeds of 35 to 50 miles an hour, rail shipments declined from 57 percent of the total production in 1926 to 39 percent in 1931. The dropping off in rail transport is due to several other factors, such as increased use of local sources of supply in road work and the activity of small portable plants. These tendencies have increased the volumes handled by truck, and at the same time trucks have competed more effectively in transporting the product of the large centrally located plants.

The dimension stone industry in the United States is composed of a number of subdivisions, each practically an industry itself, organized around a specific product with individual problems, corporate structures and specialized marketing techniques. The most significant are the limestone industry, principally in Indiana; the granite industry, with important producing areas in Maine, Vermont, Massachusetts, North Carolina, Georgia, Minnesota, New Hampshire and Wisconsin; the marble industry, centered in Vermont, Georgia, Missouri and Tennessee; the sandstone industry of Ohio; the soapstone industry of Virginia; and the slate industry of Vermont, New York and Pennsylvania. Indiana oolitic limestone is by far the most used building stone; its annual production represents about 45 percent of all kinds of natural building stone and about 85 percent of all dimension limestone in the United States. Because of the ease and cheapness of quarrying and finishing it could compete with more favorably situated building stones and those previously more extensively used, and its light buff and gray colors provided relief and contrast from the somber browns and reds which had formerly been the vogue.

In the struggle to lower costs many forms of machines have been adapted to quarrying dimension stone, but the high degree of mechanization prevailing in crushed stone production is not possible in the more delicate art of hewing dimension blocks. Here the principal mechanical advances followed the change from steam to electricity and compressed air, which permitted the powering of hand tools requiring more or

less human direction in accord with the peculiarities of nature and the possibility of fracture. Manual exertion has been greatly reduced by the use of power shovels, drag line excavators and hydraulic methods for overburden removal and of the air drill, electric channeler, wire saw, electric or steam hoist and power haulage in the actual quarrying process. The trend toward the machine has been accelerated in recent years; the total rated horse power of power equipment at quarries almost doubled over the decade ending in 1929. There are tasks, however, in which the lever, sledge and wedge are still essential, as in the removal of key blocks, and considerable human labor is still required where the machine fails or is inadequate. In the milling and finishing plants, where rough standard sized blocks from the quarry undergo further preparation, powered diamond and gang saws, planers, lathes, cranes and polishing machines aid in the finishing; but carving is usually done by hand, sometimes with the aid of pneumatic tools. Finishing quadruples the value of the raw blocks.

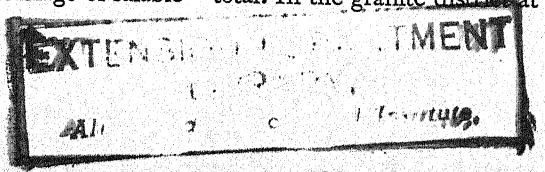
With the exception of the wire saw, which was not widely used until 1928, mechanical equipment has not reduced the enormous waste incident to dimension stone production. Bowles has estimated that not more than 40 percent of the rock stripped and blocked out in the Indiana limestone quarries is recovered in usable form; in addition mill wastes amount to 10 to 20 percent of the gross footage entering the mill. In the sandstone industry the volume of finished products represents less than one half of the quarry output; in the slate industry, where wastes are particularly large, the salable material probably amounts to not more than 10 percent of the slate quarried. Every branch of the dimension stone industry is affected similarly. While some loss is unavoidable, the portion of the waste due to carelessness in the use of explosive and in the sizing of blocks is preventable.

Efforts to utilize quarry waste in the form of crushed stone have not been successful as a solution of the waste problem. Promising attempts to market the unusually pure and useful Indiana limestone waste as by-product stone fell far short of expectations, the material disposed of representing only a fraction of the thousands of carloads discarded. Insufficiently large nearby markets are the chief difficulty encountered in attempts to dispose of large quantities of by-product stone; dimension stone quarries are located without reference to large crushed stone outlets, and the tonnage of salable waste is limited by the consuming capacity of areas adjacent to the quarries, since the low value of the material precludes long hauls.

Companies producing only standard sized quarry blocks and slabs are at a disadvantage in marketing; for while off-size blocks may be utilized with judicious management, they are not readily disposed of and can command only a low price. A second and larger group of companies, which includes most of the large producers, quarry and manufacture stone into finished products. The affiliated mills are located either at quarries or in nearby towns, the latter usually being preferred because the labor requirement is large and living conditions are more favorable. A third group of companies buy sawed or rough stock and manufacture products but do not operate quarries. In the Indiana limestone industry from two thirds to three fourths of building stone is normally sold as rough or sawed blocks and slabs to mills situated in large cities, where it is fabricated chiefly for small or moderate sized building contracts. The balance of the production is manufactured in the mills operated in connection with quarries. These mills, supplied with shop drawings, cut the stones to exact dimensions for distant construction projects. The smaller limestone quarries in various states sell much of their product directly to builders and contractors for local use.

The task of marketing dimension stone is primarily one of supplying a quality market with a raw material for special purposes. Desired building effects and other artistic considerations are determining factors rather than distance from source, as is illustrated by the broad distribution of Indiana limestone. Records of shipments in the United States since 1917 indicate that this stone is used in 43 states as well as in Canada, which consumes about 2 percent of the output.

In the past 40 years bankruptcies and receiverships have been common in the American stone industry and there has been a dominant trend toward consolidation and concentration. In 1886, 33 companies operated marble quarries in Vermont. At present only 4 companies are in existence, and one of them controls more than 90 percent of the state's output and about one third of the marble production of the country as a whole. One marble company, which in 1916 absorbed all competitors in the Georgia marble district, supplies roughly one fifth of the national total. In the granite district at Barre, Vermont,


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8 or 9 companies operate and 1 company accounts for about 25 percent of the district's output. Considerably more than 50 percent of the production of dimension granite in North Carolina comes from plants of a single corporation. A quarrying company, formed in 1929 by a merger with other producers in Ohio, controls about 5 percent of the country's dimension sandstone output, and there is only one producer of dimension soapstone in the United States.

The most spectacular effort toward concentration in the stone industry was the combination of 20 quarrying and 6 independent milling companies (out of a total of 36 companies) as the Indiana Limestone Company in 1926. At the outset the consolidation controlled more than one half of the production of the Bedford-Bloomington district, an advantage which was not maintained, as output dropped to one third of the district total in the next five years. While the new company was not effective in checking the growth of competitors, as the outstanding producer its prices tended to set the tone for quotations by other operators. While there was always a tendency toward a single price scale for the district, this tendency was stronger after the formation of the Indiana Limestone Company. Beneficiaries of the changing production ratio were the independent quarrying and milling companies—some of them the outgrowths of earlier and smaller consolidations—who after the consolidation of 1926 organized the Building Stone Association of Indiana as an independent information and service bureau. In 1932 the Indiana Limestone Company was refinanced and reincorporated as the Indiana Limestone Corporation. In the first half of 1933 the new corporation and the independent companies joined in the formation of the Indiana Limestone Institute, the early efforts of which seem to have been directed toward sales promotion.

Trends toward corporate concentration in important producing districts have never attracted much public concern, as profits were not sufficiently spectacular to command attention. While operations in a single district might be consolidated, other producing areas and even different stones provided active competition. Moreover the relative abundance of stone resources limits the effectiveness of corporate consolidations as an instrument of control even in limited areas. Independent operations usually continue and often increase in size at the expense of the combination, as unworked deposits are readily available either for purchase or for leasing on a royalty basis.

Royalties, although paid frequently, are not very important economic considerations in either the dimension or the crushed stone industries. They are commonly charged as a fixed sum per ton or cubic foot of material sold and vary considerably with the size of operation, value of products and other factors. Royalties range from 10 percent of the net selling price of slate to 4 to 10 cents a cubic foot on Indiana limestone sold as cut stone for $2 to $3 or from 2 to 5 cents if the limestone is sold as rough building stone. Royalties for crushed stone vary from 1 to 10 cents a ton depending on local conditions. Where exploitation is undertaken on the public domain, prevailing leasing provisions prescribe a minimum royalty of 5 percent of the net value of the output. Most private owners require a minimum average daily or monthly production as a condition of the royalty agreement.

About 100,000 workers are employed in the quarrying and finishing of stone products. For the quarrying of dimension stone the largest single cost is the wage bill, which amounts to one third of the value of the raw products. The proportion of wages to value is much lower in crushed stone production because of the higher degree of mechanization. In the manufacture of marble, granite, slate and other stone products in 1929, 37,805 wage earners were employed, receiving total wages of $63,057,000, or an average of $1669; this comparatively high wage is indicative of the great amount of skilled labor employed. Such figures as are available on employment show that quarry employees work an average from 48 to 60 hours per week, with considerable variations in length of the working day among individual plants. Adverse weather conditions in winter and seasonal demand effect sharp reductions in working time. While somewhat less than a third of the quarries operate on virtually a full time basis, the remainder work much less steadily. Operations producing the porous dimension stones, such as sandstone and Indiana limestone, are normally idle from three to four months during freezing weather, as frost has a deleterious effect on unseasoned stone. Naturally a larger potential working time prevails for southern quarries as compared with those in colder areas. Data as to accidents to quarry workers indicate that the hazards are about double those in the stone finishing trades although fewer than in metal mining (*see* MINING ACCIDENTS).

The quarrying branch of the stone industry is characterized by almost complete lack of trade union organization, and wages are usually at the scale prevalent for common labor in the locality of the quarry. This is generally true of the entire crushed stone industry and of most dimension stone quarries, with the exception of certain parts of New England. In the Barre district of Vermont and in certain parts of Maine and Massachusetts the Quarry Workers' International Union of North America, with a reported total membership of 4000, has enrolled quarry workers and has become an active factor in collective bargaining. Local affiliates of this organization are reported in many other districts.

The important and strategic task of milling, cutting and finishing dimension stone is handled almost entirely by union labor. There are four unions, all affiliated with the American Federation of Labor, active in this branch of the industry: the Journeymen Stone Cutters' Association of North America; the Granite Cutters' International Association of America; the International Association of Marble, Stone and Slate Polishers, Rubbers, and Sawyers, Tile and Marble Setters' Helpers, and Terrazzo Workers' Helpers; and the International Paving Cutters' Union of the United States of America and Canada. These organizations are firmly intrenched, and with only a few exceptions their members handle the milling and finishing of stone at quarries and nearby milling plants and at the finishing plants located in almost every large city. The importance of the latter is apparent when it is recalled that about two thirds of the Indiana limestone leaves the producing district as rough block and is finished at its destination. In certain instances some of the finishing trades, possibly with the assistance of other factors, apparently enforce conditions to the interest of certain local unions which affect the marketing of stone. There seems to exist, for example, an understanding that only rough stone is to be shipped into the New York City district for finishing within the metropolitan area at such plants as those located in the vicinity of Long Island City.

In general aspects the quarrying industries are practically the same in all the highly industrialized nations. Quarrying is usually carried on for small local markets in economically backward countries; primitive methods of production prevail, although mechanization makes steady progress. Some of these countries have a fairly large production; thus British India in 1929 produced 4,760,000 tons of stone, mainly granite and limestone. Some colonial countries produce small amounts of stone for export; of 198,000 tons of limestone produced in the Congo, only a small proportion was used locally. Nearly every country produces several varieties of the more important stones. In 1929 the United Kingdom produced 14,614,000 tons of limestone, 3,100,000 tons of sandstone and 305,000 tons of slate; France had a total stone production of 39,500,000 tons, of which limestone represented 16,000,000 tons; Germany had a considerable production of basalt, granite, limestone and sandstone; Italy produced over 15,000,000 tons, including limestone, marble, sandstone and lava stone. Every nation has adapted locally available stones to its peculiar needs. Limestones, sandstones and granites are the chief varieties in general use, while Italian and African marbles serve special purposes.

The foreign stone trade of the United States is not significant: exports seldom exceed $3,000,000 in value, and during the five-year period 1927–31 imports about equaled outgoing shipments. Exports of stone, sand, lime and cement averaged $5,537,000 in 1921–25, rising to $6,819,000 in 1929; imports averaged $5,906,000 in 1921–25, rose to $10,708,000 in 1928 and declined to $7,377,000 in 1929. International trade in stone is confined to requirements for particular varieties or highly desired types and to the short distance movement of crushed stone to nearby destinations across international boundaries.

O. E. KIESSLING

See: MINING; MINING ACCIDENTS; CONSTRUCTION INDUSTRY; CEMENT; NATURAL RESOURCES; LOCATION OF INDUSTRY; COMBINATION, INDUSTRIAL.

Consult: Eckel, E. C., *Building Stones and Clays* (New York 1912); Howe, J. A., *Stones and Quarries* (London 1920); Ries, H., *Economic Geology* (New York 1912) ch. iii; Dussert, Désire, and Bétier, G., *Les mines et les carrières en Algérie* (Paris 1931); Fitzler, Kurt, *Steinbrüche und Bergwerke im ptolemäischen und römischen Aegypten; ein Beitrag zur antiken Wirtschaftsgeschichte* (Leipsic 1910); United States, Bureau of Mines, "Mineral Production of the World 1924–1929" by L. M. Jones, in *Mineral Resources of the United States, 1930* (1933) pt. i, p. 859–962; Hughes, H. H., "The Soapstone City" in *Rock Products*, vol. xxxv, no. 3 (1932) 25–28; United States, Geological Survey, "Slate Deposits and Slate Industry of the United States" by T. N. Dale, E. C. Eckel, W. F. Hillebrand, and A. T. Coons, *Bulletin*, vol. cclxxv, ser. A, no. 63 (1906); United States, Bureau of Mines, "The Technology of Marble Quarrying," "Sandstone Quarrying in the United States," "Rock Quarrying for Cement Manufacture," and "The Tech-

nology of Slate" by Oliver Bowles, *Bulletin*, nos. 106, 124, 160, and 218 (1906–22), and "Economics of Crushed-Stone Production" by Oliver Bowles, *Economic Paper*, no. 12 (1931), and "Granite Industry, Dimension Stone" by Oliver Bowles, *Information Circular*, no. 6268 (1930), and "Economics of New Sand and Gravel Development" by J. R. Thoenen, *Economic Paper*, no. 7 (1929), "Crushed and Broken Stone" by J. R. Thoenen in *Minerals Yearbook* (1933) p. 595–601, "Study of Quarry Costs" by J. R. Thoenen, *Report of Investigations*, Serial no. 2911 (1929), "Study of Quarry Costs: Trap Rock, Sandstone, Granite" by J. R. Thoenen, *Information Circular*, no. 6291 (1930), and "Quarry Problems in the Lime Industry" by Oliver Bowles and W. M. Myers, *Bulletin*, no. 269 (1927), and "Marble" by Oliver Bowles and D. M. Banks, *Information Circular*, no. 6313 (1930); Blatchley, R. S., "The Indiana Oolitic Limestone Industry in 1907" in Indiana, Department of Geology and Natural Resources, *Annual Report, 1907* (Indianapolis 1908) p. 299–460; United States, Geological Survey, "Indiana Oolitic Limestone" by G. F. Loughlin, *Bulletin*, no. 811 (1929); United States, Bureau of Mines, "Quarry Accidents in the United States during the Calendar Year 1931" by W. W. Adams, *Bulletin*, no. 375 (1933).

QUATREFAGES DE BRÉAU, JEAN-LOUIS ARMAND DE (1810–92), French physical anthropologist. Quatrefages was professor of natural history at the Collège Henri Quatre from 1850 to 1855 and professor of anatomy and ethnology at the Museum of Natural History in Paris from 1855 to 1892. After obtaining doctorates in mathematics, in medicine and in natural sciences, Quatrefages enlarged his studies under Milne-Edwards. His study of man as an individual became an investigation of man as a species. His medical training in the processes of growth and repair favored a freshness of interpretation of morphology apparent in his *Métamorphoses de l'homme et des animaux* (Paris 1862; tr. by Isabella Innes, London 1872). Although its underlying hypothesis, geneagenesis, or the production of several generations through the medium of a single germ, has been invalidated, it led Quatrefages to examine critically the zoological theories then current. His most mature work is *L'espèce humaine* (Paris 1877; English translation, New York 1879). Here he defends the hypothesis of the unity of the human species and discusses human migrations, race crossing, acclimatization, fossil races, together with the physical and psychological characters of contemporary human races so far as these were known at that date.

Quatrefages' enthusiasm for original observation and for constant revision of accepted doctrines led him to champion Boucher de Perthes, to take a prominent part in the great controversy over white and colored races in the Société d'Anthropologie de Paris and to participate in the founding and maintenance of learned societies, such as the Société de Géographie de Paris. He was an able critic who held closely to facts, invariably generous to his scientific adversaries and never belittled their contributions. He deplored the political use of anthropological observations as a dangerous practise which is almost always conducive to error. The secret of his influence lay in his scientific honesty and generosity.

T. WINGATE TODD

Consult: Cartailhac, Émile, in *Anthropologie*, vol. iii (1892) 1–18, with complete bibliography; "Préface" by Edmond Perrier, and "Notice sur la vie et les travaux de M. de Quatrefages" by E. T. Hamy in Quatrefages, A. de, *Les émules de Darwin*, 2 vols. (Paris 1894) vol. i, p. v-c, ci-cxl.

QUENTAL, ANTHERO TARQUINIO DE (1842–91), Portuguese poet and philosopher. Quental was born in the Azores of a noble family with traditionalist views and studied law at the University of Coimbra. Possessing adequate means, he spent much of his time in travel. He never held public office, nor did he engage in private business enterprises. Philosophic meditation, poetic idealization and socialist propaganda among the working classes were his favorite occupations. Possessed of an incomparable facility for self-expression and powerful personal magnetism, he exerted a great poetic, philosophic and politico-social influence. As a poet he was the leading spirit in the revolt against the romantic school in Portugal. He did not consider poetry an end in itself, being more concerned with its use as a medium for attacking difficult moral and social problems. Quental is a representative of the late nineteenth century pessimism which followed the so-called "bankruptcy of science," and his *Hymno da manhã* (Hymn of the morning) is the finest poetic expression of that pessimism. His philosophic influence was directed against the positivist approach introduced into Portugal by Theophilo Braga. Quental took up and in turn rejected various creeds and systems—Catholicism, materialism, Buddhism, Hegelianism—and finally formulated a philosophy of his own which he called "optimistic psychism."

His politico-social influence, which he compared to that of a "minor Lassalle," was spread through journalism, lectures and organizing activity. He was one of the first to introduce the

ideas of Proudhon and Marx into Portugal, and his work forms part of the spiritual background of the revolution of 1910 which abolished the monarchy.

FIDELINO DE FIGUEIREDO

Works: *Obras de Anthero de Quental*, vols. i–vii (Coimbra 1924–33); *Anthero de Quental: Sixty-Four Sonnets*, tr. by E. Prestage (London 1894).

Consult: *Anthero de Quental—In Memoriam*, ed. by M. Lugan (Porto 1896); Sérgio, António, *Notas sôbre os sonetos e as tendencias geraes da philosophia de Anthero do Quental* (Lisbon 1909); Figueiredo, Fidelino de, *Historia da litteratura realista (1871–1900)* (2nd ed. Lisbon 1924) p. 39–85; Carvalho, Joaquim de, *A evolução espiritual de Anthero de Quental* (Lisbon 1927).

QUESNAY, FRANÇOIS (1694–1774), French physiocrat. Quesnay, a doctor of medicine by profession, had become physician to Pompadour and subsequently court physician when he began to publish the first elements of the economic and social system which from 1767 was known as physiocracy (for a detailed analysis, *see* ECONOMICS, section on PHYSIOCRATS). His first important disciple, Mirabeau the elder, was converted in 1757; in the course of the next decade he also gained the adherence of Dupont de Nemours, Mercier de la Rivière, Le Trosne, Saint-Péravy, Baudeau, Roubaud and other less well known figures. Under Quesnay's leadership this group became welded into a closely knit sect or school, maintaining close contacts with the disciples of Gournay and supported by several of the provincial agricultural societies and *parlements* as well as by certain governmental officials. Although all the characteristic doctrines of physiocracy were inspired by Quesnay, his subordinate if not equivocal position at court made him a discreet influence rather than a recognized authority outside his own group. The extreme compactness of his scattered writings also helped to restrict his fame.

Quesnay's rural background sheds light on the central position accorded agriculture in physiocratic doctrine. A man of exceptional strength of character, he retained even at court the mannerisms and interests inherited from his early life on a small farm. His first economic writings, two articles published in the *Encyclopédie*, were entitled "Fermiers" (vol. vi, 1756) and "Grains" (vol. vii, 1757). In insisting upon the unique capacity of agriculture, when pursued under favorable conditions, to yield a *produit net* he referred to large scale enterprise backed by abundant capital such as he had observed during his youth in the rich canton of Île-de-France.

Quesnay's ideas are presented most comprehensively in his *Tableau économique* (Versailles 1758; reprinted by H. Higgs, London 1894), which has long baffled commentators, and the *Philosophie rurale* (Amsterdam 1763), written by Mirabeau in collaboration with Quesnay, which became the "Pentateuch of the sect." The former work, like the article "Impôts" (written in 1757) and *Théorie de l'impôt* (Paris 1760), also a joint product of Quesnay and Mirabeau, was a direct response to the financial crisis of the French government. It was Quesnay's contention that public finance could be restored only through a revival of agriculture, which would thus be enabled to support property taxes high enough to cover the major portion, if not all, of the government's expenses. He was here setting himself not only against industrial and commercial mercantilism but against the multiplicity of taxes and loans: the latter system, he insisted, benefited only pecuniary fortunes, which "know neither king nor country." His condemnation of the populationist theory of national wealth was expounded in his article "Hommes" (written in 1757).

In his general outlook Quesnay was essentially a simple surgeon, constrained by the practise of an art still held in slight esteem to observe nature with deference. The faith in the healing power of nature, which is a recurrent theme in his *Essai physique sur l'économie animale* (Paris 1736; 2nd ed., 3 vols., 1747), he transferred with the aid of the philosophy of Malebranche to the social sphere, and in "Droit naturel" (published in *Journal de l'agriculture . . .*, 1765) he postulated the existence of a natural order spontaneously able to harmonize individual interests, provided they were allowed free rein. It was for this reason as well as for the maintenance of the "good price" that he demanded economic freedom. As a political theorist he also depended upon the free play of natural laws to limit the sphere of the monarch. Yet despite his intractable temperament Quesnay was a proponent of "legal despotism." The essential elements of the latter doctrine, including the exaltation of public opinion and the notion of the coownership of land on the part of the sovereign, were first formulated in Quesnay's "Despotisme de la Chine" (in *Ephémérides du citoyen*, 1767) and developed by Mercier de la Rivière in collaboration with Quesnay in *L'ordre naturel et essentiel des sociétés politiques* (London 1767).

G. WEULERSSE

Works: "Hommes" and "Impôts" are available in

Revue d'histoire des doctrines économiques et sociales, vol. i (1908) 3–88, 137–86. The most complete collection is *Oeuvres économiques et philosophiques de F. Quesnay*, ed. by Auguste Oncken (Frankfort 1888).

Consult: Schelle, Gustave, *Le docteur Quesnay* (Paris 1907); Weulersse, G., *Le mouvement physiocratique en France de 1756 à 1770*, 2 vols. (Paris 1910), and *Les physiocrates* (Paris 1931); Higgs, H., *The Physiocrats* (London 1897); Gide, Charles, and Rist, Charles, *Histoire des doctrines économiques depuis les physiocrates jusqu'à nos jours* (5th ed. Paris 1926) bk. i, ch. i; Sée, Henri, *L'évolution de la pensée politique en France au XVIIIe siècle* (Paris 1925) pt. iv, ch. i; Güntzberg, B., *Die Gesellschafts- und Staatslehre der Physiokraten*, Staats- und völkerrechtliche Abhandlungen, vol. vi, pt. iii (Leipsic 1907); Hasbach, Wilhelm, *Die allgemeinen philosophischen Grundlagen der von François Quesnay und Adam Smith begründeten politischen Ökonomie*, Staats- und socialwissenschaftliche Forschungen, vol. xliii (Leipsic 1890).

QUETELET, ADOLPHE (1796–1874), Belgian astronomer and statistician. Quetelet was the son of a minor municipal official in Ghent. He was appointed professor of mathematics at the Brussels Athenaeum in 1820 and later went to Paris to study the methods of practical astronomy. There he received instruction from Laplace in the theory of probability. On his return to Belgium Quetelet, although continuing his career in astronomy, became gradually more and more interested in statistical problems and the field which they offered for the application of the theory of probability. In 1826, upon the formation of the statistical bureau of Holland, Quetelet became correspondent for Brabant and assisted in formulating plans for the census of 1829. After the revolution of 1830 he became the supervisor of statistics in the Belgian administration and in 1841 he was instrumental in the organization of the Commission Centrale de Statistique, of which he was president until his death. Quetelet's influence on statistics came first of all from his practical work in census taking, the practical rules developed by him still forming the basis of modern census work. In addition he was largely responsible for the extension of statistical study from such physical facts as population, economic resources and the like to the wide field of "moral statistics," which includes the whole realm of acts determined by moral or psychological factors. He was extremely active in promoting international cooperation with respect to uniformity and comparability of statistical data, and it was through his leadership that the first International Statistical Congress was convoked in Brussels in 1853. In the field of theory Quetelet is known above all for his conception of the *homme moyen*, or average man, a conception which in its positive contribution represents the application of the Gaussian normal law of error to the analysis of distributions of data on human characteristics. As a pioneering conception, however, Quetelet's doctrine was inevitably couched in metaphysical terms—as a theory of social determinism through an hypostatized abstraction. It thus laid itself open to valid criticism by statisticians and philosophers.

Quetelet was led to his theory of the average man by his observations on the distribution of human statures. The curve representing this distribution was in fact none other than that given by the theory of probability for the distribution of accidental errors. From this he concluded that the average man may be considered as the basic type, and the differences between this type and the various individuals as so many accidental errors made in the multiple reproduction of the type. He believed that there actually existed in nature fixed types which are preserved despite differences in climate, environment, habits and institutions, and applied the title of social physics to the science which should determine these types. Extending this sort of explanation to man as a moral and intellectual being, he declared that everything which concerns the human species considered en masse is of the nature of physical facts. The greater the number of individuals, the more the free will of the individual effaces itself in favor of "the series of general facts which proceed from general causes as a result of which society exists and is preserved." Thus not only the average length of life and the sex ratio at birth but also the annual number and age distribution of marriages and the proportion of suicides and crimes appeared to him to result from laws as rigorous as those in the physical sciences. Despite the criticism which the theory of the average man provoked it none the less exercised a great influence and helped to spread the conviction that there exists a determinism in social phenomena.

MAURICE HALBWACHS

Important works: *Sur l'homme*, 2 vols. (Paris 1835), tr. by R. Knox (Edinburgh 1842); *Physique sociale, ou Essai sur le développement des facultés de l'homme*, 2 vols. (Brussels 1869), comprising a new edition of *Sur l'homme* with much new material.

Consult: Mailly, Édouard, "Essai sur la vie et les ouvrages de . . . Quetelet" in Académie Royal des Sciences, des Lettres et des Beaux-Arts de Belgique, *Annuaire*, vol. xli (1875) 109–297; Hankins, Frank H.,

Adolphe Quetelet as Statistician, Columbia University, Studies in History, Economics and Public Law, no. 84 (New York 1908); Lottin, Joseph, *Quetelet statisticien et sociologue* (Louvain 1912); Halbwachs, Maurice, *La théorie de l'homme moyen. Essai sur Quetelet et la statistique morale* (Paris 1913); Knapp, G. F., "Bericht über die Schriften Quetelet's zur Socialstatistik und Anthropologie," and "A. Quetelet als Theoretiker" in *Jahrbücher für Nationalökonomie und Statistik*, vol. xvii (1871) 160–74, 342–58, 427–45, and vol. xviii (1872) 89–124, with bibliography of Quetelet's numerous minor writings.

QUINET, EDGAR (1803–75), French historian and man of letters. The devotion of a Protestant mother, a stay in Heidelberg, a German marriage and the friendship of Michelet helped to make the imaginative, conscientious, verbally facile young Quinet into one of the most ardent and uncritical defenders of the resounding generalities—liberty, democracy, progress, God—which were common coin of the western world in the nineteenth century. Quinet wrote and lectured on many subjects. With Michelet and Mickiewicz he turned the Collège de France of the 1840's into a center of republican agitation, or rather into a temple of republican worship, for the proceedings were on almost too sublime a plane for true propaganda. Quinet's works are all sermons and all reflect the belief that ideas, and especially religious ideas, create society. Thus the diversity of the Hindu pantheon produced a caste society and the oneness of Jehovah was reflected in the unity of Hebrew social organization. Quinet's major emotional attachments were to the Protestant church (which he did not formally join), democracy, freedom of conscience and of expression and humanitarianism. For the Catholic church he had a ceaseless hatred, and his ablest polemics are those against the Jesuits. His intellect could never quite reconcile his various loyalties, and this difficulty is clear in his work on the French Revolution, the only one to survive. He was a democrat, a well known party leader, a sentimental lover of the under dog and thus bound to enlist himself on the side of the great revolution; yet, impelled partly by doubts as to the love of liberty felt by a democracy which had established Napoleon III by plebiscite, he wrote a history of the French Revolution more bitterly hostile to the government of the Terror than many a royalist history. His grand conclusion was that the French Revolution failed because it was not a religious revolution, because France did not become a Protestant nation. The body of Quinet's work seems far removed from the social and economic problems which France of his day was really facing, seems heavily overbalanced with emotion and suggests that the cultural implications of "Victorian" may profitably be extended outside England.

CRANE BRINTON

Works: *Oeuvres complètes*, 30 vols. (Paris 1857–95). *Consult*: Quinet, Hermione, *Edgar Quinet depuis l'exil* (Paris 1889); Faguet, E., *Politiques et moralistes du dix-neuvième siècle*, 3 vols. (Paris 1891–99) vol. ii, p. 175–227; Saintsbury, G., *Miscellaneous Essays* (London 1892) p. 274–99; Seillière, E., *Edgar Quinet et le mysticisme démocratique* (Paris 1919); Steeg, T., *Edgar Quinet* (Paris 1902).

RABANUS MAURUS, MAGNENTIUS (older forms: Hrabanus, Rhabanus) (*c.* 776–856), German churchman, teacher and author. Rabanus Maurus, teacher and abbot of Fulda and later archbishop of Mainz, his native city, was easily the most learned man of the ninth century, far surpassing in erudition and wisdom his better known master Alcuin. His numerous writings, which reveal a profound knowledge of ancient and patristic authors, surveyed the whole field of sacred and profane knowledge. Designed to inform laity and clergy alike, they were mostly didactic in character. To characterize them as chiefly compilations is merely to repeat what the author admitted. He was convinced that it was his duty to make his vast knowledge available to all in the form of compendium and commentary. Rabanus was the first great teacher and founder of schools in Germany and seems to have deserved the appellation *primus praeceptor Germaniae*. While in charge of the abbey school at Fulda, from 803 to 822, he infused a more liberal spirit into the study of the arts and sciences. The restrictions placed upon grammar, rhetoric and dialectic by Boethius, Gregory the Great and Alcuin gave way before his humanistic viewpoint and his clear perception of the utility of these disciplines in the pursuit even of divine knowledge. After the example of Alcuin in France, he did much to introduce the ancient learning into Germany. Most of his active life was devoted to the task of raising the intellectual and cultural level of the German people. His glossaries of German words, together with his sermons preached in the vernacular, constituted the first important contributions to the enlargement and refinement of the German language. In order to revive the study of the Bible he introduced into Germany instruction in Greek. His Biblical commentaries, compiled from earlier writers as aids for his students and the clergy

generally, represent a valuable chapter in the history of Scriptural exegesis. Later and more original commentators owe much to his voluminous and searching compilations. Perhaps his best known work is the *De clericorum institutione*, a complete manual based on the best authorities of the past, for the education and training of the clergy; this work was widely used for several centuries. The whole range of his wide reading and study is summed up in the most comprehensive encyclopaedia of the Middle Ages, the *De universo*, a somewhat larger treatise than the great synthesis of Isidore of Seville, after which it was patterned.

ROBERT FRANCIS SEYBOLT

Works: Rabanus' works are reprinted in *Patrologiae latinae*, ed. by J. P. Migne, vols. cvii–cxii (Paris 1864–78).

Consult: Dahl, J. C., *Leben und Schriften des Erzbischofs Rabanus Maurus von Mainz* (Fulda 1828); Spengler, T., *Leben des heiligen Rhabanus Maurus, Erzbischofs von Mainz* (Regensburg 1856); Türnau, Dietrich, *Rabanus Maurus, der Praeceptor Germaniae* (Munich 1900); Bach, J. N., *Hrabanus Maurus, der Schöpfer des deutschen Schulwesens* (Fulda 1835).

RABELAIS, FRANÇOIS (*c.* 1495–*c.* 1553), French romancer, physician and thinker. After abandoning the monastic life Rabelais, a native of Touraine, passed into the service and under the influence of the liberal minded du Bellays. Although he was concerned primarily with scientific knowledge rather than with language and philosophy, the great French realist speaks gratefully of his debt to Budé and Erasmus. As a link between mediaeval and modern literature his importance cannot be exaggerated. In addition to his enormous influence on French humorists from Molière to Anatole France as well as on foreign humorous literatures, he played an outstanding part in the general diffusion of the critical spirit which distinguishes the France of the seventeenth century from that of the sixteenth.

In the religious disputes he anticipated the *politiques* by adopting a middle course. Parting with Calvin on the question of man's innate corruption, he always claimed to be sincerely Catholic despite the Protestant tone of *Gargantua*. Yet he stoutly demanded church reform from within and attacked the idleness, ignorance and bigotry of the church and the Sorbonne with the same vigor that he manifested in excoriating contemporary superstitions, particularly divination by witches, Vergilian lots, dice and—in this respect almost unique in his generation—astrology. In educational theory he insisted that education be viewed as a preparation for life, stoutly advocated the necessity of instruction in the natural sciences and in particular was the first to insist on physical training. In political and social matters he at first expounded the Platonic conception of kingship, demanding of the ruler not only virtue and enlightenment but also familiarity with the practical needs of his land. Later he became more conservative but repeatedly deplored all wars and denounced such evils as the covetousness common to all classes, in which he saw a major cause for the corruption of law, marriage and other institutions. In the character of Bridoie he castigated legal incompetence; in the Chats fourrés ambition; in Entelechie social uselessness. On the positive side he emphasized the vital interdependence of rich and poor and insisted that privilege, "taking and receiving," should be supplanted as the guiding social principle by service, "imparting and giving." Finally, the old utopian dreamer of *Gargantua* and *Thélème* prophesied the rise of a new spirit of inquiry, inspiring the resolute exploration of truth, both absolute and scientific, and the building up of a body of real knowledge, which would condition the conduct of human affairs and exalt mankind to unimagined power.

A. F. CHAPPELL

Works: *Gargantua* and *Pantagruel* are included in the best modern edition, *Oeuvres*, ed. by Abel Lefranc and others, vols. i–v (Paris 1912–31). For detailed information concerning editions see Boulenger, Jacques, *Rabelais à travers les âges; compilation suivie d'une bibliographie sommaire* (Paris 1925).

Consult: Tilley, Arthur, *François Rabelais* (London 1907); Nock, A. J., and Wilson, C. R., *Francis Rabelais* (New York 1929); Plattard, Jean, *Vie de François Rabelais* (Paris 1928), tr. by L. P. Roche (London 1930); Chappell, A. F., *The Enigma of Rabelais* (Cambridge, Eng. 1924); Gebhart, Émile, *Rabelais, la renaissance et la réforme* (Paris 1877); Gmelin, Hermann, "Rabelais und die Natur" in *Archiv für Kulturgeschichte*, vol. xxiv (1933) 71–89; Compayré, G., *Histoire de la pédagogie* (Paris 1884), tr. by W. H. Payne (Boston 1885) ch. v. See also articles in *Revue des études rabelaisiennes*, published quarterly in Paris from 1903–12 and continued as *Revue du seizième siècle*, 1913–31.

RACE. The term race is often used loosely to indicate groups of men differing in appearance, language or culture. As here understood it applies solely to the biological grouping of human types. On account of the lack of sharp lines of demarcation the attempts at classification, based on varying characteristics, have not

led to a generally accepted system. Early attempts at a systematic arrangement of human races were made in the eighteenth century. Linnaeus included under the general order of primates the genus *homo sapiens*, which he divided into six subgroups, *homo ferus*, *americanus*, *europaeus*, *asiaticus*, *afer*, *monstrosus*. The first and last of these groups may be disregarded, the first as non-existent, the last as pathological. The others are representative of the human types inhabiting the four large continents, described according to outstanding traits of a number of extreme forms. This procedure, on which the whole Linnaean classification is based, was in his case unavoidable because of the lack of detailed knowledge of the distribution of human types. It is interesting to note that in the description of each race mental traits are included as biological characteristics. Buffon considered the human races as varieties derived from an original white form and developed under the influence of climate. Blumenbach distinguished five races of man—Caucasian (European), Mongolian, Ethiopian, American and Malayan. His divisions are based on distinction of color, hair and descriptive features of skull and face. Later, form of hair, color, form of nose and shape of skull became the primary criteria by which races of man were distinguished. The number of races so obtained varies from three or four to thirty-four. Huxley distinguished five races—Australioid, Negroid, xanthochroic, Mongoloid, melanochroic. Deniker established seventeen groups subdivided into twenty-nine races. By a similar method Duckworth derived seven principal races. The types of Europe have been described in particular detail. Ripley's division in the blue eyed, tall Nordic; the darker, short headed Alpine; and the short, long headed Mediterranean is still much used; although later attempts at finer divisions have been used by Deniker, Hans Günther and many others.

In more recent times attempts have been made to place races in definite order, either phylogenetically, by trying to show that one type gave rise by diversification to a new type; or by investigating whether some types have retained in their adult forms earlier stages of individual development. Fritsch distinguished three fundamental races and derived from these metamorph, or mixed, races. Stratz distinguished protomorph, archimorph and metamorph races. The protomorph races, that is, those remaining on a very primitive level with specializations in which the large archimorph races do not participate, are determined not anatomically, but by the isolation of the inhabited area in which ancient animal forms occur and by the low cultural level of the people. The intermingling of biological and cultural viewpoints vitiates this classification. Klaatsch also is interested in the establishment of a phylogenetic order of existing and prehistoric races. The most recent attempt at a detailed phylogenetic classification is that of von Eickstedt.

These attempts at classification are based on purely anatomical characteristics, except in so far as mental traits are sometimes brought in as secondary features. Friedrich Müller, on the other hand, classified races first of all by form of hair, then by language. The intermingling of anatomical and linguistic traits cannot result in an understanding of the biological relation of races.

Equally remote from biological interpretation of racial forms are the attempts at classification based on cultural conditions, from which certain kinds of racial mentality are derived. On a purely deductive basis Carus posited the existence of four races, those of day, night, eastern dawn and western dawn; that is, Europeans, Africans, Mongoloids and Americans. Klemm divided mankind into an active (male) and a passive (female) group, the latter containing all human forms except the Europeans and west Asiatics. His anatomical characterization of the two groups is altogether inadequate. In recent times the belief in a close interrelation between mental behavior and bodily build has come to be a matter of great social importance. Positive evidence for such relation has never been given.

The similarity of form of closely allied races early led anthropologists to introduce quantitative values in place of vague verbal descriptions. Thus Daubenton and Camper introduced measurements of angles. Later linear measurements, particularly of the skull, came into general use and in 1842 Retzius utilized as a distinguishing criterion the so-called cranial index—the relation of breadth of head expressed in percentage of the length. This procedure, which gives not only the absolute dimensions of body parts but also some indication of form, has been applied to numerous other ratios on the skull as well as on the skeleton and has since become a dominant feature of anthropological research. The method is being applied not only to skeletal material but also to the living, and anthropometric descriptions of types have become the rule.

The length-breadth index has a great taxo-

nomic value in distinguishing local varieties of man; it can be determined with great accuracy on the living, and the values obtained on the living and on skeletal material are nearly identical. For this reason this index has gained particular currency as an identifying mark of racial types. It gives a numerical value for striking differences in the appearance of head or skull as seen from above.

Since the numerical values, including the indices, range almost continuously from certain minimum to maximum values in individuals of each local type, it has been found convenient to form three groups—one including the lowest values, another the middle values, the last the highest values—and to classify individuals accordingly. For the cephalic index particularly a division has been made into dolichocephalic (long headed), mesocephalic or mesaticephalic (middle headed) and brachycephalic (short headed) individuals or groups. The demarcation of such groups is necessarily arbitrary. Nevertheless, anthropological classification has long been dominated by the concepts of dolichocephalic, mesocephalic and brachycephalic races and the types have been defined further by other measures and indices; such, for example, are those determining the height of the head (the distance of the vertex from a line drawn from ear to ear or the distance from vertex to base of skull) and its relation to the length of the head; or measures and indices of the face, such as the distance from the root of the nose to the chin in its relation to the greatest transversal diameter of the face; or those of the body, like that of the length of limbs in relation to length of trunk.

These numerical values give an inadequate impression of form, because in every case only two measures are used to identify a complex form. Heads or skulls with the same cephalic index or the same height index may differ materially in form. This inadequacy of the purely metrical method was felt by investigators thoroughly trained in anatomy, and in recent times there have been an increasing number of attempts to base the characterization of races on morphological traits. Sergi classified skull form according to general form rather than according to index values. Many special investigations of skeletal forms, teeth, hair, soft parts of the body and blood are based on these principles.

On account of the lack of information regarding the degree of hereditary fixity of the traits dealt with, classifications based on them have no genetic value. This is true of the elaborate classification of races by Deniker, in which stature and cephalic nasal and facial index are prominent features. It is not known to what extent any of these traits can be considered as stable or subject to fluctuations caused by outer conditions which, in conjunction with genetic determinants, result in observed forms. If these fluctuations are considerable and conditions change, they may modify more or less fundamentally the taxonomic classification.

Races have been considered as well defined units. Actually the picture of the race has been constructed as that of an individual who possesses all the most pronounced traits of the group considered or, in the case of metrical values, who shows the most frequent value, which is assumed to be the average value of the measures. It has been recognized more and more clearly that this view involves an inadequate simplification of the actual conditions. Ever since Quetelet it has been understood that the type represented by the average value of descriptive or metric values is a fiction and that in every case the race must be described by a statement of the distribution of the multiplicity of forms occurring within it. A statistical method of description is therefore required and is receiving increasing attention.

It has become customary to assume that individuals representing a race are distributed approximately according to the law of chance (the exponential law) or some other law closely related to it, and to describe the measurements occurring in a type by their average and their standard variability; that is, the average of the square of all individual deviations from the average. Races differ not only when their averages differ but also when their variabilities differ. On this basis there have been drawn geographical distributions of average values and of variabilities of local types, which demonstrate the gradual transitions between local types. Maps also have been prepared, showing the frequency of certain selected forms, like the distribution of tall or short, long headed or round headed sections of a population. These are of doubtful value, since the limits of these classes are arbitrary and the erroneous impression is conveyed that they represent distinctive racial types.

The study of averages and variabilities has proved that human populations inhabiting adjoining territories overlap in regard to most features, so that it is not possible to assign with certainty any one individual to a definite group.

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It is only when races of widely separated areas are compared that there is no overlapping. Criteria of fundamental races are valid only when they are common to all individuals of the race and are not found in other races. Thus the dark pigmentation, the frizzly hair, the broad nose of the true Negro are racial characteristics as contrasted with the slight pigmentation, blond, wavy hair and narrower nose of the north European. Keith calls such races pan-diacritic. There are no races of man in which no overlapping occurs in regard to all the traits examined. Negroes and Europeans may be tall or short, round headed or long headed, large or small brained. The averages and variabilities of these traits may differ, but the distributions are such that many if not most values are common to both races. Nevertheless, human types which are fundamentally distinct in regard to any one hereditary trait must be considered in this respect as distinctive genetic lines and the origin of their peculiarity as well as what they have in common with other groups deserves special attention.

It follows from these observations that stature and cephalic index can be considered as fundamental racial criteria in exceptional cases only, notwithstanding their value as characterizing local varieties. Since they occur in almost all races with the same values, they must be regarded as late developments. The dwarfish stature of the Bushmen and of other pygmy tribes is an instance in which stature becomes a discriminatory character.

Exact descriptions of human types are based on the observation or measurement of many traits. On the whole the interdependence (correlation) between traits is not very great. Thus the individuals who conform to the combination of the most frequent traits are actually very few. In a population consisting of varying individuals all those who deviate too much from the middle group are liable to be excluded as atypical and the "pure" type may perhaps be defined as including only individuals of the middle group. Then only one half of the population would have one typical trait, one fourth would have two typical traits and only one in 1024 would have ten typical traits, provided the selected traits are unrelated. The type, therefore, has no reality but is derived subjectively from the impression of the observed forms. When the variability of the group is very small, the individual differences permit the grouping of many more than one half of the series as true to type which will then come much nearer to reality. There are, however, few populations whose variability is so low that the type is ever realized. For this reason the selection of typical individuals must always be ascribed largely to a subjective, selective process.

The problem of race must, however, be attacked not only as a taxonomic question but also from the point of view of the genesis of racial form. The hereditary, environmental (peristatic) and selective influences which determine racial forms must be considered. Hereditary traits in man have been studied not so much from the racial point of view as from that of hereditary traits in given families. Besides eye color and a few other traits pathological phenomena have received particular attention. The relative importance of environment and heredity has been analyzed by means of investigations of identical twins. The value of these investigations of heredity in individual lines must not be underrated, but the results should not be ascribed directly to the hereditary behavior of races. These may be homogeneous and heterogeneous in two ways. A group descended from a small group of ancestors of the same hereditary form will be uniform throughout, as, for example, the Eskimo of north Greenland, who represent remarkably uniform measurements. In these cases both the averages of the family lines and the members of a fraternity will be alike. In the case of descendants of ancestors of distinct form who have been inbred for many generations the averages of the family lines will also be uniform, but ordinarily the members of each fraternity will differ considerably among themselves, because in regard to certain traits they will revert to the ancestral forms. The family lines will be uniform and each a good representative of the whole population, while individuals may differ greatly. The population is homogeneous as to family lines, heterogeneous as to descent. Finally, there are populations in which the family lines are very distinct and in which the fraternities may be uniform or heterogeneous, according to the descent of the family line. These differences are obscured in the usual descriptions of the variability of populations, which actually consists of two parts, the variability of family lines and also of fraternities; these must be separated. Even in the most rigidly inbred communities considerable differences in family lines have been found, differences which are much larger than those between neighboring groups each taken as a whole. Heredity exists solely in the distinct family lines,

not in the racial group, and the genetic analysis must be founded on a study of the behavior of the component family lines.

If the family lines were identical and derived from a single morphological source, selective mating could have no influence upon the racial type; if the origin of such a population is diverse and there is a tendency to preferential mating between certain forms, the family lines may become distinct. If the family lines are diverse and there is no preferential mating, they will become more uniform during a period of continued inbreeding. If there is preferential mating, the diversity may even increase. Differential mortality, fertility or differential tendency to migrate may also influence the distribution of types and the taxonomic appearance of the general type. Johannsen calls the population consisting of a multiplicity of family lines a phenotype, while the family lines would correspond to his genotypes. The term phenotype is also used to designate the modification of the genotype due to peristatic causes, and some confusion arises if the distinction between these two meanings is not kept in mind. In the latter sense every individual is a phenotype, and genotypes per se are non-existent because all individuals are subject to peristatic influences. A genotype not subject to peristatic influences does not exist.

On account of the overlapping distribution of forms types characterized by the same morphological traits may be found in populations representing different types. The mere fact that certain traits of such individuals are identical must not be interpreted as meaning that they are genetically identical; children of like pairs which belong to different populations will have unlike descendants, for these will tend to revert to the general type of the population to which they belong. Thus children of mesocephalic Bohemians will be on the average more brachycephalic, while children of mesocephalic Sicilians will tend to be more dolichocephalic than their parents.

The taxonomic classification of mankind does not answer the question as to whether the form is determined by heredity or by environment. For an understanding of the significance of racial characteristics the question of the hereditary stability of traits selected for taxonomic description is all important, a fact which was recognized by Meigs, who tried to show by comparative studies the stability of cranial forms.

Among the metric values used by most investigators are those for which sufficient hereditary stability cannot be proved. One of these is the value of stature. There is ample proof that stature has been constantly increasing among west European and North American populations since the middle of the past century. It must be understood that modifications in metric values do not mean that these measures are entirely non-hereditary. It merely signifies that they are subject to outer influences, whose extent should be known if they are to be used for a classification which has a genetic value. Non-hereditary variations are called paravariations; those genetically determined, idiovariations. When stature is used as a criterion and it increases by reason of outer conditions, a people may pass from a type characterized as of medium stature to one of tall stature. The same may occur in regard to other characters. There are clear differences in head form between wild animals and their descendants born in captivity; these find expression in the proportions of the skeleton and particularly in those of the skull. The evidence showing analogous changes in head form among European immigrants in the United States has never been disproved. It is not definitely known to what extent these measures may be modified. The value of measures, as genetically significant, depends upon knowledge of the degree to which they may vary under changing conditions. The cephalic index of east European Jewish immigrants who came to the United States between 1870 and 1909 was a little over 83. That of their own children born more than twenty years after the immigration of the mother is a little below 80. Thus the descendants may easily fall into a taxonomic class distinct from that of the parents. Changes like those here discussed are probably not far reaching, although they render a taxonomic grouping of closely allied forms, like those of Europe, of doubtful value as genetically determined types.

Even more important is the problem of the interpretation of the difference in form of fundamentally distinct races, like Europeans and Negroes. Hahn was the first to point out that the mode of life of man is that of a domesticated animal. Since fire and tools were in use in quaternary times, man may even be said to be the oldest domesticated form. Anatomically the analogy between human races and domesticated animals has been substantiated by Fischer and Klatt. Man shares with domesticated animals great variability of bodily traits, while the features of wild animals are much more uniform.

Such traits as form of hair, pigmentation and size which show increased variability likewise differ in domesticated animals. The spiral hair of the Bushmen and the smooth hair of the Mongol, the blond hair and blue eye of the north European and the deep pigmentation of the Negro, the tallness of the Scotsman and the dwarfish stature of the pygmy, are paralleled by analogous phenomena among domesticated animals, while they are absent among wild animals. It is conceivable therefore that the differentiation of races is not as ancient as might be supposed from the contrast of existing forms.

It has been pointed out also that races conform more or less to the constitutional types found in one's own population. It has been shown by Weidenreich that thin, elongated types (leptosome) and heavy set (eurysome, pyknic) types occur in every population and that the attempt to analyze a race as derived from two distinct elements is based on a subjective classification, not on genetic evidence. The distinctive constitutional forms are due rather to the relatively close interrelation between all linear measures among themselves and all transversal measures among themselves, while the correlation between the two types of measures is slight. Furthermore the apparent constitutional type depends upon use of the muscular system and upon age. Active exercise of the muscular system stimulates the growth of bones in thickness but not in length, so that energetic muscular activity in youth increases the number of eurysome individuals. Age also has a decided effect; middle aged persons are on the whole more eurysome than the young and the very old. It has been observed that city children are on the average more leptosome than children brought up in the country. It must be recognized that there are certain middle values in each race which according to standards of one race may be leptosome or eurysome, but which form the central point from which more slender or more heavily set individuals deviate. Observations as to constitution in one race cannot be transferred directly to another.

The activity of the endocrine glands has a decided influence upon the development of the body of an individual. Removal of testes or ovaries leads to disturbances of growth. The secretions of the thyroid and pituitary glands and of the adrenals have a distinct influence upon bodily form. If the secretions were subject to local influences, they might bring about modifications of bodily form in local groups. Their role in the differentiation of races has not been determined.

It seems quite certain that such differentiation of fundamental forms as now exists must have developed during periods of isolation of small groups. Such periods must be quite remote in time, for there is clear evidence of constant migrations and intermingling of peoples. For Europe the example of the history of Spain, at present a part of the continent least affected by migration, is instructive. In early times it was inhabited by Iberians whose racial affiliation is not determined in detail; later Phoenician colonies were founded along the coast. During the era of Celtic migrations waves of these people entered Spain from France. Then followed Roman colonization. Still later Germanic tribes invaded the peninsula and remained for a long time the governing class. Invasions from north Africa brought a large part of Spain under Moorish dominion. Large numbers of Jews settled in Spain during the early centuries of the modern period and intermarried with other elements of the population.

The Celtic tribes swarmed southward, northward and eastward. They occupied the British Isles, entered Spain and Italy and finally one of their groups even established itself in Asia Minor. The Germanic tribes, which had formerly lived in the area extending from the Black Sea to the North Sea, migrated westward and southward; deserting their eastern homes and invading western and southern Europe, they even reached north Africa. Their former homes were largely taken over by Slavs who expanded northeastward from their home somewhere in southeastern Europe, intermingling particularly with Finnish tribes. Later the Germans reoccupied part of the territory they had given up earlier and assimilated the people east of the Elbe. While these migrations can be followed historically, others may be inferred from evidence of prehistory. Thus the people speaking Italic and Greek languages must have superseded previous occupants of the southern peninsulas of Europe.

The same conditions prevailed on other continents. Peoples related to the Malays of southeastern Asia migrated eastward, inhabited the islands of the Pacific Ocean and reached westward Madagascar on the east coast of Africa. The Turkish peoples expanded from central Asia into Siberia and southward into Europe. In America the Athapascans extend from the Arctic coast into northern Mexico, the larger

groups living in the subarctic area from Hudson Bay to Alaska and in the Rio Grande region, while small groups are found in many localities near the Pacific coast. In South America the Caribs are scattered over a vast territory. The relations between these groups have been determined by linguistic comparisons, but since languages spread only by personal contact and almost always by intermarriage they are satisfactory proof of migration.

Even in earliest prehistoric times migrations must have occurred. The sudden change from the Neandertal type prevailing at the end of the older palaeolithic period to the new type of the later palaeolithic can be explained only by migration, for there is no ground for assuming that the new type developed suddenly in Europe. One of the greatest early migrations must have been the invasion of America, which may have occurred toward the close of the ice age. Since no predecessor of man has been found in America and there is a close relation between the American Indian and the Mongoloids, it must be assumed that there was an immigration from Asia, early enough to have allowed for a gradual movement of bands which spread from the Arctic through the tropics to the extreme southern part of South America and which became differentiated during this migration.

The period of isolation must have been exceedingly remote and it may be expected that an intermingling of types will be found almost everywhere. It is therefore particularly important that the effect of intercrossing be understood. Even if the evidence offered by prehistory and linguistics regarding the early migrations of man be set aside, the degree of variability of most local types has led to the impression that in most populations several types are present which have to be segregated. Such segregation presents serious difficulties arising from the subjective character of the type. The previous experience of the person who establishes the type concepts will to a certain extent determine the types recognized.

The analysis of a population has been attempted from the point of view that certain of the arbitrarily selected groupings of measures have been assumed as characteristics of primary races, so that, for example, the combination of low cephalic, facial and nasal index would characterize a primary race and the number of races would be determined by the eight possible combinations of these features. On account of the great variability of racial forms this leads to the assumption that every one of these arbitrarily constructed primary races would occur in almost all parts of the world, and by necessity other characteristics, such as pigmentation and hair form, would have to be considered as varying under external conditions. Genetically groups of this kind are unstable. They contain only extreme constitutional forms in a mixed series and the children of parents of extreme form tend to revert to the middle forms of the population. For this reason also their value as primary racial groups cannot be accepted.

In a number of cases it can be shown that a population is actually mixed. In a homogeneous population all the measures of an individual will increase simultaneously. For instance, length and breadth of head will both increase with increasing stature. This would be expressed by a positive correlation between these two head measures. When the population is descended from one ancestral group, a part of which has long and narrow heads, and from another with short and broad heads, the longer heads will have less breadth than the shorter ones. There will be a strongly diminished or even negative correlation due to mixture. Conversely, if one type has small measurements and the other large measurements, there will be an increase in the value of the correlation. Such disturbances of normal relations may reveal the intermingling of types, although the components, unless actually found in some locality, cannot be reconstructed. Even in this case it would be necessary to know the purely biological relation between the measures, before the attempt at determining the degree of mixture could be made. For these reasons attempts to analyze populations according to the racial descent of the component elements have not been very successful, and the manner in which bodily traits are transmitted makes it very doubtful whether it will ever be possible to segregate the constituent parts out of a population of mixed but unknown descent.

It is essential to know the exact laws of inheritance in mixed forms, a subject about which knowledge is still inadequate although the problem has received some attention. According to Mendelian laws a splitting up of racial characteristics may be expected in certain cases. This simple form of effect of continued crossing between distinct types has not been observed very often. Even before the rediscovery of the laws of Mendelian inheritance von Luschan had observed a reversion to parental types in the head index of the population of Asia Minor, which

he considered as descendants of a very early mixture of the round headed Armenian and the long headed Syrian type. The clearest case is the splitting up of the descendants of blue eyed and brown eyed parents, who follow very closely the simplest forms of Mendelian inheritance. No absolutely certain cases of brown eyed descendants of pure blue eyed parents are known, while crosses between heterozygous brown eyed parents, that is, descendants of parents who each had one blue eyed and one pure brown eyed parent, have nearly 25 percent blue eyed and 75 percent brown eyed children. For the head index an increase of variability has been shown with increasing difference between the corresponding indices of the parents. The width of the face of half blood Indians shows a decrease in variability and at the same time apparently two maxima of frequency, one corresponding nearly to the white, the other nearly to the Indian ancestry. The stature of white-Indian half bloods is greater than that of either ancestral form. Herskovits has shown that for many traits of the mulatto variability is not increased, while according to Barnes the variability of skin color is greatest for quarter Negroes. It has also been shown that the fertility of white-Indian half bloods is greater than that of pure Indians. Evidently the laws of inheritance of different traits are varied and for this reason also a purely statistical analysis of the distribution of traits in a given population cannot be made. A comparison of races must therefore be based on the genealogical study of the component family lines of populations, and the more this is done the less fundamental the difference between racial types appears to be. When racial types like Negroes, Mongols and whites are compared, a purely morphological basis may be used in which the distinguishing characteristics of the race may be discerned; but whenever the features overlap genealogical study becomes indispensable.

Recently much stress has been laid upon the possibility of analyzing races by means of blood groups. Bernstein derives from the behavior of heredity of blood groups the existence of three fundamental racial types, the mixture of which has resulted in the distribution of blood groups in modern populations. The striking difference between the blood groups of the American Indians and the races of the Old World is in curious conflict with the morphological similarity between Indian and Asiatic racial types. The fullest material is available from Europe, where curiously contradictory results have been obtained. It would seem according to Lattes that in closely inbred groups characteristic distributions of blood groups develop, while no appreciable differences are found between more widely scattered groups, such as the Jews of Berlin and Poland, when compared with the remainder of the population of the same places, or between Lapps and Swedes of adjoining territories. In all races, except perhaps among pure American Indians, who may have only one of the recognized blood groups, all groups occur in varying frequency. It seems doubtful whether it is justifiable to claim that every racial type containing the various blood groups must be a mixture of distinct races. So far attempts to correlate blood groups and morphological form have not led to any positive results. The statement of Lattes that the blood group is a character of the same order as pigmentation or shape of the skull is probably a correct summary of present knowledge of the problem.

In a comparison of man and the anthropoid forms a number of striking resemblances are found which indicate the direction in which man has diverged and specialized. The special forms developed in the various races do not show that one can be considered as more advanced from the prehuman type than another. The divergences are rather in different directions. Thus the Negro is most divergent in the increased length of legs and in the strong development of the lips; the Mongoloid in the loss of hairiness; the European in depigmentation, reduction in the size of the face, elevation of the nose and increased size of the brain. The last of these features might perhaps be considered as the most important deviation from lower types, but it is not the sole property of the European. The largest brains are probably found among the Eskimo. The Australian represents perhaps the only racial type characterized by less specialization in specifically human traits than others, but even in this case the divergences from animal forms are in such directions that he can hardly be placed on a lower evolutionary level as compared with other human races. It must also be remembered that the reduced size of the face of the European and the projection of the face of the Negro may be due to influences of domestication, since these forms occur among domesticated races, so that they would have to be considered as secondary modifications rather than as evolutionary stages.

The racial differences in average size of brain are slight as compared with the individual varia-

tions which occur in each race, so that a considerable amount of overlapping occurs. Extremely large values may be rare or absent in one race, extremely low ones in another, while in the bulk of the population the same middle forms will occur. It is not justifiable to identify size of brain and intelligence. The size of the brain depends not upon the number of nerve cells and fibers and their connections, but to a much greater extent upon tissue which has nothing to do with nerve activity. The configuration of the sulci of the brain is also so variable that nothing definite can be inferred therefrom. There are relations between the form of the skull and the configuration of the brain, but the observation of artificially deformed heads suggests that there is no functional relation. The existence of fundamental structural differences likewise has not been proved.

The general question of the cultural significance of race hinges upon the problem of the functioning of the body. While the anatomical form of the adult is almost stable until the time when senility sets in, the functions depend upon varying conditions to such a large degree that a constant, typical value for a measurable function can be given only with great difficulty. The metabolism of the body may be cited as an example. In order to obtain results that are in any way comparable it is necessary to see that sufficient time elapses after the last meal, that there is no exertion of any kind in the period preceding the test and that body and mind are completely relaxed. Unless these conditions are fulfilled the results of the test will differ greatly. Similar conditions prevail in regard to the functioning of the heart. Exercise and excitement accelerate the heart beat, and the amount of available oxygen also has an influence. It follows that an individual who lives in a temperate zone at sea level and leads a quiet inactive life will react quite differently when taken to a high altitude where he has to do strenuous work. Within limits the organism is perfectly adjustable. There is a margin of safety within the limits of which the organism is adjustable to a variety of conditions. It follows conversely that in many cases representatives of different races living under similar outer conditions will appear functionally alike, while individuals of the same race living under different conditions will appear quite distinct. Phenomena of this kind have been observed in the development of the individual. Thus the period of sexual maturity of the well to do is accelerated as against that of the poor; there are differences in the time of dentition and in the climacterium. In a number of cases the same environmental conditions may emphasize differences of type; for instance, in the effect of sunburn, which darkens darkly pigmented types while it reddens those of light complexion.

What is true of physiological functions is equally if not more true of mental reactions. Even such a simple psychophysical phenomenon as reaction time is subject to enormous fluctuations according to the presence or absence of distractions. A certain minimum value may be found for each individual, but the slightest diversion of attention brings about a rise in the reaction time. The variability of the emotional tone of the individual is so obvious that it does not require experimental proof. The differences between mental tone in fatigue and after rest are also obvious.

In the study of anatomical form of the adult only the serial variability must be taken into consideration, for each individual remains stable. In the study of function recognition must be given to a high degree of variability in the individual which is added to the purely structural determinant. It is therefore not surprising that individuals of the same descent react differently under varying outer conditions.

Because of the difficulties of precise quantitative determination of mental traits it is not easy to give satisfactory data in regard to all mental traits. The dependence of such reactions as are measured by various types of intelligence tests offers a fairly satisfactory answer to mental phenomena which can be reached by these methods. Thus Brigham found that among groups of Europeans who had immigrated at various times and had been subjected to intelligence tests those who had stayed longest in the United States gave the best results. While originally he ascribed this to the immigration of more poorly equipped stock in later years, subsequently he withdrew this conclusion. It seems more plausible that the improvement is due to a gradual assimilation to American speech and customs. Klineberg found this to be the case among Negroes migrating from rural districts to cities. The evidence in regard to mental differences between races has been assembled by Garth, who reaches the conclusion that no essential differences have been proved.

The attempt has also been made to evaluate the functions of individuals of different racial types living in the same geographical and social environment. While it is exceedingly difficult to

find an absolutely equal social environment, it may be assumed that it exists approximately in groups living socially on equal terms. The attempt to find definite correlations between European types and their mental performances have not shown any such relations; on the contrary, the only constant difference found is that between rural and city populations.

It would be rash to infer from these observations that there are no differences whatever in the distribution of biologically determined intellect or personality; if exactly the same conditions could be attained for a sufficiently large number of individuals, biologically determined differences might be found, but it seems impossible to attain sameness of conditions. The only safe conclusion to be drawn is that careful tests reveal a marked dependence of mental reactions upon conditions of life and that all racial differences which have been established thus far are so much subject to outer circumstances that no proof can be given of innate racial differences.

Just as in consideration of bodily form individual heredity has to be emphasized as against the fictitious heredity in a large group consisting of many distinct lines of descent, so the same distinction has to be made in regard to mental traits. The tenets of the behavioristic school of psychology, in so far as they deny all influences of bodily build upon mental activities, can hardly be maintained. The contrast between the extremes, between idiot and genius, contradicts their assumption; if these are dependent upon bodily build, then lesser differences also will find expression. It is intelligible, perhaps demonstrable, that identical twins or members of a family show similarities in behavior that are, in all probability, hereditary. In a larger, not inbred group there must be so many differences between family lines that it is not possible to speak of racial heredity.

The observation which has given particular strength to the assumption that bodily form and mental characteristics are closely correlated lies in the peculiar distribution of human types and of cultures. In each area a certain type and a certain culture are found locally associated. Similar conditions may prevail in social strata of the same population, and from this the inference is drawn that they must be causally related in the sense that bodily form determines the culture. Such an inference is admissible only if it can be substantiated by biological evidence. The limits of racial types are not clean cut, and similar individuals always occur in neighboring groups. The limits of distribution of cultural types are also not distinct and do not conform to the limits of racial types. The type of one area is defined by its main features, and the culture of the same area is also characterized by its chief traits. If the geographical grouping is made by racial types, there must result a corresponding grouping of cultural traits which is due to the selection of areas (or sections of a population) without any necessary causal relation between the two groups of traits. A positive answer to the claim that racial descent determines mental characteristics would require proof that without regard to cultural environment and to location the same type must always produce the same mental characteristics.

If there is any truth in the fundamental generalizations of Mendelian inheritance, it must be expected that various traits of the body which are not intimately associated are inherited independently of one another, so that in the intermingling of genetic lines ever new combinations will arise. It has never been proved that form of the head, color of hair and form of nose have any intimate association with mental activities. Karl Pearson has followed a rigid method in investigating such possible correlations and his results are entirely negative. Unless such proofs can be given, the interpretation of character by bodily form remains as imaginary as that of the phrenologist. The weak correlation between constitution and pathological conditions, and particularly mental diseases, might be brought forward as indicating the possibility of such relations, but even here no one would claim that every person of leptosome type must be manic depressive and one of pyknic type schizophrene.

It must be emphasized that no proof has been given that the distribution of genetic elements which may determine personality is identical in different races. It is likely that there are differences of this kind, provided the anatomical differences between the races are sufficiently fundamental. On the other hand, the study of cultural forms shows that such differences are altogether irrelevant as compared with the powerful influence of the cultural environment in which the group lives. While each individual may react in his own way to the culture in which he lives, the behavior of the whole group conforms to its standards. This conclusion was expressed by Waitz as early as 1858 and is the basis of all serious studies of culture.

FRANZ BOAS

See: RACE MIXTURE; HEREDITY; MAN; ARYANS; EN-

VIRONMENTALISM; DOMESTICATION; MISCEGENATION; INTERMARRIAGE; ETHNOCENTRISM; NATIONALISM; RACE CONFLICT; MIGRATIONS; ANTHROPOMETRY; MENTAL TESTS; EUGENICS; ADAPTATION; AMALGAMATION; DEGENERATION; ANTHROPOLOGY; CULTURE.

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RACE CONFLICT. Race conflicts are among the most important factors of political and social unrest in the contemporary world and their significance increases as racial feeling grows in emotional intensity. Historically such conflicts had their origin in the migration of races and in the conquest of territories already inhabited by other races. Sociologists like Gumplowicz and Oppenheimer hold that states were founded upon conquest and migration and that in organizing society the conquering race constituted itself the ruling class, while the conquered were relegated to servant status. Race therefore became a factor of social superiority, and the philosophers of the ruling race soon made it appear to be a factor of moral and intellectual superiority and of political capacity. The members of the ruling or conquering race, who had all the opportunities for social and cultural development which they denied to the members of the conquered race, came to think of themselves as alone capable, by nature or by the will of God, of providing political and social leadership in the interests of the lower races themselves. The attempt to justify the vested interests of racial exploitation in terms of a mythology of racial superiority found its classical expression in Aristotle. The sophists had taught that the differences between free men and slaves were set by human convention, that slavery had been established by force and was therefore unjust. Aristotle, on the contrary, maintained that the differences between free men and slaves were set by nature, that some races are destined to mastery and others to slavery, involving a burden for the master and a benefit for the slave. In the Aristotelian view racial conflicts are not historical or sociological phemonena but belong to an eternal order of God or nature: there is no hope of changing racial inequality into equality by patient educational and social work or by revolution; race conflicts can be avoided and a natural harmony arrived at only if the inferior races accept the status imposed upon them by eternal law. This school of thought regards racial prejudice as a fundamental human instinct.

Class differences have been explained in terms of racial differences by such writers as Henri de Boulainvilliers, who conceived of the French aristocracy as Franks, or Germans, who had subdued the native French Gauls, or Celts: the political, social and economic inequality of the classes in France was thus justified by and based upon irreparable racial inequality. Sieyès, in his *Qu'est-ce que le tiers état?* (1789), explained the French Revolution as the effort of the conquered race to expel the ancient conquerors and thus to right a historical wrong by restoring the third estate to the noble rank it had held before the invasion of the Franks. Gobineau, in his *Essai sur l'inégalité des races humaines* (4 vols., Paris 1853–55), held that the Germans, whom he identified not with contemporary Germans but with the French aristocracy, were the supreme race and the initiators of all human progress. Houston Stewart Chamberlain and his German followers have ascribed all civilizations in the history of mankind to the influence of conquering German tribes and attributed the decay of those civilizations to the

intermarriage of these tribes with the native races. All civilization was considered the work of an aristocratic élite which belonged to races with creative faculties, while other races were purely recreative or even destructive; the domination of the world by the creative élite was therefore held to be in the interest of the backward races and of humanity as a whole. The colored races and the Jews were described as outstanding examples of races with purely destructive and imitative capacities and thus unfit for cultural work. With the ascent to power of Hitler's government in Germany in 1933 this theory became the official doctrine of the German state and of German science; it has stirred racial pride and prejudice to feverish heat and has become an obstacle to a peaceful and progressive solution of race conflicts.

The suppressed races and classes have pointed to the philosophy of equal rights in protest against the theory of permanent race inequality. Indeed the doctrine of human equality and of the natural or divine rights of man, often decried by the racialists as anaemic and purely intellectualistic and which seems as deeply rooted in man's mental make up as is the "we-group" of the racialists, has repeatedly been taken up by intellectual members of the ruling races and has influenced their actions. Alexander the Great, who against the advice of Aristotle treated Greeks and barbarians alike and had them intermarry, introduced the age of Hellenism; the Roman Empire gave the concept of racial equality its political form with the broadening of Roman citizenship; the Stoa formulated its philosophy; early Christianity contributed its religious fervor. *Phil-anthropia* and *humanitas* became the regulating factors of human group intercourse. The doctrine of equality and fraternity was taken up in secularized form by the age of rationalism and by the French Revolution of 1789 and the Russian Revolution of 1917, both of which had their deepest roots in the same soil as primitive Christianity—the messianic hope that oppressed races and classes will change the present order of society into one granting equal rights for every human being and thus, among other results, eliminate race conflict.

As long as the lower races accept their position as natural or as ordained by God, as long as they do not feel the humiliation and discomfort of their status, race conflict is not acute. Official religions often help to prolong the established order by preaching to the lower races the necessity of obedience and promising the consolation of a better world after life. Subject races in their efforts to rationalize and justify their misery may arrive at a theology or folklore which embellishes their pauperized lives by attributing some particular moral genius to it. They may accept the prestige of the superior race and may try to imitate it; dominated by self-pity, they may take over not only the rule but also the standards and the tabus of the master race. But in the theology with which they support their misery there is almost always a messianic element of hope, which under favorable circumstances may develop into self-consciousness and the spirit of revolt. The submissive pariah is in good favor and is even sometimes patronized by the master, but the pariah's claims arising out of his newly won self-consciousness are actively resisted. Any attempt at change provokes active measures of suppression. The powerful races, fearing that they will lose their superior economic and social position or be obliged to share with the exploited, often have employed coercive measures, which have merely increased the militancy of rebellious races. Often oppressed races are apt to become, after their liberation, oppressing races, and to show in their turn prejudices and insistence on privileges not unlike those under which they themselves had formerly suffered.

Racial contacts and therefore racial conflicts became more general with the approach of the age of imperialism. The tendencies of restless growth and expansion inherent in industrialism and capitalism soon led Europeans to seek raw materials and new markets all over the world. They brought with them the products and the methods of a higher civilization, and the nature of the ensuing conflict was determined by whether the European conquerors met peoples with a highly developed civilization and with strong indigenous political organizations or primitive tribes. In the first case, as illustrated by China or India, the net result of the contact may in the long run prove favorable to the natives; in the second case, as in North America, Australia and the Pacific islands, it has been irreparably detrimental; in Africa, which occupies an intermediate position in this respect, it may ultimately strengthen the Negro race. In any case the conflict of races created by the invasion of a territory by a stronger or more advanced race has tended to intensify the struggle for existence of the weaker race and to disorganize its culture and social structure. The nature

of the race conflicts also has depended upon the economic conditions and the cultural background of the conquering race. In North America, where the invaders were animated by an intense race superiority complex, the Indians were driven into the less habitable areas or were exterminated, whereas in the plantation regions of Latin America, where a more humane attitude prevailed, the Spaniards allowed the Indians to remain on the land and forced them to work for their new masters, thus preserving their means of subsistence and allowing for their slow adaptation to the superimposed civilization. Generally the more warlike and the more highly developed agricultural tribes have shown the greatest power of survival in contact with Europeans; governments have always treated the militant tribes with much more favor than the complaisant ones. In Africa, partly because of climatic conditions, white settlement was much more restricted than in America or Australia and the Negroes have proved to be a stronger race. But the slave trade, forced labor and imported diseases, like syphilis, have led to depopulation in many parts of Africa and have destroyed Negro civilization and tribal structure. The difficult adaptation to new conditions and to forced labor brought about by the imperialist penetration of Africa since the abolition of the slave trade has not given Negro society opportunity to recuperate.

The period after the World War has been marked by a world wide effort of oppressed or backward races to change their status. The awakening of the masses throughout the East, the Bolshevik educational efforts on behalf of the racial minorities, the activities of the Republican regime in Spain, the agrarian unrest in southeastern Europe, the new spirit everywhere among the Negroes, the revolts of the long suffering Indians of Central and South America, are all movements involving dynamic change in race relations. Liberalism in its original meaning is spreading its influences over all parts of the earth untouched by its victory in Europe in the eighteenth and nineteenth centuries. The rationalist gospel of Europeanization unites with the Christian gospel of missionaries and the socialist appeal of revolutionaries in creating a new self-consciousness among the oppressed or backward races.

The major contemporary arenas of race conflict are now the Pacific regions, where the white and the yellow races are struggling for supremacy; the United States with its Negro problem; and the Indies and Africa. As the Negro race is the most numerous of all the backward races and apparently the only one capable of resistance and survival, the result of its struggle for emancipation will determine to a large extent the future nature of race conflict and race prejudice all over the earth. In India the caste system has long been built upon racial differences and conflicts and has been perpetuated by religion. But only in recent times has the system of capitalistic exploitation introduced by the whites made race conflict a universal phenomenon. The migration of races, caused by overpopulation and economic want and attempts to escape from exploitation and persecution, has led to the further widening of the area of conflict. The Indian migration to south and east Africa led to typical race conflicts; Japanese and Chinese immigration to the Pacific coast of North America and to Australia provoked a vehement outbreak of antagonisms and restrictive immigration laws. The policy of white Australia based on the fear of competition may be considered as part of a policy of compulsory segregation on a world wide scale. Sometimes immigration of backward races is promoted by capitalists to obtain cheap or docile labor to break strikes or to counteract trade unionism; such importation of alien races, vehemently opposed by white labor, sharpens race conflicts and sometimes leads to race riots.

The economic roots of race conflicts are certainly strong; but there is also an irrational element, the belief in the superiority of chosen races, which cannot be explained in economic terms. Although bound up in many ways with economic consequences, race prejudice and racial feelings prove more significant and more persistent than economic considerations and at times even operate counter to economic self-interest. In the antisemitism of Hitlerism the desire to dispossess Jews from positions coveted by Aryans constitutes a very strong economic motive, but other and stronger motives are also involved. In the interests of their racial aims men often override their class interests and violate their class solidarity; this fact is regularly manifested in the attitudes of workers of the advanced races in areas where there is conflict with backward races. The members of the white race in the south of the United States feel their racial supremacy threatened and have therefore presented since 1860 a united front which has surmounted all class and party distinctions and has been bent upon maintaining race domina-

tion. In South Africa all differences of nationality or class among the whites recede quickly and completely into the background when the native problem is discussed. There all economic measures are related to race conflict; the inferior race is maintained in the status of an inferior class, and therefore racial and class conflicts often coincide.

Class conflicts are aggravated when racial conflicts are involved by strong emotional resentments, which tend to persist even after the apparent cause has disappeared. Outwardly calm racial relations may suddenly become transformed into overt conflict, whereas changes toward the better proceed slowly and the remembrance of past or supposed wrongs shows astonishing powers of survival. Race prejudice and the desire of the stronger or more advanced races to maintain their status debar the inferior, or backward weaker, races from attaining equal opportunities in the social and economic field. The color line, which is to be found in varying degrees wherever different races live side by side, prevents the weaker races from realization of a fuller life, cuts off from them all possibilities of rising and makes both races permanently conscious of their differences. In racial conflicts the individual plays no role; the most friendly relations may exist between individuals of different races, but the color bar acts always to deter members of the lower race from the struggle for higher qualification and efficiency. Sooner or later it leads to a policy of racial segregation designed to retard the progress of the natives and to continue their exploitation.

At the root of race prejudice is an aversion to strange appearances and ways of life which are often held to be proof of inferior standards; such attitudes are strengthened by the desire of the dominating group to maintain its solidarity. Intermarriage and social intercourse are legally or tacitly prohibited, and the superior race generally asserts its superiority by reserving all economic advantages to its members. The contact of races in different stages of agricultural development has led, wherever conditions have been conducive to the settlement of members of the stronger race, to the concentration of the best lands in their hands at the expense of the natives, who are sometimes left without sufficient good land to yield even a precarious living. The native must then be content to be allowed to work at a very low wage and under most exacting conditions for the members of the dominant race, who try to perpetuate their power by depriving their inferiors of all political rights.

Racial conflict leads to strong discrimination against members of the weaker races in the struggle for employment in industry and in the professions. They are excluded from higher paid positions and from skilled occupations with which social prestige is connected. The workers of the more progressive or powerful races often exclude members of the underprivileged races from the trade unions and bar them from apprenticeship. The latter are forced to work at lower wages and are therefore sometimes solicited by employers who can exploit them more easily than the organized and better educated workers. Excluded from the trade unions and from the protection and possibilities which such organizations offer, members of the oppressed races often become strike breakers as the sole means of entering certain occupations. During the steel strike in the United States in 1919 many Negroes obtained responsible and highly skilled positions and carried out their tasks with efficiency, but when the strike ended they were largely replaced by white workers. Although the exclusion of the oppressed races from the trade unions ultimately works to the detriment of the privileged workers, race prejudice has been stronger than economic interest. This policy of exclusion tends to maintain and to perpetuate the differences in the standard of living, in the scale of wages and in the training of the two races; it widens the gulf between them and embitters their relationships. Workers of different races receive unequal pay for equal work and are employed under diverse working conditions, members of the underprivileged races being obliged to accept the dirtiest, most dangerous and most difficult jobs. The prestige of the dominant race is strengthened by better housing conditions, while debased standards of living are often forced upon the suppressed races. Thus the races are kept distinctly apart and cannot arrive at the degree of mutual esteem and self-esteem necessary for the establishment of friendly relations. The cleavage is aggravated by the fact that faults of individual members tend to be ascribed to the entire race and repressive measures affect not only the guilty or suspected but the whole group.

Race conflicts lead easily to race riots; either the despair of the backward race finds no outlet other than desperate resort to violence or the dominant race resents the efforts toward emancipation of the backward race and avenges any

act of revolt. The hostile and brutal atmosphere of race riots and of lynching (*q.v.*) is not confined to a few cases of violence but is the basis of the unequal treatment before the law meted out to the different races. Not only are judges and courts dominated by passion, but there are varying standards of judgment and punishment for the different races; the judiciary is often composed entirely of members of the ruling races and offenses are punished according to the race of the defendant and of the plaintiff. Racial inequality is thus conducive not only to the destruction of democracy and liberty but also to the undermining of justice and law.

In many countries there is a tendency to minimize the importance of racial conflict in the interests of the ruling races and frequently there is hypocrisy about the benefits accruing to the backward races by their cohabitation with more progressive races. While a semblance of tranquillity can be maintained by armed superiority the problem is ignored. But with the growing world wide insurgence among the backward races and with their more articulate expression of resentment the policy of drift becomes impossible. Then, often under the cloak of humanitarianism or science, a policy of repression by compulsory racial segregation is frequently undertaken. Racial integrity is protected by laws forbidding interracial marriages; benefits derived from government are reserved for the dominant races; participation in government is denied to the oppressed races, who are discriminated against in all phases of social life and receive not only different but definitely inferior education and living quarters and a disproportionately small share in public services.

On the other hand, the awakening of underprivileged races is stimulated by the equalitarian and humanitarian policies of the Soviet Union, where a determined stand has been taken against race discrimination. The rational belief in the complete equality of all races has become the official creed, and energetic educational efforts are being made to raise the social and economic conditions of the underprivileged races. Whereas in many parts of the world ruling classes or imperialist governments instigate or refrain from suppressing race conflict for reasons of hegemony or exploitation, communism helps to organize backward races in their struggle for political and economic advancement and liberation. This assistance contrasts with the attitude of many white labor and socialist groups among whom race interests are stronger than class interests. The help given to backward races by communists emanates not only from their identification of racial and class conflicts and from an alliance against the capitalist and imperialist powers but also from the fundamental policy against race discrimination within the Soviet Union. Bolshevism continues, in a rationalized and secularized form, the stand of primitive Christianity against race discrimination; but the equalitarian Soviet theory goes farther than most Christian agencies in tackling not only the psychological and emotional causes of race conflicts but also their economic roots. The Soviet Union now is the only large area inhabited by many races, free, as far as governmental agencies are concerned, of any form of race prejudice.

The growing acuteness of race conflict has recently attracted the attention of religious and humanitarian bodies. Islam in theory as in practise has never known a color bar, which largely explains the appeal it has exercised among African races; but Christianity has not as a rule lived up to its precept of the brotherhood of man. Of late, however, Christian and humanitarian bodies have begun to recognize the necessity of a definite stand on the race question. The conference of the International Missionary Council in Jerusalem, for example, declared in 1928 that "any discrimination against human beings on the ground of race or colour, any selfish exploitation and any oppression of man by man is a denial of the teaching of Jesus." The Commission on Inter-racial Cooperation, founded 1918 in Atlanta, Georgia; the American Interracial Peace Committee, established 1926 with headquarters in Philadelphia; the Commission on the Church and Race Relations of the Federal Council of Churches of Christ in America, are just beginning to explore the field of peaceful race relations. Christian missions in Africa and Asia, often in the face of opposition on the part of white settlers and colonial governments, have imbued the natives with a spirit of self-consciousness and individual human dignity, have helped to develop leadership among the backward races and to train natives in different branches of social and economic activity.

A peaceful solution of racial conflicts demands equal opportunities for all races in all occupations and professions and equal rights in the exercise of citizenship. It cannot be attained without vastly increased facilities for the backward races in education, in capital equipment and in the development of resources in their

interest. Racial relations today present more dangerous features in the field of interhuman relations than any other point of conflict. Nowhere are mob passions, prejudices and fears so easy to evoke and so difficult to check. If they are to be prevented from crystallizing into custom and sometimes even into law, there must be a conscious and persistent effort by all religious and rational forces which subscribe to the idea of equality of men and of races. Unless decisive changes are made in the attitudes and practises of dominant toward backward races—and such changes are not now in prospect outside of the Soviet Union—wars and revolts must inevitably result.

HANS KOHN

See: RACE; NEGRO PROBLEM; INDIAN QUESTION; ANTISEMITISM; ARYANS; MINORITIES, NATIONAL; ALIEN; CASTE; STATUS; SOCIAL DISCRIMINATION; ASSIMILATION, SOCIAL; SEGREGATION; ETHNOCENTRISM; ETHNIC COMMUNITIES; MISCEGENATION; RACE MIXTURE; MIGRATIONS; IMMIGRATION; ORIENTAL IMMIGRATION; MASS EXPULSION; DEPORTATION AND EXPULSION OF ALIENS; EUROPEANIZATION; IMPERIALISM; CONQUEST; NATIONALISM; PAN-ISLAMISM; PAN-MOVEMENTS; NATIVE POLICY; SLAVERY; PEONAGE; EQUALITY; INTOLERANCE; PERSECUTION; LYNCHING.

Consult: Muntz, Earl E., *Race Contact* (New York 1927); Bryce, James, *The Relations of the Advanced and the Backward Races of Mankind* (Oxford 1902); Boas, Franz, *The Mind of Primitive Man* (New York 1911), and *Anthropology and Modern Life* (new ed. New York 1932); Mecklin, J. M., *Democracy and Race Friction* (New York 1914); Royce, Josiah, *Race Questions, Provincialism, and Other American Problems* (New York 1908); Gumplowicz, Ludwig, *Der Rassenkampf* (2nd ed. Innsbruck 1909); Oppenheimer, Franz, *Der Staat* (3rd ed. Jena 1929), tr. by John M. Gitterman (Indianapolis 1914); Finot, Jean, *Le préjugé des races* (2nd ed. Paris 1905), tr. by Florence Wade-Evans (London 1906); Lewinson, Paul, *Race, Class and Party* (London 1932); Miller, H. A., *Races, Nations and Classes* (Philadelphia 1924), and *The Beginnings of Tomorrow* (New York 1933); *Papers on Inter-racial Problems*, ed. by G. Spiller (London 1911); Speer, Robert E., *Race and Race Relations* (New York 1924); Pitt-Rivers, G. M., *The Clash of Culture and the Contact of Races* (London 1927); Hertz, Friedrich O., *Rasse and Kultur* (3rd ed. Leipsic 1925), tr. by A. S. Levetus and W. Entz (London 1928); Michels, Roberto, "Wirtschaft und Rasse" in *Grundriss der Sozialökonomik*, pt. ii, vol. i (2nd ed. Tübingen 1923) p. 97–102; Hankins, F. H., *The Racial Basis of Civilization* (rev. ed. New York 1931); Goldstein, Julius, *Rasse und Politik* (4th ed. Leipsic 1925); Kohn, Hans, *Orient and Occident* (New York 1934), and *Der Nationalismus in der Sowjetunion* (Frankfort 1932), tr. by E. W. Dickes (London 1933); Oldham, J. H., *Christianity and the Race Problem* (New York 1924); International Missionary Council, *The Jerusalem Meeting of the International Missionary Council, March 24–April 8, 1928*, 8 vols. (New York 1928) vol. iv; Vignon, Louis V., *Un programme de politique coloniale; les questions indigènes* (4th ed. Paris 1919); Chollet, C., *Problèmes de races et de couleurs* (Paris 1929); Gil Fortoul, José, *El hombre y la historia* (Madrid 1916?); Gulick, Sidney L., *American Democracy and Asiatic Citizenship* (New York 1918); Steiner, Jesse F., *The Japanese Invasion; a Study in the Psychology of Inter-racial Conflicts* (Chicago 1917); Feldman, Herman, *Racial Factors in American Industry* (New York 1931); Olivier, Sydney, *White Capital and Coloured Labour* (new ed. London 1929); Lasker, Bruno, *Race Attitudes in Children* (New York 1929); Bogardus, Emory S., *Immigration and Race Attitudes* (Boston 1928); Johnson, Charles S., *The Negro in American Civilization* (New York 1930); Du Bois, W. E. B., *The Negro* (New York 1915); Chicago Commission on Race Relations, *The Negro in Chicago* (Chicago 1922); United States, Congress, Senate, Committee on Indian Affairs, Survey of Conditions of the Indians in the United States, *Hearings*, 70th Cong., 2nd sess.—72nd Cong., 1st sess., pts. i–xxvi (1929–32); Woofter, Thomas J., Jr., *The Basis of Racial Adjustment* (Boston 1925).

RACE MIXTURE. The hybrid character of present day human physical types is the result of a process of racial crossing which has continued for countless generations. With the possible exception of a few highly inbred groups of an originally homogeneous stock whose members, because of geographical isolation, have had no contact with outsiders, there are no human beings whose genetic composition is such as to fulfil the requirements of the biological concept of the pure strain. This conclusion is not only supported by the testimony of historic fact where available, but is also to be inferred from the degree of variation which marks most existing populations, and which indicates that sexual attraction is no respecter of racial lines, that where any two human groups meet, crossbreeding results even where the most rigorous social restrictions are imposed.

Human hybridization is thus universal; certain populations, however, represent crossing to a greater degree and between more divergent types than others. Examples of these extreme cases of race mixture have been studied in the Boer-Hottentot crosses of South Africa, the Indian-Spanish mixtures of Yucatan, the Indonesian-European mestizos of Kisar, the Polynesian-Chinese-European hybrids of Hawaii, the offspring of Indian-north European matings in the United States, and the Negro-white-Indian crosses of the islands of the Caribbean Sea and of North America. In recent years, these have been made the subjects of special investigation by those concerned with the problems, both scientific and practical, involved in the study

of human biology and of the relation between human physical type, intellectual capability and cultural behavior.

It is logical that these mixed populations should have been made the subject of special study, for although the investigation of problems concerning human beings ideally demands a methodological rigidity attainable only under laboratory control, it is only in such racially mixed groups that approximations of the laboratory situation are to be found. Where the racial derivation of the ancestral stocks is a known quantity, it is possible to study the parental types, if not the individual ancestors, of the mixed breeds; by means of recorded genealogies, where these are available, or of genealogical statements given by the persons studied, where records of matings cannot be had, it is possible to determine to some extent the ancestral racial composition of the several members of the mixed group.

Practically every investigation of a racially mixed population which has been made during the present century has been focused on the question of the extent to which Mendelian ratios are discernible in human mixed offspring, a question which, because of the small size of human families, turns largely on the matter of the comparative variability of the traits measured. If simple Mendelian heredity determines the physical characteristics of crosses, then the variability of a mixed population, in those traits where the parent stocks differ from each other to a significant degree, must exceed that of either of the parental types. The available evidence is far from clear in indicating whether or not this increased variability marks the hybrid groups which have been subjected to study. Fischer's classic analysis of the Rehoboth Bastards (Dutch-Hottentot crosses) shows that the population had achieved a relatively great degree of homogeneity through inbreeding several generations after the initial crossing had occurred, although the numbers of cases were not large enough to make these results of as great significance as other phases of this work. Davenport and Steggerda, whose investigation of Jamaican Negro-white crosses contradicts those findings, also draw conclusions after studying a number of individuals which is too small to allow much weight to be attached to the results. Williams, who measured larger numbers of Spanish-Maya crosses in Yucatan, found relatively low variability, and these findings are comparable to those of Herskovits for Negro-white hybrids, where several thousand individuals were studied. Shapiro's investigation of the limited number of white-Polynesian crosses in Pitcairn Island also fails to show any impressive increase in variation when the mixed bloods are compared to the parental stocks. Neither Sullivan's study of Sioux-white crosses, Rodenwaldt's measurements of the mestizos of Kisar, nor Dunn's analysis of mixed Hawaiians answers this question decisively.

As a result there has been in recent years a reevaluation of hypotheses concerning the importance of homogeneity as an index of racial purity. Since it was assumed that a hybrid population must exhibit greater variation in physical traits than its parental types, it followed that low variability was an index of racial purity. However, the studies of racially mixed types have forced the conclusion that, given an initial mixture and consequent inbreeding, there is an intensification of the resulting hybrid traits and the formation of a new homogeneous type. This is what has apparently occurred in numerous regions; in a large percentage of traits measured it has been substantiated in the case of the Negro-white-Indian crosses of the United States, the Bastards of South Africa, the Maya-Spanish crosses of Yucatan, the city populations of Italy and the mestizos of Kisar. In the case of the first group, who have been the most carefully investigated from this point of view, it has been seen that in comparing the variability of samples taken at random from the white and Negro populations of the United States, it is the Negroes who, in a majority of traits, show the greater homogeneity. This was shown in studies made by Todd and Lindala, by Davenport and Love (measurements of army Negroes and whites) and by Herskovits. Further, the study of these American Negroes has indicated that the mean values of the traits measured lie between the means of those north European and west African ancestral populations for which comparative data are available. Thus the investigation of the physical characteristics of racially crossed groups indicates a process by means of which the present day "pure" races may have attained their homogeneity after an original cross or series of crosses.

Whether crossed types are better or worse than pure bloods is another moot question. The concepts of "harmonic" and "disharmonic" crosses have been applied to those individuals where the crossing has resulted happily or un-

happily; the difficulty in the use of words bearing evaluative connotations such as these lies in the definitions behind them. As far as has been ascertained, there are no crosses between human groups which carry lethal determinants for the offspring. It is maintained, however, that decreased efficiency results from crossing; that there is a period where "hybrid vigor" is to be seen, perhaps in one or two generations after the original cross, after which debility sets in; that fertility is lost as a result of racial mixture; that internal disorganization comes to the hybrid in consequence of the inheritance of mutually incompatible traits. Neither these claims nor their opposites have been satisfactorily established by objective investigation; furthermore the same assertions may be matched by similar statements applied to inbred populations of "pure" racial stock. Whether or not there is hybrid vigor in man is still debatable, although Boas' pioneer study seemed to show its presence in the case of the stature and fertility of Indian-white crosses. That there is no loss of fertility, at least in the offspring of a Boer-Hottentot hybrid, has been amply demonstrated by Fischer's average of 7.7 children per family in the fifth generation after the original cross.

No greater unanimity of opinion exists regarding the psychological and social results of racial mixture. Although some disagree, the majority of those who have studied the social and psychic traits of mixed bloods hold that the undesirability of crossing cannot be substantiated by objective proof. There is no reason to suppose that such deficiencies as are seen in some hybrid populations cannot be referred to the social situation in which these people are found, especially since there are as many successful hybrid groups as there are those held to be deficient. Psychologists, such as Garth and Klineberg, maintain that studies made of racially crossed folk have failed to show lack of intellectual capability on their part, while sociologists, of whom Young may be cited as an example, find that it is more satisfactory to regard the social behavior of hybrid populations as reflections of their cultural milieu than to refer the matter to biological causes.

MELVILLE J. HERSKOVITS

See: RACE; MISCEGENATION; INTERMARRIAGE; CONCUBINAGE; AMALGAMATION; HEREDITY; EUGENICS; MIGRATIONS; ISOLATION; RACE CONFLICT.

Consult: Fischer, Eugen, *Die Rehobother Bastards und das Bastardierungsproblem beim Menschen* (Jena 1913); Davenport, C. B., and Steggerda, Morris, *Race Crossing in Jamaica*, Carnegie Institution of Washington, Publication no. 395 (Washington 1929); Williams, G. D., *Maya-Spanish Crosses in Yucatan*, Harvard University, Peabody Museum of American Archaeology and Ethnology, Papers, vol. xiii, no. 1 (Cambridge, Mass. 1931); Herskovits, M. J., *The Anthropometry of the American Negro*, Columbia University, Contributions to Anthropology, vol. xi (New York 1930), and "Variability and Racial Mixture" in *The American Naturalist*, vol. lxi (1927) 68–81; Shapiro, H. L., *Descendants of the Mutineers of the Bounty*, Bernice P. Bishop Museum, Memoirs, vol. xi (Honolulu 1929) no. 1; Sullivan, L. R., *Anthropometry of the Siouan Tribes*, American Museum of Natural History, Anthropological Papers, vol. xxiii (New York 1919) pt. 3; Rodenwaldt, Ernst, *Die Mestizen auf Kisar*, 2 vols. (Batavia 1927); Dunn, L. C., *An Anthropometric Study of Hawaiians of Pure and Mixed Blood*, Harvard University, Peabody Museum of American Archaeology and Ethnology, Papers, vol. xi, no. 3 (Cambridge, Mass. 1928); Todd, T. W., and Lindala, Anna, "Dimensions of the Body; Whites and American Negroes of Both Sexes" in *American Journal of Physical Anthropology*, vol. xii (1928) 35–119; Davenport, C. B., and Danielson, F. H., *Heredity of Skin Color in Negro-White Crosses*, Carnegie Institution of Washington, Publication no. 188 (Washington 1913); Barnes, Irene, "The Inheritance of Pigmentation in the American Negro" in *Human Biology*, vol. i (1929) 321–81; Wagner, K., "The Variability of Hybrid Populations" in *American Journal of Physical Anthropology*, vol. xvi (1932) 283–307; Boas, Franz, "The Half-Blood Indian, an Anthropometric Study" in *Popular Science Monthly*, vol. xlv (1894) 761–70; Klineberg, Otto, *An Experimental Study of Speed and Other Factors in "Racial" Differences*, Archives of Psychology, no. 93 (New York 1928); Garth, T. R., *Race Psychology* (New York 1931); Peterson, Joseph, *The Comparative Abilities of White and Negro Children*, Comparative Psychology Monographs, vol. i, ser. no. 5 (Baltimore 1923); Hankins, F. H., *The Racial Basis of Civilization* (New York 1926); Hooton, E. A., *Up From the Ape* (New York 1931) p. 583–91; Gates, R. R., *Heredity in Man* (London 1929); Young, D. R., *American Minority Peoples* (New York 1932).

RACE PREJUDICE. *See* RACE CONFLICT.

RACHEL, SAMUEL (1628–91), German jurist. Rachel, who was a native of Schleswig-Holstein, studied at the universities of Rostock, Jena and Leipsic and later at Helmstedt, where he became professor of moral philosophy in 1658. When the University of Kiel was founded in 1665 he was appointed to its chair of natural law and of international law. After 1678 Rachel became active in politics and diplomacy. He served as a councilor of Duke Christian Albrecht of Schleswig-Holstein-Gottorp, in whose service he remained until his death; he was the duke's ambassador at the peace negotiations of Nijmegen.

During Rachel's lifetime there was a conscious trend in Germany away from scholastic-Romanistic training toward scientific legal study, which concentrated especially upon natural law and Germanic elements. Aristotelian moral philosophy was the basis of Rachel's philosophic ideas and of his fundamental conception of natural law, while the latter dominated his theories of civil and criminal law, as it did those of Grotius, Pufendorf and Conring. In international law, however, Rachel showed a decidedly original approach. In the formative period of international law he was the first prominent protagonist of a positivistic attitude, in conscious opposition to Pufendorf, who had submerged the law of nations in natural law. Rachel stated his position in *De jure naturae et gentium dissertationes* (Kiel 1676). *Jus gentium*, he held, is a system of law independent of *jus naturae* and is based only upon agreements express or implied. Its rules are either general, those which are accepted by most civilized nations, or particular, those which have been established by treaty among a limited group of nations.

Rachel endeavored to free his system of international law from theological, moralistic principles and to introduce utilitarian ideas. His theory of customary and conventional international law substituted the inductive for Pufendorf's deductive method. He realized that the principles of international law are arrived at experimentally and that they may contradict the rules based upon speculative reasoning. He considered the principles of natural law as models for international law, without, however, acknowledging the norms of the former to be the norms of *jus gentium*.

Rachel was the first to establish the significance of international law as a separate science and to stress clearly its legally binding character. Moreover he formulated decisively the principle that not only subjective but also objective law may arise from the contents of treaties. He stands out as the precursor of the eighteenth and nineteenth century positivist movement in international law.

CURT RÜHLAND

Consult: Rühland, Curt, "Samuel Rachel, der Bahnbrecher des völkerrechtlichen Positivismus" in *Niemeyers Zeitschrift für internationales Recht*, vol. xxxiv (1925) 1–112; Bar, L. von, "Introduction" to Rachel's *De jure naturae et gentium dissertationes*, vol. ii, tr. by J. P. Bates, 2 vols. (Washington 1916) vol. ii, p. 7a–16a; Stintzing, R. von, and Landsberg, E., *Geschichte der deutschen Rechtswissenschaft*, 3 vols. (Munich 1880–1910) vol. iii, pt. i, p. 37–39.

RACHFAHL, FELIX (1867–1925), German historian. Rachfahl was born in Silesia, studied at Breslau and Berlin under Roepell, Caro, Lenz and Schmoller and taught at the universities of Halle, Königsberg, Giessen, Kiel and Freiburg. A meticulous and profound scholar, he was extraordinarily versatile, excelling particularly in critical research and polemic. He began his work in the fields of constitutional, economic and administrative history with *Die Organisation der Gesamtstaatsverwaltung Schlesiens vor dem dreissigjähren Kriege* (Staats- und socialwissenschaftliche Forschungen, vol. xiii, pt. ii, Leipsic 1894). His "Der dualistische Ständestaat in Deutschland" (in *Schmollers Jahrbuch*, vol. xxvi, 1902, p. 1063–1117) and his writings on the beginnings of modern administrative organization in Burgundy, the Netherlands and Austria and on the Prussian-German question during the nineteenth century have served as a strong stimulus to German historical writing. Rachfahl was keenly interested likewise in the theoretical and philosophical problems of historiography. Under the influence of Max Lenz and the historical writings of Ranke he took an active part in the polemic against the theories and practises of Karl Lamprecht and in his later years against the newer sociological tendencies. He had a profound antipathy to all categories and concepts which were not empirically grounded. In his *Staat, Gesellschaft, Kultur und Geschichte* (Jena 1924) he proclaimed the dictum: "not political or social and cultural history but rather social and cultural history embraced within the higher unity of the history of the state." Rachfahl's most important work dealt with the age of the Reformation and Counter-Reformation. His *Wilhelm von Oranien und der niederländische Aufstand* (3 vols., Halle 1906–24), which unfortunately remained unfinished, is a most comprehensive and objective presentation of the period, unencumbered by ecclesiastical or confessional ties. Born a Catholic, he nevertheless maintained complete objective impartiality. He considered William of Orange the first prominent and successful apostle of the idea of religious toleration among European statesmen. Among his works on the nineteenth century the most important is *Deutschland, König Friedrich Wilhelm IV und die Berliner Märzrevolution* (Halle 1901), which occasioned much critical discussion. He published numerous essays on the Bismarckian era, took issue with Max Weber's thesis on the origins of modern capitalism, and with his *Deutschland und die Weltpolitik*—first volume, *Die bismark'sche*

Aera (Stuttgart 1923)—which remained unfinished at his death, he was one of the first historians to start work on the collection of German documents published after the World War.

HERMANN ONCKEN

Consult: Rachfahl, F., Autobiography in *Die Geschichtswissenschaft der Gegenwart in Selbstdarstellungen*, vol. ii (Leipsic 1926) ch. vii; Oncken, H., "Felix Rachfahl; ein Nachruf" in *Archiv für Politik und Geschichte*, vol. iv (1925) 579–85; Meyer, A. O., in Gesellschaft für Schleswig-Holsteinische Geschichte, *Zeitschrift*, vol. lv (1926) i–xviii; Below, G. von, in *Schlesische Lebensbilder*, vol. ii (Breslau 1926).

RACKETEERING, a term loosely applied to a variety of criminal schemes, has not yet received exact legal definition. It usually designates, however, the activity for profit (in connection with the sale of goods and services) of an organized group which relies upon physical violence or an illegal use of group pressure to accomplish its end. It thus applies to the operation of an illegal business as well as to the illegal operation of a legal business. It cannot be confined to extortions in business alone, for it includes the use of violence to enforce the rules of illegal activities, such as distribution of narcotics and prostitution. In common parlance also the term is often applied broadly to organized crime or to any easy way of making money.

The word gained currency in the early 1920's, but its origin remains obscure. The first instance of its use has been ascribed to "Big Tim" Murphy of Chicago. Another theory holds that the term was first employed about 1885; two Chicagoans had organized a teamsters' union in New York and an official investigating it is supposed to have said, "This is not a noise but a racket." According to a third theory, racket has entered the modern vocabulary by way of the vaudeville stage, where it means the type of entertainment in which a performer specializes, and hence a special method, generally an easy one, of getting along in the world. There is still another explanation, which is perhaps the most plausible. The word racket has long been used to describe a loud noise and hence a spree or party or "good time." In the 1890's social clubs of young men in New York City, under the auspices of political leaders, gave affairs called rackets; since among their number there were members of neighborhood gangs, it was found easy to coerce local tradesmen to buy tickets. Local gangsters soon improved upon the idea and formed "associations" for the sole purpose of selling tickets in this manner.

The practise of extortion by officials and private citizens has been recorded in many civilizations, although perhaps it was never as well organized as it is under modern conditions Whenever evidence of organized extortion is found, historical analogy exists. Pertinent instances are the practises of the Greek sycophants and the Roman delators, who, in systems where a private citizen could prosecute for crime, extorted money from guilty and innocent alike under pain of exposure (*see* EXTORTION). The Rhine and Danube barons in mediaeval times, the Barbary pirates, the African and Asian chieftains who preyed upon caravans, the Scotch and English outlaws described in the Waverley novels, the Mafia in the agricultural regions of Sicily—all were virtually racketeers. The levying of periodic tribute against their own depredations marks their status.

Coercion and insistence upon cuts in profits through threats of violence were fully established in the late nineteenth century, as indicated by the practise of "protecting" small storekeepers and peddlers from visitation by the gang itself. Gambling houses and brothels were long subject to extortion by gang leaders, and many murders were traced to disputes over an unearned cut in stuss and other games of chance. The business racket was known early in the century; a study in Chicago in 1904 indicated several rackets in the trucking and clothing industries and during the incumbency of Mayor Mitchel in New York rackets in the foodstuffs, building and clothing industries were exposed. But it was not until the close of the World War and the beginning of national prohibition that the rackets, as they are now known, became widespread.

The racket pattern is not the same in all industries. The simplest type is that in which a monopoly is set up by the racketeers with no other aid than protection by politicians. Illustration is found in rackets in some perishable foodstuffs, where the technique is to coerce retailers through suggestion or ready example of violence to cease buying from the wholesalers and to buy from a new and unnecessary middleman—the racketeer himself. In this type of racket the numbers are few and the investment small, as credit is easily obtained from the wholesalers.

Almost as simple a type of racket is found in the direct association racket, where tradesmen in a market or neighborhood are given "protection" against violence to person and property in

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return for the payment of "dues" to an "association" organized by the racket. Failure to pay dues results in visitation by a henchman of the rejected "protector." The more complex the industry, the more intricate is the association racket, functioning through collusive agreements between business men, racketeers and labor leaders. In such rackets the primary object is usually price fixing and the elimination of undercutting; the racketeer is initially called in to enforce the sanctions which under the antitrust laws the association itself could not lawfully assert. The tradesman who refuses to join finds not only that he is subjected to physical violence but that his laborers are "pulled" from the job or assaulted, the movement of his wares is stopped and often his offers to buy goods are rejected, as explicit testimony in New York and Chicago has shown. In some industries the collusive agreements are detailed and ingenious, involving the cooperation of a number of labor leaders and of both wholesalers and retailers; the associations have boards of directors, systems of fines and carefully formulated rules.

Certain of the labor rackets are not operated as part of an association, but the prime movers are the labor leaders themselves. Violence in unions is not new; at times as a matter of self-preservation it has been essential in the struggle of labor for survival, particularly where labor has been rendered powerless by sweeping injunctions. Since the use of force by both sides at the time of the famous Molly Maguires in the post-Civil War period the resort to violence in labor disputes has resulted in the hiring of professional gangsters by both employers and unions.

Strictly speaking, this is gangsterism rather than racketeering; on the other hand, the "shakedown" racket developed by some labor delegates comes close to official extortion. Money payments are demanded and received on threat of pulling jobs for fancied minor grievances or of "breaking" new unions struggling for a foothold or of sending back to work, in breach of trust, men who have legitimate cause to strike or of permitting organized laborers to work at a lower wage scale. From the laborers a "kickback" is exacted for the privilege of working, and contumacy is met with fine and suspension. Some delegates have working arrangements with companies selling construction machines or materials, resorting to sabotage and strikes to combat sales resistance; at times the delegate himself is a contractor on the side. In order to insure iron control over the union democratic processes are destroyed. Sluggers are brought into the union to keep elections from getting out of hand; soon local elections are abolished and a supervisor responsible only to the international president is appointed. Not all such appointments are to foster corruption, but the method is adaptable to such a purpose. Union funds dwindle away on "swindle sheets" which record their payment merely for "the good of the local."

The technique of enforcement in racketeering is familiar—personal violence including murder, destruction of goods and premises, kidnaping, bombings and incendiary fires. The methods employed by the Black Hand have been accepted and modernized. The use of bombs is alarmingly great; according to one estimate, in Chicago from the period from January 1, 1928, to October 1, 1932, 500 bombs had been planted, resulting in more than $1,000,000 damage. By underworld gossip there are set scales of fees for bombing; the Illinois Crime Survey in 1929 reported an interlocking system for bombing in different fields and in the case of one bombing crew in Chicago the fees were actually revealed.

Although gangs are employed for special acts of violence, including professional killings, the racket itself must be distinguished from the old fashioned gang. Even the terminology of the underworld makes the distinction: a group of racketeers is called a mob rather than a gang. The older racketeers were in many instances former members of old neighborhood gangs. But the earlier gangs were much larger than the mob; some of the famous neighborhood gangs of New York and Chicago mustered hundreds and even thousands of adherents. The modern racket is generally smaller for a number of reasons. Since it exerts pressure where resistance is weakest, it does not need mass demonstration of strength: its power is not often challenged. The code does not require that a victim be met face to face, any more than a legally condemned prisoner is expected to seek vindication by ordeal of battle; there is greater safety from the police in smaller and more trusted numbers. An exception of a limited kind applies to the beer and liquor rackets. In these the syndicate managers and "front men" have been comparatively few but the employees of the racket, if truck drivers, brewers and salesmen are included, are many. In some of the rackets there are hangers on who render important service without sharing in management.

The modern racket as distinguished from the

gang is scarcely a neighborhood affair, for the territories covered are much larger; and with few exceptions (notably in specialized rackets) the members of the racket do not seem to be racially homogeneous. In the type of racket, however, which preys largely upon businesses owned by a particular ethnic group, the racketeers are themselves almost exclusively of the same group. Examples are found in certain fresh vegetable rackets which prey largely upon Italians, in the kosher poultry racket directed against Jews and also in certain labor rackets aimed primarily at Irishmen.

The focal points of racketeering are the larger cities, where its interstitial growth is easiest. Chicago and New York City have held the limelight, but rackets are operated in other large cities as well. Detroit and Kansas City and Cleveland with its lugubrious "funeral racket" have been exposed as racketeering centers. The farmer too is often a victim of the racketeering, for his goods pay tribute as they come into the city. "Legs" Diamond, for example, operated a beer racket in a rural county of New York and in his sales arguments included some of the more refined forms of torture.

The general inactivity of police and prosecutors in the face of racketeering is unquestionably related to connections between politics and the underworld, although some part of the breakdown may be laid to inefficiency. The difficulties confronting honest and efficient law enforcement officers cannot be overlooked, for extortion is more difficult to prove than holdup, and witnesses are reluctant to testify because of fear, satisfaction with the racket or lack of confidence in police and district attorney; in order to secure convictions of racket leaders great energy and a persistent use of the John Doe grand jury investigation are required of the district attorney.

The connection between politicians and the underworld is old; in New York the alliance goes back at least to two decades before the Civil War. The use of gangs for election frauds and intimidation of voters, in return for which "protection" is given by politicians, has never ceased, particularly where elections and primaries are closely contested, as exposures in New York, Chicago and Cleveland have dramatically shown. But it is probably a mistake to attribute the rise of the racket in Chicago to intense political factionalism in that city or to assume that the alliance is disrupted when one political machine is firmly intrenched; racketeers contribute to political campaigns directly, and also indirectly through distribution of foods to the poor of a neighborhood under the auspices of a district leader. Often the real appointing power, the district leader, is in politics for reasons of business, and mutually advantageous alliances are part of the game.

The relation between politics and racketeering, although difficult to prove, has been revealed in important instances. The Illinois Association for Criminal Justice reporting on the Municipal Court of Chicago found, for example, "a definitely established relationship between the underworld and some feudal lords." The Magistrates' courts inquiry in New York City exposed the common practise of intercession by district leaders on behalf of criminals and the acceptance of a large loan by a magistrate, later removed, from a notorious leader of the underworld. The murder of an assistant district attorney in Chicago, with its subsequent exposure of close connections between officialdom and racketeers, as well as the use by professional gamblers of district clubhouses in New York furnishes other striking evidences. Amazing too are the criminal records of notorious racketeers—discharge after discharge by the lower courts for "lack of evidence"—as are the astonishing "leaks" of information from the offices of prosecuting attorneys. But it is unlikely that all the political "fixing" is due to outright corruption of public officials. Some, as Moley has recorded, are "money honest but politically crooked." In the practise of this official immorality the release of no single criminal is considered a menace to society.

Political corruption was greatly stimulated by federal prohibition. The public conscience was softened by widespread opposition to the attempted regulation of personal habit, and large sums came into the hands of bootleggers. The step from political protection of an illegal traffic in liquor to protection for other crimes was but a short one. Many former gangs were absorbed into the beer and liquor rackets, as pre-prohibition criminal records disclose. The illegal nature of the enterprise itself compelled violence and murder. As the sanction of force became routine it was an easy transition to find subsidiary fields of action, as, for example, where the anti-trust laws barred legal attempts to combine. Because of a general disrespect for law the racket found its respectable partners in crime, business men, prepared for the partnership.

From the functional point of view the wholly parasitical racketeer must be distinguished from

the racketeer who performs a measure of service by acting as a stabilizing force in industry. The parasitical racketeer is big brother to the juvenile gangster, who in return for tribute refrains from stealing from the pushcarts and stores of the neighborhood, and whose services are valuable merely to the extent of the self-restraint he exercises. His contemporary counterpart injects himself into the economic scene in the same fashion but on a larger scale. Choosing a weak spot in the industrial structure he proceeds to occupy the point of vantage to his own profit. His operations are most likely to begin where the victims are of foreign origin and ignorant of the laws and where small capital is required. Fruit dealers, cleaners and dyers, truckmen, fish, vegetable and fresh poultry dealers, are the most likely subjects for exploitation. The field is more fertile when the supply of the product is relatively small and easy to monopolize or where the time element is essential to the victim, as in the "shakedown" of building contractors working under heavy contractual penalties for delay or as in "loading" and trucking rackets, where the movement of perishable foodstuffs is essential to prevent decay.

The racketeer as a type is a natural evolutionary product of strict laissez faire. Society lays no restriction upon the number of middlemen who may enter a field. There is no challenge to the middleman to prove his economic usefulness; no certificate of convenience and necessity is asked or given. The parasitical racketeer, no more or less useful than many jobbers and wholesalers, personifies economic individualism in its farthest reach. He grows in a porous economic organization, giving no reason for his being except that he is a seeker after gain. For the ethics current during the era of prosperity that was almost excuse enough. The American scene, in broad perspective, showed tolerance toward the acquisition of riches at the expense of moral restriction. In an era of unrestrained competition the touchstone of morality was success. The pegged market in stocks, the manipulation of subsidiary companies, the reckless puffing of securities, the taking by corporate managements of inordinately large bonuses, the rather widespread evasion of taxes, the easy connivance of politicians in grabs—are a few illustrations of the temper of the times which furnish a key to the parasitical racketeer.

The attitude of the typical victim is not unrelated. Even though the motive of fear is primary, there is often the feeling too that when the tribute can be passed on to the consumer the extortion is not inherently wrong. Some long for freedom of action, but many covertly approve methods that bring greater stability to their own businesses. Certain commission merchants, for example, have admitted that selling directly to a racket monopoly instead of to many retailers is a boon because it eliminates many detailed bookkeeping entries.

On the other hand, the stabilizing racketeer, while he is in purpose and method a criminal, is in function perhaps an illegal police force. He is more powerful than injunctions and suits for damages; he executes the mandates of his associates with dispatch and by direct methods. These associates are legitimate business men, and the racketeer's problem is often a sensible limitation of production. His methods, however, are violent, and the power he wields is uncontrolled, for he has no concern with the tests by which his victims are selected. This alliance between business and the underworld is attributable in substantial respects to the antitrust laws; yet the entire burden cannot be made to fall upon these laws, for even if voluntary combination for price fixing were legal, the recalcitrant individualist would still be a problem for discipline and the cost to the consumer, perhaps, would remain equally high.

The racketeer sometimes called in to organize an association often remains to head it by intimidating his employers. With armed force at hand and with a reputation it is not difficult for him to find new spheres of influence. As the activities of the rackets are broadened, large sections of the community thus find themselves paying an unofficial sales tax to powerful lords of the underworld. A Capone is able to offer civic peace to Chicago through his own police methods, to protect a labor union against parasites and to break a powerful association racket by the prestige of his name.

An invisible government is set up, linked to the invisible government of the political machine. Its existence, like that of lynch law, is inimical to government, for the reservation of the exclusive use of force by the state is fundamental to an ordered political society. Sharing with the state the use of force the illegal organization also becomes a coordinate taxing agency, for it levies a tribute upon sales and services.

Estimates as to the cost of racketeering are little more than guesses. Many direct payments can never be determined; losses by extortion are not reported to the police as are thefts. The

indirect costs to the community in higher prices and association dues are difficult to assay, for the higher prices are sometimes partially compensated for by the saving of marginal entrepreneurs from costly bankruptcy or by the prevention of forced liquidations. Accurate comparison of average prices before and during the advent of the racketeer is a complicated task, since many other market factors may enter. Added elements of cost which must be considered of course are increased insurance rates for plate glass; arson, burglary and bombing risks; as well as the expense involved in added police protection and prosecuting expenses. The New York State Crime Commission in 1931 reported that racket costs to the nation were estimated to range between $12,000,000,000 and $18,000,000,000 annually, while the attorney general of the United States stated in 1933 that the national tribute to racketeers amounts to $1,000,000,000 annually. As the Wickersham commission concluded, "the data prerequisite to any estimate of racketeering losses are non-existent."

In the face of the challenge of racketeering society must take action by direct police methods and perhaps by a reappraisal of legislation. The repeal of federal prohibition is already accomplished, and proposals to repeal the anti-gambling laws and to modify the rigors of the antitrust laws are being discussed. Public opinion must be made to feel that the dispensation of favors through political "pull" is vicious. The press and the bar must exert pressure for the appointment of able men to prosecutors' staffs and for the disbarment of lawyers who grow rich as advisers to the underworld.

While the problem of law enforcement as such is essentially a local matter, the federal prosecutions of racketeers are also important. The federal government has followed two principal methods, that which makes use of the income tax and that which relies upon the antitrust laws. A third method coming into increasing use is applicable where extortion is attempted through use of the mails. Violation of the antitrust laws is clearly subject for federal action since interstate commerce has been restrained; the mailing cases likewise are properly federal. But the use of the oblique attack of the income tax law has met with some criticism. The objection based upon constitutional demarcations in the field of criminal jurisdiction is, however, only theoretically applicable, for the complexities of modern conditions were not foreseen by the founders, and the tendency of Congress and the courts has been toward an expanding view of the constitution in the designation of new federal substantive crimes. It is clear moreover that since the government is legally entitled to share in the profits from many forms of criminal endeavor, a separate crime—against the revenue—has actually been committed. Again, the danger that prosecutors will have too free a hand in the selection of defendants, although it is in theory disturbing, has in practise been found illusory, for in most income tax prosecutions commission of other crimes—extortion, bribery and the conduct of illegal business—has in point of fact been incidentally proved.

Not only does the success of the federal prosecutions demonstrate the possibilities of action by local agencies when freed from political pressures, but the methods of federal investigation themselves should foreshadow the technique to be followed by local authorities. The tracing of criminal relationships by means of bank accounts, often under fictitious names, and the close scrutiny of corporate books are important features. The use of the John Doe grand jury investigation where crime is known to exist but where the racket leader is not yet definitely linked to any provable conspiracy is valuable. The application to duty which calls for the summoning of hundreds of witnesses from an industry, sometimes for merely informal preliminary conversation, points the only way in which the few good witnesses competent to prove cases of racketeering will be found.

Recent legislation has strengthened the federal attack on kidnaping and the powers of state officials to proceed against business racketeering. The immediate remedy, however, is to be sought not so much in new laws as in the selection of able enforcement officials, divorced from political pressure. The repeal of prohibition has already caused the liquor racketeer to turn to new fields; but adequate defense ought to come from a change in the public attitude toward law-breaking and from the pressure of lower standards of living, impelling political revolt against "unofficial sales taxes." A fearless and free officialdom is the preliminary answer to the challenge.

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See: CRIME; LAWLESSNESS; LAW ENFORCEMENT; EXTORTION; GANGS; BRIGANDAGE; INTIMIDATION; VIOLENCE; POLICE; CORRUPTION, POLITICAL; PROHIBITION.

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(New York 1928); Hostetter, G. L., and Beesley, T. Q., *It's a Racket!* (Chicago 1929); Sullivan, E. D., *Rattling the Cup on Chicago Crime* (New York 1929), and *Chicago Surrenders* (New York 1930); Terrett, C., *Only Saps Work* (New York 1930); Pasley, F. D., *Al Capone* (New York 1930); Gowen, E., *A True Exposé of Racketeers and Their Methods* (New York 1930); Adamic, Louis, *Dynamite* (New York 1931); Willemse, C. W., Lemmer, C. J., and Kofold, J. C., *Behind the Green Lights* (New York 1931); McConaughy, John, *From Cain to Capone* (New York 1931); Godwin, Murray, "The Sociological Significance of Racketeering" in *Our Neurotic Age*, ed. by S. D. Schmalhausen (New York 1932) p. 326–49; McDougall, E. D., *Crime for Profit* (Boston 1933); Illinois Association for Criminal Justice, *Illinois Crime Survey* (Chicago 1929) ch. xxiii; New York, Commission to Investigate Charges against Thomas C. T. Crain, *In the Matter of the Investigation, under Commission Issued by the Governor of the State of New York, of Charges Made against Honorable Thomas C. T. Crain, District Attorney of New York County. Report and Opinion of Samuel Seabury, Commissioner* (New York 1931); United States, National Commission on Law Observance and Enforcement, *Report on Cost of Crime*, Reports, no. 12 (1931). For the periodical literature see: McCarthy, K. O., "Racketeering; a Contribution to a Bibliography" in American Institute of Criminal Law and Criminology, *Journal*, vol. xxii (1931–32) 578–86, and the periodical indexes.

RAČKI, FRANJO (1828–94), Croatian historian, politician and nationalist leader. Račkí was trained originally as a Catholic theologian and professor of theology. His three-year stay in Rome (1857–60), during which he devoted himself to studies in palaeography and diplomacy and gathered historical source materials from various archives, provided him with a scientific and methodological equipment for his historiographical work. After his return to Croatia he dedicated the rest of his life to the Croatian national movement as scientist, national mentor and aid to Bishop Strossmayer in the organization and upbuilding of Croatian scientific institutions. An active politician and political publicist, he took a leading part in the creation and propagation of a national and cultural South Slav program and in the investigation of Croatian and South Slav history. His political and historical articles exerted a far reaching and fundamental influence on Croatian national political thought and movements. Račkí was a prominent member of the Croatian diet from 1861 and a Croatian representative in the Hungarian parliament from 1865, participating in the discussions of all the important constitutional and national problems. Politically, he favored an autonomous Croatia with a unified administration within a federal Austrian monarchy. He considered it a historical and natural necessity to unite the Serbs and Croats and, in a broader sense, all the South Slavs including also the Slovenes and the Bulgarians. Račkí thus became the most prominent apostle and formulator of the South Slav idea and he cultivated the intellectual ground for the subsequent Jugoslav political union. His thorough acquaintance with the national and historical development of the South Slavs and his accurate knowledge of the differentiating and unifying forces and tendencies in this process of development provided him with a solid foundation for his political views and were responsible for his enormous influence. As a scientific historian, political publicist and organizer he represented the view that national and political unity could be brought about only through consciousness of a common national culture, a common South Slav literary language and a literature and learning with a South Slav orientation. This consciousness of a common culture, he held, would overcome all the difficulties and contradictions which had arisen as a result of different historico-political development, religious divergences and alien Romanic, German and Byzantine-oriental influences. Račkí worked unceasingly in this spirit as the first president of the Jugoslav Academy of Sciences and Arts, founded in 1866. His nationalism represented a peculiar combination of Croatian patriotism and South Slav pan-Slavism. As a historian he was conscientious and critical, familiar with the sources and the auxiliary sciences. He was the author of numerous fundamental studies and edited historical source materials from various archives, particularly the Vatican. His special field of research was the period of the national Croatian dynasty (ninth to eleventh century) and the general political, social and cultural history of the South Slavs during the Middle Ages. Through his investigations and source editions in the *Monumenta* of the academy he laid the foundations for the study of older Croatian and South Slav history and made available to European scholarship the older history of the South Slavs.

JOSEF MATL

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ies, *Résumés des communications . . .* (Warsaw 1933) pt. ii, p. 222–27; Fischel, A., *Der Panslawismus bis zum Weltkrieg* (Stuttgart 1919).

RADIĆ, STJEPAN (1871–1928), Croatian nationalist and agrarian reformer. Radić succeeded in obtaining an education, despite great financial difficulties, at Zagreb, Prague and at the École des Sciences Politiques in Paris. His political activities fall into well defined periods: as a student he took an important part in the youth movement which aimed at a South Slav union; from 1902 he was the secretary and the chief propagandist of the Croatian opposition parties; in 1904 he organized the Croatian Peasant party, which after the World War became the dominant party in Croatia, and was its leader until his death. During the thirty years in which he was one of the outstanding personalities in South Slav politics he endured imprisonment, exile and incessant persecution, first from Magyars and later from the pro-Serb group in Jugoslavia. But he never ceased his work of organizing the Croatian peasantry and his propaganda for their cause and for Croatian nationalism; his devotion made him the peasants' idol.

Influenced by contact with western capitalistic individualism and by western ideology, especially by the writings of Tolstoy and the French democrats, and in nationalist doctrine by Rački and Masaryk, Radić was nevertheless deeply rooted in the patriarchal family, village economy and culture of his homeland; his doctrines reflect this dual background. His aim was a peaceful state in which the dominant or rather the controlling influence would be the peasantry. His program called for a struggle by legal means for the emancipation of Croatia, which Radić pointed out was conditioned by the spiritual awakening and strengthening of its agricultural population. These ends would be achieved by education, by raising the general cultural, and especially the economic level of the people. Tending more toward messianism than toward the rational and systematic, Radić saw the complete regeneration of mankind in a new social order based on the peasant family homestead as an economic and cultural unit. The number of such homesteads must be increased and improved by the break up of large landed estates and the abolition of sale for debt of peasant farms and all their appurtenances. As a pacifist he opposed the idea of the class struggle as well as national and imperialistic wars.

The program of Radić's Peasant party is contained in his pamphlets, *Najjača stranka u hrvatskoj* (Founding of a Croatian party, Zagreb 1902) and the post-war *Put k seljačkoj republici* (Zagreb 1921; tr. into German as *Grundlehre oder Programm der kroatischen republikanischen Bauern-Partei*, Zagreb 1923), which adapted the earlier program to changed conditions. Before the World War Radić advocated not a dual but a triune system for Austria-Hungary, in which Croatia would be the third state. After the formation of Jugoslavia he insisted that historical conditions required its decentralization and that it should be transformed into a democratic federate republic with various instruments of popular control, such as the referendum. Except in 1925, when Radić was minister of education, and for a short time thereafter, the parliamentary group of the Croatian Peasant party (*Hrvatska seljačka stranka*) under his direction either abstained from participation in the government or formed an effective opposition bloc.

A pioneer of the subsequently powerful "green international," Radić developed the peasant movement in Croatia and formulated its ideology. He broke the economic and spiritual domination of the city over the country and brought the peasantry to its important role in the nationalist movement, which had previously been supported and controlled exclusively by the urban intelligentsia.

Radić was a prolific journalist, and the historical significance of his work has not yet been fully appraised. His social and economic ideas are to be found especially in *Hrvatska misao* (Croatian thought). He was the author of a number of books, including *La Croatie actuelle et les Slaves du Sud* (Paris 1899), *Moderna kolonizacija i Slaveni* (Modern colonization and the Slavs, Zagreb 1904) and *Savremena Evropa* (Contemporary Europe, Zagreb 1905).

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RADICALISM is currently conceived as a complex sentiment with three major components. Of these, the first and perhaps most basic is a conspicuously stressed attitude or frame of mind toward one particular institution of society or toward the social order as a whole.

An individual may be a radical with respect to religion but not with respect to art; with respect to science but not with respect to religion or the economic establishment; with respect to politics but not with respect to sex; with respect to the economic establishment but not with respect to the family. Conversely a person's radicalism may envisage the entire complex of a society or a culture, and apply to each and every one of its component institutions; and it is observable that radical attitudes toward any one institution tend to expand in scope until their field is coincident with the entire setup of a society.

Attitudes are identified as radical when their prevailing emotional tone is one of moral indignation, often rising through anger to hatred for some existing and powerful institutional arrangement which is evaluated as in principle and practise untrue, unbeautiful, unfair, unjust, exploitative, and the like. This emotion tends to express itself in a specialized and appropriate vocabulary which, figuring in the mind of the radical as an objective designation of what he hates, operates in fact as a dialect of value-judgments whose every term carries moral condemnation. Examples of such dialects may be observed in the special vocabularies derived from Karl Marx or from Henry George or from Thorstein Veblen.

The second major component of radicalism is a distinct philosophy and program of social change looking toward systematic destruction of what is hated, and its replacement by an art, a faith, a science or a society logically demonstrated as true and good and beautiful and just, or at least more so than the condemned establishment or society.

Finally, radicalism tends to define its aims and methods in democratic and humanitarian terms. Its indignation is directed against the classes in behalf of the masses, against the privileged in behalf of the unprivileged, against owners in behalf of the propertyless. It favors the many over the one.

In the nature of things, the more conspicuous of the three components are the emotional tone and its vocabulary of misprision and assault. These spread by a kind of induction that attracts people to the radical cause when they themselves feel grievances which are by it rationalized and socialized and that repels them into a counter-anger and hatred if they feel that it assaults their persons, their privileges, their interests or their possessions. For this reason usage tends to make "dangerous," "subversive," "irresponsible" constant companions of radicalism and radical.

These connotations of the terms were not their first. They are comparatively recent developments, and have spread most markedly since the World War. Radical and its derivatives came into effective use in the eighteenth century, coincidentally with the spread of democratic ideas. Lecky says that English radicalism was born with the attempt to reform Parliament in 1769 and to make the members "habitually subservient to their constituents." A quarter of a century later, James Fox, aiming at this same, still unattained goal, spoke of the necessity of "radical reform." But it was in the years between the end of the Napoleonic wars and the adoption of the First Reform Bill that the term came into widespread use in England as the designation of a specific attitude, especially in politics. In the course of time a European consensus became manifest concerning the import of radicalism. Herbert Spencer described it in his *Social Statics* as endeavoring "to realize a state more in harmony with the character of the ideal man." It had attained a comparative identity of meaning in all lands where the humanitarian and democratic ideals of the pre-revolutionary French and English writers became the points of departure for principles and programs of social change. Thus, Bentham and his followers, whose views dominated the greater part of the Victorian era, are called the philosophical radicals. With their deep resentment of the inequities of society, their active sympathy for the oppressed and the poor, their enthusiasm for "the greatest good of the greatest number," and their demand that a political creed shall base itself on scientific knowledge of nature and human nature, the philosophical radicals provided the classical material for the idea of radicalism evinced by later generations. As this and that item of the Benthamite program was enacted and yet left its goal unattained, the "scientific" and doctrinal component of radicalism changed, without altering the emotional and the moral. Later, philosophical radicals were succeeded by scientific socialists. Today, in many quarters, radical is practically synonymous with socialistic or one of its many variants, such as syndicalist, communist, Bolshevik, and the same animus attaches indifferently to all.

Radical is the bad name which opponents of any plan of social change give to it with a view to defeating it. Intrinsically a plan may propose no more drastic and extensive a change when it is

called radical than when it is called conservative. Thus, Fascism in Italy, Hitlerism in Germany and Leninism in Russia involve no less far reaching alterations of polity in one case than in the others. All three alike were animated by intense hatreds for the regimes they overthrew, and each proclaimed social salvation to be exclusively the consequence of the regime it set up. Yet usage would reject radical as an altogether inappropriate description of Mussolini or of Hitler, and would accept it as quite suitable to Lenin and his followers. There were those who called William Jennings Bryan radical, and to whom Theodore Roosevelt was reactionary. An influential class of Americans—financiers and industrialists—are reported to consider as radical the modifications of the industrial and financial structure of the United States which were initiated by law in 1933. A less influential but more numerous class—progressives and socialists—find them conservative. The thread of continuity amid all this variation of meaning is the common recognition among the different evaluators that radicalism is intrinsically constituted by its humanitarian and democratic intent. When a program or an ideology is called radical by one group and conservative by another, the first sees it as an instrument for the liberation and improvement of the lives of the masses, the other as a hypocritical or insufficient instrument. How a measure or a man is to be designated depends on who does it and from what position. The difference is one of purpose and perspective.

Considerations of this order suggest that in themselves plans of social change are no more radical or conservative than locomotives are capitalist or wheat is communist. A radical intent accrues to any plan of economic or political reconstruction if it is directed toward the distributive freedom and well being of men. With a simple alteration in the incidence and distribution of power from the few to the many, the corporative state of Mussolini and his dogmatists and the totalitarian state of Hitler and his confabulators could be as radical as the socialist state of Stalin and his planners. In point of fact, the actual democratic incidence and distribution of power are not needed. As the situation in Soviet Russia amply proves, the belief and the hope that they will take place are enough to command the eulogium, or opprobrium, of radicalism.

As to the passional component of radicalism, it is no more pronounced or intense than in conservatism. But events since the World War have rendered it more conspicuous, and the convention of the times has apportioned to it, falsely, the more significant role among the components of the sentiment of radicalism. As a result of the insurgence of the Freudian psychology at a period when, because of the Russian Revolution, radicalism was in the air of many lands, the sentiment was made a theme of psychological and pseudo-psychological inquiry. It was studied by means of questionnaires, intelligence tests, rating scales and the other implements of post-war psychology. Some investigators found radicals to be repressed people whose blocked impulses turned back on themselves, taking the form of anger and pugnacity, which then flowed outward against the characteristic obstructions to freedom and happiness in the social order. Economic security, a happy marriage, a hobby, were declared often to deradicalize the radical so made. Other investigators, using other methods, revealed that radicals have a quicker reaction time than conservatives; that they are not so set in their ways and break habits more readily; that they are more self-conscious, more retiring, more sensitive and more humane than conservatives; that they are less amenable to contagion from majority opinion; that they have a higher intelligence quotient. Still others found them to be neurotic, envious, anti-social and the like, and in need of treatment as cases for mental hygiene. Whether these psychological discoveries are facts or fictions is irrelevant. They are vitiated from the point of view of social science in that they are attributed to a type of personality, attitude and behavior conditioned by the fact that it is in a combative situation, and that its manifest qualities are functions of this situation.

In terms of the processes of social change, the frame and attitude of mind called radicalism is a phase which develops out of liberalism in consequence of successful obstruction to the graduated changings of the past in which liberalism consists and which it carries on. This obstruction intensifies liberal resistance. It ends by generating a powerful antagonism which culminates in a break with the past in both feeling and plan. Radicalism in the current sense of the word originates at the breaking point. If the successful obstruction to the radical program persists, radicalism becomes indistinguishable from intransigence (*q.v.*). The blocked emotions and energies of the radicals are redirected, and take form as verbalizations. They develop

elaborate dialectics of social change, sometimes of astounding ingenuity. These dialectics become "systems" and constitute the deposit of faith of a cult. Such cults have been described, in the racy expression of the late Theodore Roosevelt, as "the lunatic fringe" of the radical movements. Their adherents are as a rule not numerous, and are far more eager to make converts than to win power. They are marked by a tendency to gravitate into the orbits of other movements, as the Single Taxers and so many others gravitated into the Bull Moose movement in the United States in 1912. It is in this regard that they distinguish themselves from another species of the genus radical, which may be called revolutionary. The revolutionary movement tends to retain its autonomy and to seek power in order to set up the changes it contemplates. Although blocked, in the long run it functions, in common with all radicalisms, as a point of reference, if not a gradient, for the direction and pattern of social change. The history since 1870 of the socialisms, orthodox, heterodox, true and perverse, in various parts of the world, provides a rich example of the rule. Bismarck drew upon socialism at least as much as Ramsay MacDonald. Fascism, Nazism, proposals of "planned economies" in the United States, revolutionary programs in Mexico, China, Spain, Japan—all exhibit components drawn from the socialist ideology, their sponsors believing themselves to gain strength from the radical contamination.

HORACE M. KALLEN

See: CHANGE, SOCIAL; CRITICISM, SOCIAL; COLLECTIVE BEHAVIOR; INTRANSIGENCE; CONSERVATISM; LIBERALISM; OPPORTUNISM; ANTIRADICALISM; POLITICAL OFFENDERS; REVOLUTION AND COUNTER-REVOLUTION.

RADIO

HISTORY AND ECONOMIC ORGANIZATION.....HOWARD T. LEWIS
CULTURAL ASPECTS.....WILLIAM A. ORTON
LEGAL ASPECTS.....HARRY SHULMAN

HISTORY AND ECONOMIC ORGANIZATION. The radio industry embraces the manufacture of transmitting and receiving apparatus, the broadcasting of programs and the transmission of messages. The three branches are not only interdependent but frequently interlocked under common corporate control by means of holding companies and similar devices. The radio industry has not the same direct economic importance as other great industries, but it transcends them by its significance as a means of entertainment and communication.

In 1896 Guglielmo Marconi, utilizing the scientific work of Hertz, Branly, Lodge and others, secured in Great Britain a patent for wireless telegraph circuits and apparatus. He realized from the outset that the future of radio depended upon its being endowed with commercial value. Because his experiments had demonstrated the possibility of transmitting messages by wireless telegraphy between ships at sea and the shore, there was organized in Great Britain, on July 29, 1897, the Wireless Telegraph and Signal Company (subsequently Marconi's Wireless Telegraph Company, Ltd.), which acquired the title to all Marconi's patents throughout the world except in Italy and its dependencies. In the same year the first Marconi station was established on the Isle of Wight and the Marconi system was adopted by the Italian navy. Two years later the British Admiralty installed the system on 32 warships and war stations, and a French gunboat was equipped with wireless. In 1900 the first German commercial wireless station was opened on Borkum Island; in the next year Marconi spanned the Atlantic Ocean from Cornwall, England, to Newfoundland. The value, both commercial and military, of wireless telegraphy was promptly recognized and utilized.

Developments in the United States did not lag far behind. The Marconi Wireless Telegraph Company of America, a subsidiary of the British company, was formed on November 22, 1899. The British interests realized from the beginning that the commercial development of wireless telegraphy was dependent upon adequate and strategically located shore stations quite as much as upon well equipped ships. The American Marconi Company erected and operated 60 land stations, including a high power station on Cape Cod capable of transmitting messages to ships at sea over a distance of 2000 miles. Until 1912, however, it did not operate any high power stations for the transmission of transoceanic messages.

Meanwhile a complicated patent situation had arisen, involving a struggle of rival corporate interests. American inventors were actively at work. By 1908 Lee De Forest had secured a

number of patents covering a three-element tube by adding the grid to the filament and plate already covered by an earlier patent of J. Ambrose Fleming. Following a court action brought by American Marconi in 1917, which successfully alleged infringements of the Fleming patent it had acquired, De Forest sold his rights to the American Telephone and Telegraph Company, which could use them in long distance telephone communication without infringing on the Fleming radio patent. The De Forest interests confined themselves to the manufacture and sale of various component parts used in assembling radio sets. The Marconi Company was unable to manufacture three-element tubes and could get them only through the Western Electric Company, a subsidiary of American Telephone and Telegraph. The United Fruit Company also had secured important radio patents of its own and the right to use others from the Marconi Company; in 1912 it acquired the Wireless Specialty Apparatus Company, the principal manufacturer of crystal receiving sets, and in 1913 established the Tropical Radio Telegraph Company as a subsidiary to conduct its radio operations. The situation was further complicated by the fact that the Federal Telegraph Company owned the important Pederson and Poulsen patents. Thus a considerable number of inventions covered by patents of great value to radio were controlled by opposing interests which refused to license one another. Some improvement was effected during the World War when the United States government persuaded the concerns involved to disregard patent rights in so far as governmental requirements were concerned, in return for a guaranty of protection against infringement suits.

Another factor entered the situation. The British Marconi Company had spread its interests all over the world by means of subsidiaries and interlocking directorates. This quasi-monopoly was threatened by an American invention. The American Marconi Company had not been able to render reliable transatlantic radio service because of faulty apparatus at both transmitting and receiving stations. E. F. W. Alexanderson of the General Electric Research Laboratory succeeded in building a high frequency alternator which corrected some of these defects. The value of this improvement was recognized immediately by the British Marconi Company, and in 1917 it tried to secure exclusive rights to the machine. Although unsuccessful at the time, British Marconi in 1919 again sent its representatives to the United States to negotiate with General Electric for the exclusive rights to the Alexanderson alternator and its accessories in exchange for $5,000,000 worth of contracts with General Electric. The negotiations were virtually concluded when Rear Admiral Bullard of the United States Navy approached the General Electric Company, stating that the value of the Alexanderson alternator and its accessories in rendering reliable transoceanic radio service had been demonstrated; that it was without doubt the best system in existence; and that if the General Electric Company sold these rights to British Marconi, it would be possible for British interests, in view of their domination of the cable situation, to obtain a monopoly of world wide communications for an indefinite period. Negotiations were dropped and General Electric found itself without an outlet for the invention in which it had made a heavy investment. Under Bullard's guidance a plan was evolved by which a new company was to be organized, controlled entirely by American capital. The first step consisted of the purchase of the block of stock owned by British Marconi in its American subsidiary. In 1919 the General Electric Company was instrumental in the organization, under the laws of the state of Delaware, of the company known as the Radio Corporation of America.

The new company purchased all the patents, goodwill and physical assets of the American Marconi Company and then entered into an agreement with General Electric, whereby the two companies exchanged rights to use each other's patents and agreed to sell exclusively to each other the radio apparatus which they made under these patents. As a result Radio Corporation obtained control of practically every high power station in the United States together with a number of important radio patents. Further control over patents was secured in 1920, when an agreement was reached between General Electric, Radio Corporation, Western Electric and American Telephone and Telegraph to allow one another the right to use all of the radio patents belonging to each company. A similar arrangement was made by the Radio Corporation with the United Fruit Company in 1921. In the same year the new company acquired the radio interests of the Westinghouse Electric and Manufacturing Company. The International Radio Telegraph Company, controlled by Westinghouse, sold to the Radio Cor-

poration its patents which applied to the manufacture of practically all receiving apparatus using vacuum tubes, and Westinghouse agreed to manufacture apparatus exclusively for the Radio Corporation.

The development of broadcasting opened a new period in the history of radio. Although as far back as 1907 De Forest had equipped a number of vessels with radio-telephonic apparatus, it remained for the Westinghouse Company on November 20, 1920, to put into operation the first permanent radio broadcasting station. At the beginning of the new period the radio companies were of two types: those interested primarily in radio, such as the De Forest company and the Radio Corporation; and those concerned chiefly with outside interests and only incidentally with radio, such as Westinghouse, General Electric and several others. These firms, all operating before 1922, had an average capitalization of $6,000,000 and followed conservative policies, their only problem being one of expanding production. By 1921 a radio boom was in full swing; many new interests were attracted by what they believed to be opportunities for big and rapid profits. New companies sprang up overnight, with an average capitalization of only $950,000. In the month of April, 1922, the state of New York chartered 56 companies whose business in one way or another was to be concerned with radio and whose capitalization averaged $31,500. The output and sales of radio receiving sets increased tremendously (see accompanying table). The increase in sales

ANNUAL RADIO SALES, UNITED STATES, 1920–31

YEAR	SALES
1920	$ 2,000,000
1921	5,000,000
1922	60,000,000
1923	136,000,000
1924	358,000,000
1925	430,000,000
1926	506,000,000
1927	425,600,000
1928	650,550,000
1929	842,548,000
1930	500,931,500
1931	309,270,000

Source: The Market Data Book, for 1928, 1929, 1931 and 1933 (Chicago 1928–33).

from 1921 to 1922 amounted to 1100 percent; from 1922 to 1923, 127 percent; and from 1923 to 1924, 163 percent. Total sales rose from $2,000,000 in 1920 to $358,000,000 in 1924 and $842,548,000 in 1929. The majority of sets placed on the market during this boom period did not, however, meet the claims made by the manufacturers.

The result of the boom was overexpansion and excess capacity, whose costs kept down profits and in many cases turned them into losses. Competition was intensified in spite of the increasing public demand for sets. The capacity of two or three companies was more than enough to meet the existing demand. During the period from 1919 to 1925 the number of companies increased very rapidly and, while the earnings of the radio industry as a whole increased, the average earnings of individual companies from radio sales dropped noticeably. The boom collapsed in 1925–26, preparing the conditions for a general stabilization of the radio industry. Of the 188 companies existing in 1925 only 73 were doing business in 1926, a drop of 61 percent in one year through failure or withdrawal; only 26 of these companies existed in 1932. Of 40 firms reporting in 1925, 6 failed (15 percent); of 43 in 1926, 4 failed (9 percent); of 44 in 1927, 3 failed (7 percent.) The figure for failures in all manufacturing industries has never deviated far from 1 percent. This collapse of 1926 also affected radio stock values, which had been rising. In 1924 there were 12 stocks listed for trading at a boom value of $147,041,634; in 1926 the value was $58,678,456, a net loss of 60 percent. There was a noticeable effect on corporate earnings. For 1925, 32 companies reported average earnings of $536,142; in 1926, 28 reported an average of $553,196; in 1927, 28 reported an average of $589,049. Earnings rose very slowly because of the basic changes which were taking place in the structure of the industry. The personnel of the industry was shifting rapidly; new companies were formed and old companies were liquidated. Of those which withdrew during 1925–27 the average capitalization was only $700,000; of those which were set up during 1926–27 the average was $1,500,000

Throughout this period the Radio Corporation of America extended its control over the industry, in spite of the complaints of the smaller producers against the "Radio Trust." By 1930 the Radio Corporation was a dominant factor in communication, manufacturing and broadcasting. RCA Communications, Inc., engaged in the handling of international communications, while the Radio Marine Corporation specialized in ship to shore and airplane business. RCA Victor, Inc., produced radio cabinets and phonograph records and absorbed RCA Photophone, Inc., while RCA Radiotron, Inc.,

manufactured radio tubes and has since absorbed the Cunningham Tube Manufacturing Company. The Radio Corporation has full ownership of the National Broadcasting Company. In addition the Radio Corporation is interested in the development of television through its control of Radio-Keith-Orpheum Corporation. The company also has a 27 percent stock interest in Electric and Musical Industries, Inc., which is a merger of the Columbia Graphophone Company, Inc., and the Gramophone Company, Ltd. In the speculative boom which collapsed in October, 1929, Radio Corporation stock rose to fantastic heights.

As a result of the prosecution of the Radio Corporation under the antitrust law a consent decree was signed on November 21, 1932, by virtue of which General Electric, Westinghouse, American Telephone and Telegraph and certain other companies were required to divest themselves of all stock interest in the Radio Corporation. The latter company retained the right to grant licenses to manufacturers whether of its own patents or of those acquired under the patent pool. It is obligated, however, to grant licenses to all applicants and this under the same terms and conditions. In addition the Radio Corporation is permitted to license, manufacture and sell the transmitters and transmission tubes, which it was formerly obligated to buy from either General Electric or Westinghouse. It is permitted to go into the business of manufacturing and selling radio sets with the Radio Corporation licenses and to operate outside the radio field.

In the ten-year period 1920–29 radio became definitely an industry of first magnitude. Estimates indicate that in 1930 the industry employed about 110,000 wageworkers. Labor conditions are about the same as in other branches of the electrical industry, except that a larger number of women are employed, and the work is highly seasonal. Experience during 1926–29 has indicated that employment is more unstable in the manufacture of radio sets than in the vacuum tube factories; in the former from one third to two fifths of the workers employed at the peak of production in summer and early fall were retained in the recurring spring "depression," and in the latter about one half. There are no unions in the industry.

Of the total radio output of $463,109,235 in 1929 (20.1 percent of the whole output of electrical manufacturing) $381,096,428 represented the value of radio apparatus, of which $253,260,052 accounted for receiving sets and $82,012,807 (17.71 percent) for radio tubes. In 87 manufacturing plants, specializing in the production of radio receiving sets to the extent of 90 percent or more of their business, the selling value of their products was 63.6 percent of the total value of all receiving sets produced in 1929. Of the total distributed sales made by these 87 manufacturers 80.2 percent was transacted through wholesalers, 7.3 percent was direct to industrial consumers, 6.8 percent was direct to retailers and 5.3 percent was through wholesale outlets owned by manufacturers. Of $47,928,000 of sales made by manufacturers of radio tubes in that year 55.9 percent was through wholesalers and 31.8 percent through manufacturers' wholesale outlets. This surprisingly large distribution of tubes through manufacturers' wholesale branches, as contrasted with receiving sets, is perhaps explained by the fact that radio tubes are now produced by large scale electric lamp manufacturers, who have utilized the wholesale branches originally established because of the need for special care in testing and handling their fragile product.

Other figures are equally significant. It was estimated that, in 1932, 16,125,000 families in the United States owned receiving sets, out of a world total estimated at 20,000,000. If an average sized family of 3.3 persons is assumed, over 50,000,000 people were presumably reached by this means of communication. On June 30, 1933, there were 598 American broadcasting stations. The Federal Radio Commission in 1931 estimated the gross receipts of broadcasting stations and networks as approximately $77,758,000. From 1927 through 1932 the sums expended for time alone and only over the two great national networks increased each year over the preceding year; the figure had risen to $39,106,766 by 1932. A reliable estimate placed the total investment of the radio industry in plant facilities for manufacturing, distributing and broadcasting at $175,000,000 in 1932; other estimates are even higher.

Radio services can be grouped roughly into two major divisions: commercial communications and broadcasting. Within the former division particular mention may be made of fixed, maritime, police and aviation services. The fixed services relate to radiotelegraphy and radiotelephony. They include the transmission not only of messages but also of photographs, documents and the like. In 1933 there were in the United States 310 point to point telegraph sta-

tions at 28 locations and 34 point to point telephone stations at 6 locations, which were licensed by the Federal Radio Commission to render fixed public service, including press, over international circuits; the stations were operated by 11 companies. Communication between the United States and 53 foreign countries was possible by radiotelephone stations and wire line extensions which provided facilities for the interconnection of 92 percent of the telephones of the world.

The maritime services are those established between ships and shore stations or between vessels. On June 30, 1933, there were 1997 ship stations licensed by the Federal Radio Commission on vessels of American registry. The use of radio by police departments has grown steadily since its establishment by Detroit in 1927. In four states—Michigan, Pennsylvania, Iowa and Massachusetts—a state police radio service is maintained. On June 30, 1933, there were 123 radio stations licensed for police use. The use of radio in aviation service is in no small measure responsible for the increased safety and reliability of air transportation.

After a period of rapid growth the number of broadcasting stations in the United States declined from a peak of 681 in 1927 to 598 in 1933. One reason for the decline is the Federal Radio Commission's policy of licensing only those stations which operate for "public convenience and necessity." Another reason is the high cost of installation and operation, a cost which poorly managed or poorly located stations have been unable to meet. On the other hand, the decline in the number of stations has been compensated by the improvement in their transmitting facilities and power. The individual station moreover has become of relatively less importance with the growth of regional and national networks. The first of these, the National Broadcasting Company, controlled by the Radio Corporation of America, was formed in 1926; the Columbia Broadcasting Company was organized two years later. Although the relationships existing between a chain and the individual stations vary considerably, in the main it may be said that the former pays each station for the use of its facilities for purposes of commercial broadcasting and is in turn paid for sustaining programs for which the individual station contracts. Out of this relationship many problems arise. Most of them center around the amount of payment to be made by the one to the other and around the distribution or use of the hours during which the station is in operation. Another important series of problems has developed as a result of the attempt on the part of the chains to secure the greatest possible advantage in the various competitive areas. This effort has resulted not only in a widely varying rate structure but also in a shifting of the stations from one network to another. In an effort to control the situation more effectively there has come about the inevitable trend toward ownership of individual stations by the chains, particularly in the more important receiving areas.

The broadcasting structure in the United States is dominated primarily by commercial motives. The stations are operated for profit, and the cost in the first instance is paid by a private business seeking to sell goods or service Sustaining programs are provided for the time which is not sold for commercial purposes. Roughly 64 percent of broadcasting time is utilized by such programs. It is claimed that the average commercial program today is one fifth sales talk and four fifths entertainment. These facts help to explain the rise of the chains, since the national advertisers not only can afford to pay for chain service but also desire the maximum coverage for their investment.

The federal government operates no public broadcasting stations but exercises comprehensive regulation of broadcasting stations through the Federal Radio Commission, which was created in 1927. The commission consists of five members appointed by the president for a term of six years and has four divisions: legal, engineering, examiners and field operations. It has power to regulate the use of air channels, to assign wave lengths, to control the increase of facilities and the establishment of new stations and to determine engineering regulations governing the transmitting apparatus. It has practically no control over the programs presented (*see* section on LEGAL ASPECTS).

Radio is also regulated in all other countries, the tendency in Europe being toward stricter government control. In Great Britain broadcasting is a monopoly under control of the British Broadcasting Company, with a royal charter which is not transferable and may be revoked. Regulatory powers of a very stringent kind are vested in the postmaster general. The French government operates a chain of stations, while Japan operates its foreign radio communication system. In most European and in some Latin American countries broadcasting is supported in large part by taxes; annual license fees are

imposed on receiving sets, ranging from five cents in France to eighteen dollars in San Salvador. In the Soviet Union the whole industry is under governmental control.

The international economic and political aspects of the radio industry are of marked significance. The Radio Corporation of America came into existence as a result of an effort to prevent British interests from gaining the same measure of control over world radio that they exercised over cable facilities. The contest between the United States, China and Japan over radio operation in China is indicative of the political and military importance attached to radio. A similar struggle has been going on in Latin America between American and British radio interests. As a result of the Imperial Communications Conference in 1928 Imperial and International Communications, Ltd., was formed to establish in the British Empire a system of wireless communications under joint control. Closely related to the political and military aspects are the commercial. Control of the instruments of international communication is in itself a valuable asset to all foreign commerce. Aside from this strategic advantage, however, there is a considerable volume of foreign trade in radio equipment, supplies and accessories. The export of radio equipment and supplies from the United States increased from $8,794,453 in 1926 to approximately $23,000,000 in 1929, 1930 and 1931 but declined to $13,312,166 in 1932. Of the total exports in 1932 only 5 percent of the dollar volume consisted of transmitting equipment, whereas receiving sets, tubes and accessories constituted 95 percent. Imports of radio apparatus into the United States have been negligible from the beginnings of the industry and since 1929 have declined steadily.

HOWARD T. LEWIS

CULTURAL ASPECTS. Broadcasting constitutes the cheapest, speediest and most ubiquitous mode of communication achieved by mankind. An instrument with immense educational and cultural possibilities, modern broadcasting is essentially a collective phenomenon, and its utilization has therefore presented new problems to the individualist creed of western capitalism. Yet in this matter as in others the United States has not worked out a body of thought or opinion adequate to control the results of modern science in their application to the collective life. The development of broadcasting was left primarily, although not without protests, to the patent owners and the equipment manufacturers.

The original incentive to broadcasting was the obvious consideration that unless something was "on the air" the public would have no inducement to buy radio receiving sets. But as early as 1920 offers were being received and accepted from commercial concerns willing to supply program material in return for the chance to advertise. A rapidly growing source of revenue was thus discovered, and the hire of broadcasting facilities by advertisers became the financial mainstay and eventually the *raison d'être* of the vast majority of stations. The prospect of increasing advertising revenue by enlargement of the service area led to constant demands for higher power per station and to the development of interstation hook-ups. The latter culminated in the formation of chain or network systems, which by means of leased telephone wires and simultaneous rebroadcasting from a number of scattered stations could offer nation wide coverage, charging as much as $15,000 per hour. The National Broadcasting Company was established to act, according to a statement of Merlin Aylesworth, its president, "as an indirect sales promotion agency for the radio manufacturing industry." The result has been that the cultural possibilities of radio have been limited by the pressure of business interests. No real use of radio is being made in the American school system. Rural areas are virtually neglected, except for broadcasting of government crop reports. In the cities the radio is mainly a substitute for the motion picture theater.

The Federal Radio Commission, established by the White Act in 1927, has taken the view that "advertising must be accepted for the present as the sole means of support for broadcasting." It has ruled moreover that "a broadcasting station engaged in general public service has ordinarily a claim to preference over a propaganda station," interpreting the term propaganda to include "every school of thought, religious, political, social and economic." The commission has no power over program content or sequence, save the authority to revoke a license in cases of obscenity or other obvious abuse. Regulation has always been strenuously combated by the broadcasters, who claim that their business is analogous to newspaper publishing in that the provision of non-commercial matter to the public is dependent on the advertising revenues. As a description of the existing

situation this analogy is on the whole correct.

American radio programs are of two kinds, as described in a report of the Radio Commission for 1932: "A commercial program is a program presented by the station for profit. It is sponsored usually by a person or corporation engaged in either wholesale or retail [sale] of merchandise with a view of gaining the good will of listeners and of making direct sales. The program content usually consists of either orchestra, song, drama, symphony, opera or variety, interspersed with sales talks or a description of the commodity advertised. A sustaining program is a program presented by the station without compensation and at its expense. Its purpose is twofold: (1) it serves as one method whereby the station can qualify under the public interest clause contained in its license and (2) it serves as a method by which the station seeks to enlarge and hold its audience and thereby increase the value of time available for commercial programs. The program content usually consists of either orchestra, song, drama, symphony, opera, variety, literature, science, politics, news, sports, or special events." A specimen survey at the close of 1931 showed that of 582 stations reporting, commercial programs accounted for 36.14 percent of broadcasting time. These furnish the sole source of revenue for the sustaining programs; any decline in advertising is therefore liable to affect the non-commercial service, much of which—symphony concerts, opera broadcasts, international news events and the like—is very expensive.

While the great majority of programs to which any cultural value can be assigned are of the sustaining character, certain advertisers have at times contributed musical, dramatic and semi-educational material of merit. Inasmuch, however, as the advertiser necessarily strives to reach the widest possible public, the cultural range of commercial programs is narrowly restricted. Furthermore local stations associated with the chains are under no obligation to rebroadcast sustaining programs and usually do not if they can sell such hours on their own account. With occasional exceptions stations use sustaining program material only in default of paid advertising, to which the more valuable evening hours primarily are devoted.

While the principal stations, especially those of the chain networks, have shown in recent years an increasing sense of public responsibility, criticism of the American system has likewise become more widespread and emphatic. The prior claim of commercial interests on broadcasting time and facilities, recognized by the Federal Radio Commission, is resented by various groups, those concerned with education being the best organized. In the early years of broadcasting nearly 100 educational institutions established broadcasting stations, only 44 of which had survived by 1932. These were all of relatively low power and in many cases operated on restricted time. In terms of the composite units used by the commission for classification, they comprised less than 7 percent of all broadcasting facilities. While it is generally admitted that most of the original enterprises in this field were initiated too hastily, without adequate realization of the problems involved, educators in recent years have been vigorous in asserting their claim to more consideration. Conferences were held in 1929–30, from which two principal groups emerged. The first, organized as the National Committee on Education by Radio, and supported by the Association of Land-Grant Colleges and Universities, the National Education Association and other influential bodies, demands of Congress legislation for the exclusive reservation of not less than 15 percent of all broadcasting facilities for public and institutional educational agencies. This demand is strenuously opposed by commercial broadcasters. A second group, formed as a result of a study made by the American Association for Adult Education, became organized in 1930 as the National Advisory Council on Radio in Education, financed by Carnegie and Rockefeller funds. Since the National Broadcasting Company had proclaimed that broadcasters would be willing to donate time to educational purposes as soon as an authoritative body of educators could agree on matters of program and policy, the National Advisory Council set out to organize such a body and to draw up an experimental program. The chains then complied with their offer to donate time, with the result that since the fall of 1931 series of lectures have been broadcast over nation wide networks in economics, psychology, government and kindred fields. The lectures have been supplemented by reprints and pamphlet material made available at low cost through the University of Chicago Press. The policy of the National Advisory Council has been to cooperate with rather than to combat the dominant interests.

The Federal Radio Commission in 1932, in reply to a congressional inquiry, declared that "the present attitude of broadcasters . . . justi-

fies the Commission in believing that educational programs can be safely left to the voluntary gift of the use of facilities by commercial stations." It is doubtful, however, whether even if they were willing commercial broadcasters could afford to donate much more time than they do at present for an extension of the very limited educational facilities now offered. The costs are heavy, and in some cases the two national broadcasting systems have appealed for voluntary financial support for educational programs. The group favoring appropriative legislation holds that it is in principle undesirable for education to depend on the good will of commercial broadcasters or private advertisers. Under such circumstances, it is claimed, there can be no assurance that suitable material will be made available at the right time without risk of displacement by revenue yielding items; and several cases of such displacement lend color to this view. To date, however, the record of institutionally owned or operated radio stations is open to grave criticism. The distribution of broadcasting time by 71 institutions using radio is thus summarized in a 1933 report: entertainment, 44.6 percent; general information, 23.6; farm and home information, 20.4; formal instruction, 7.5; commercial programs, 3.9. It must be pointed out, however, that educationally owned stations are in danger of losing their licenses unless they operate full time, although there would seem to be no inherent necessity for this requirement beyond the attitude of the Radio Commission. The problem of financing further educational use of radio is also likely to become urgent, even if broadcasting time and facilities continue to be donated in sufficient measure. Yet, as a former member of the Radio Commission has pointed out, although American broadcasting is overwhelmingly commercial in aim, no payment has been asked of broadcasters for their license to use public channels.

Included in the activities classified by the broadcasters as educational are the dissemination of news and the discussion of political issues. About both these activities perplexing problems have arisen. The efforts of certain newspapers in 1928–30 to organize their own wireless service for news gathering purposes met with very serious obstruction from the principal patent owners in the industry. On the other hand, the practise of commercial broadcasters of using current news items as part of their program material has recently encountered serious opposition from the newspapers. In addition to restricting the free space given to radio program announcements, on the ground that these are in the main advertising items which should be paid for as such, the associated newspapers adopted in April, 1933, a policy of stringent limitation in regard to the broadcasting of general news items, while the Associated Press has imposed on its members still more definite limitations as to the use by broadcasters of copyright news material —limitations which the courts appear willing to support.

The use of radio for political or governmental purposes is probably its most important social aspect. The extent of this use is indicated in part by the fact that in 1931 the two principal networks devoted 528 hours without compensation to speeches by national, state or city officials, the estimated commercial value of the time being approximately $3,000,000. Since that year such use of radio has been rapidly on the increase, apart from the broadcasting paid for by political groups and parties in the campaign of 1932 and to a lesser extent continuously. It has been suggested that the type of leadership so developed may become to an undesirable degree emotional rather than rational. Safeguards would seem to lie, first, in the supplementary consideration of issues in the press and, second, in the impartial allotment of radio facilities to various schools of opinion. While cases of discrimination have not been lacking, American broadcasting cannot be attacked on this score more than other systems, particularly if the economic and strategic influence of the various schools seeking publicity is taken into account. It is of course inevitable, under a system of private ownership and commercial hire of facilities, that groups which can command large sums of money, directly or indirectly, have a basic advantage over less fortunate groups.

The most serious charge which may be advanced against the American system is concerned with the general cultural level of the great mass of broadcast material. That level is indicated in the dictum of the president of the National Broadcasting Company, uttered during a speech on education, that "in broadcasting we are dealing with a mass message, and the material delivered must be suitable for mass consumption." This conception of the mass, taken over from salesmanship, sets rigid limits to the possibilities of advance and experiment and disregards all minorities possessed of more than the most rudimentary intelligence or education in any of the special fields served by radio else-

where. It colors the musical, literary and educational efforts of the broadcasters, who fear that they may lose their public if they pay attention to the needs of groups whose cultural level is in any marked degree above the average. Among the latter dissatisfaction with American broadcasting is acute and increasing; but such groups are not numerous enough to exert economic pressure, which alone can evoke response from a commercial system. To the minority it appears that, no matter what steps in this direction be taken, there is an inherent contamination of literary, musical, educational, religious and all other material involved in the close association with commercial advertising. Since nearly all American broadcasting stations are profit seeking institutions, programs selected purely on their merits have necessarily a subordinate claim to programs selected for their advertising appeal. Further the competitive nature of the business has precluded the development, not only of any intelligent planning of radio offerings but even of any such general and classified description of them as would enable a listener to make an advance selection of the material now offered. There is, however, little prospect of improvement. There are no grounds for assurance that advertising revenues will increase in such measure as to permit much advance in either quality or quantity of the sustaining programs; nor does the evidence warrant the supposition that drastic curtailment of advertising would prove feasible financially. It is generally conceded that the prestige and popularity of American radio are on the decline. According to the best expert opinion there is no probability that television will come into commercial or general use in the near future to reanimate the radio industry; nor can such use be desirable culturally before some intelligent form of social control is devised.

In no other country does the conduct of broadcasting depend so completely on advertisement as in the United States. In England, the Soviet Union and Austria no advertising is permitted. Where it is allowed, as in France, Canada, Australia, Italy, Brazil, Mexico and Spain, it is under the supervision of some responsible authority and usually subject to limitation with regard to amount as well as to character. The British system constitutes the most thoroughgoing attempt to render broadcasting a public service of cultural value. It is financed from an annual license fee of ten shillings levied on each receiving set; a little over half of this revenue suffices to sustain all services, including experimental work, the balance going into public funds. The publications of the British Broadcasting Corporation include three periodicals, in which commentaries, program notes, illustrations and other matter supplement the broadcasts. The proportion of jazz in program material is much lower, and special types of audience, those interested, for example, in modern poetry, music and literature, are regularly catered to. The conduct of the system is under constant criticism in both press and Parliament, but all parties have united in preferring it to any other. It has contributed not merely to the political and cultural education of the people but notably to the maintenance of orchestral music and the opera, which would otherwise have had to depend mainly, as in the United States, on the uncertain patronage of a wealthy minority. The recent decision of Canada to reconstruct its broadcasting system on a nationally owned and controlled basis, in which advertising shall be permitted under prescribed limitations as a contributory source of revenue, is of especial interest and significance, inasmuch as it follows four years of deliberation and a thorough experience of the commercial system.

Recent events in Europe have demonstrated that non-democratic governments can direct their radio facilities to partisan purposes, national and international, of very questionable character; but there is no assurance that in such circumstances privately owned systems would enjoy a special immunity from such subversion. This development is a step backward in comparison with the formation in 1930 of the International Broadcasting Union, representing 330 transmitting stations in 21 European countries; the members of the union have agreed to cooperate on programs and to abstain from propaganda against one another. The development of the collective life of democratic societies calls increasingly for publicly responsible bodies of a non-political character; and the association in the American mind—deliberately fostered by certain forces—of public responsibility with political partisanship now constitutes perhaps the most formidable of the many obstacles to cultural advance.

WILLIAM A. ORTON

LEGAL ASPECTS. Legal development in the radio industry, more than in most others, is based on its peculiar technology. Notions of sovereignty, states' rights, property, laissez faire, developed by land and commercial economies,

are belied by the scientific facts of this novel method of communication.

The limited number of usable or dependable wave lengths available in the present state of the art, the inability to construct apparatus of sufficient selectivity to receive the desired wave and exclude all others, the resulting interference in reception by transmissions on the same or adjacent frequencies and the extensive geographic area of interferences, all combine to make laissez faire in radio communication impossible. All countries consequently control radio communication, either through government ownership of transmitting stations, as in Europe, or through government regulation of privately owned and operated stations, as in the United States.

Regulation began in the United States with the enactment of the federal Radio Act of 1912. Broadcasting was then unknown, and the act was passed primarily with reference to wireless telegraphy. It prohibited radio transmission without a license from the secretary of commerce and incorporated the regulations of the London International Radio Telegraph Convention of 1912. The secretary attempted to keep up with the developing use of radio and broadcasting by holding national radio conferences, promulgating detailed regulations, assigning frequencies to stations, refusing licenses which he thought should not be granted and specifying the time in which individual broadcasting stations could operate. Two decisions of lower federal courts and an opinion of the attorney general in 1926, holding that the secretary had no discretion to refuse licenses or to prohibit broadcasting on frequencies or at times not prohibited by the act, virtually ended his control. The resulting bedlam following the scramble for broadcasting and "wave jumping" led to the Radio Act of 1927.

It set up the Federal Radio Commission to bring order out of the chaos and, after one year, to act as an appellate body over the secretary of commerce, to whom the power of regulation was then to be restored. After continuing this temporary arrangement for two years, Congress finally made the commission a permanent body, to which the Radio Division of the Department of Commerce was transferred in 1932. The commission is empowered among other things to classify radio services, assign frequencies to the services and the individual stations, grant and revoke licenses for stations, determine their location, regulate the apparatus and power to be used by them, determine their time of operation, make special regulations with respect to chain broadcasting and promulgate regulations to prevent interference. It is required to allocate broadcasting licenses, frequencies, station power and time as equally as possible among the five zones into which the country is divided and equitably among the states according to population. This restriction, frequently criticized as too rigid and out of harmony with scientific developments in radio, is an attempt to cope with the universally admitted need of equitable distribution of the scant facilities for broadcasting.

The fact that the service and interference areas of radio cannot be confined by state boundaries makes control by the individual states futile and requires either federal control or no radio communication at all. The necessary constitutional basis for this federal power was "found" therefore in the interstate commerce clause. Broadcasting is "the transmission of intelligence, ideas, and entertainment. It is intercourse and that intercourse is commerce," even though of a "new species" [United States *v.* American Bond and Mortgage Co., 31 F (2d) 448 (1929)]. Since it is also interstate, Congress has full power to regulate. In any event commercial point to point telegraphy or telephony is clearly interstate commerce. In order to permit the efficient use of radio for these purposes by the elimination of destructive interference Congress may and must incidentally regulate all broadcasting. It has been suggested also that since radio communication involves international agreements, federal regulatory authority may be based upon the power to make treaties and to provide the necessary and proper means for their observance. While no state has attempted to set up a complete system of regulation, statutes and municipal ordinances have imposed a variety of lesser regulations. Many of these have been impulsive and ill advised; others are reasonable local police or tax measures. In the working out of the necessary adjustments there is danger that constitutional logomachy may influence decisions beyond the requirements of the technological facts which have fashioned it. Thus a state tax upon the owners of receiving sets was invalidated by a lower federal court on the absurd ground that it was a direct burden upon interstate commerce, which is exclusively within the regulatory power of the federal government.

More difficult problems arise in the distribution of the limited number of available fre-

quencies among the numerous seekers. The Radio Act directs the commission to issue licenses when "public convenience, interest, or necessity will be served thereby." While this standard is hoary in the law of public utilities, little analogy can be found therein for radio. The possible types of radio service are comparatively unlimited. And each type has numerous supporters. The commission must determine therefore not simply whether a particular applicant will service the public convenience, interest or necessity, but whether he will do so above all other competing applicants. It must therefore make a choice of public policy as to the various types of services preferred—dance music, religious talks, political discussions and a host of variations. Furthermore in order to provide for desirable change or improvement care must be taken to guard the limited available facilities against complete appropriation by present users.

For this reason unique limitations have been imposed on the broadcaster's "property rights." The act recites that it is intended among other things "to provide for the use of such channels [of interstate and foreign radio communication], but not the ownership thereof, by individuals, firms or corporations, for limited periods of time, under licenses granted by Federal authority, and no such license shall be construed to create any right, beyond the terms, conditions, and periods of the license." Out of abundance of caution it directs that no license shall be granted "until the applicant therefor shall have signed a waiver of any claim to the use of any particular frequency or wave length or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise." The maximum term of licenses for broadcasting stations is fixed at three years, but the commission has limited its licenses to six months, after first having fixed even shorter periods. The commission has also exercised its power to reallocate frequencies, change or reduce the time of operation and refuse renewal of licenses in order to delete what it deemed undesirable services. While prior use and station investment have been weighty factors in the determination of public interest or convenience [General Electric Co. *v.* Federal Radio Commission, 31 F (2d) 630 (1929)], they have not always deterred the commission from eliminating stations or curtailing their privileges. To the claim of deprivation of property the Supreme Court answered: "That the Congress had the power to give this authority to delete stations, in view of the limited radio facilities available and the confusion that would result from interferences, is not open to question. Those who operated broadcasting stations had no right superior to the exercise of this power of regulation. They necessarily made their investment and their contracts in the light of, and subject to, this paramount authority" [Federal Radio Commission *v.* Nelson Bros Bond and Mortgage Co., 289 U.S. 266, 282 (1933)].

The determination of public interest, convenience and necessity rests largely with the commission. Judicial review is limited to questions of law; and "findings of fact by the commission, if supported by substantial evidence," are conclusive unless clearly "arbitrary, or capricious." In the exercise of this review in recent years there has been a decided tendency to support the commission's determination. The Radio Act contains another safeguard in the provision denying the licensing authority the power of censorship and prohibiting interference by it with the right of free speech. The provision effectively prevents previous censorship of individual programs, and the commission has not attempted it. But general censorship inevitably arises when the commission determines, on the basis of past or promised programs, which of several applicants shall be awarded an available license. Until radio technology discovers an abundant supply of facilities, the ancient freedom can be protected only by the wise selection of administrators.

The lack of facilities has been advanced also as the conclusive answer to the suggestion that broadcasting stations be placed under the public utility obligation of making their services available to all applicants on equal terms. The Radio Act requires that a licensee who has permitted one political candidate to broadcast through his station must afford equal opportunities to the opposing candidates for the same office. But it does not require that the initial use be permitted. Licensees who engage for hire in the telegraphic or telephonic transmission from point to point are, however, required to serve all applicants on equal terms and along with telephone and telegraph companies are subject to the regulatory powers of the Interstate Commerce Commission in the matter of rates. Proposed legislation placing all methods of communication under the unified control of a single commission on communications will doubtless effect desirable results, although it cannot avoid the discrimina-

tion necessitated by the limited broadcasting facilities.

Private law too has felt the detonation of radio. Whether a person who has been defamed in a radio speech may have redress against the several broadcasting stations; whether one broadcasting station has recourse against another which picks up the former's program and makes use of it; whether copyright owners have rights against the several broadcasting stations in a chain, against a station which broadcasts an unauthorized public performance and against the hotel keeper and restaurateur who by means of loud speakers bring the programs to their patrons, are all questions to which land law as developed provides no ready answer [Buck *v.* Jewell-La Salle Realty Co., 283 U. S. 191 (1931); Sorensen *v.* Wood and KFAB Broadcasting Co., 123 Neb. 348 (1932)]. In Europe even more than in the United States these and other problems of private law have arisen in troublesome complexity (see especially Neugebauer's discussion).

International agreement is almost as important as national control, not simply to promote international communication but to avoid destructive interference by foreign transmissions with radio communication within the individual nations. International cooperation began with a conference at Berlin in 1903. A second conference in Berlin in 1906 resulted in the first international radio treaty. Successively superseding treaties were signed at London in 1912, at Washington in 1927 and at Madrid in 1932. The Madrid convention amalgamated the theretofore separate telegraph and radio conventions into one International Telecommunication Convention. But separate regulations are provided for radio and telegraph, and adhering nations may choose to be bound by only one of the sets of regulations. There are also supplementary radio regulations, designed primarily for the European countries and those in which transmitting stations are government owned. The United States delegation has accepted only the convention and the principal radio regulations. The treaty allocates the radio frequencies among the several services, such as broadcasting, commercial, maritime, aeronautic and police, but attempts no distribution among the signatory nations. Each nation may allocate frequencies as it desires; but if interference in other countries should result, the assignment must be made only in accordance with the allocation among the services specified in the regulations. Regional international conferences, such as the North American Radio Conference, and regional or bilateral agreements, such as that between the United States and Canada, are encouraged. The Bureau of the International Telecommunication Union at Berne is made the clearing house for radio information. Claims of frequencies for transoceanic communication must be filed with the bureau, although no provision is made as to the effect of priority of claims. The bureau must be notified also of the employment of frequencies, in any service, which may interfere with reception in other countries. Arbitration is recognized as the method of settling disputes.

Probably more than any other industry radio has been built on patents. Thousands of patents on basic instruments or improvements have been issued to diverse persons. The manufacture or use of radio apparatus has consequently been involved in a maze of patent litigation, in which judges, whose knowledge of radio has been acquired only in the course of the litigation, have been called upon to decide the issues of invention, priority and infringement. The handmaiden of the patent, monopoly, was found to be the logical means of resolving the struggle for patent supremacy. When wireless communication was still confined to the transmission of messages between ship and shore, the British Marconi Company, which owned or controlled a majority of the world's shore stations, refused to communicate with stations equipped with other than Marconi apparatus. The partial prohibition of this practise by the Berlin convention of 1906 and the further prohibition by the London convention of 1912 were the principal achievements of those treaties. In the United States the concentration of patents in the Radio Corporation of America, coupled with devices which required patent licensees to purchase certain unpatented parts from the corporation, was alleged to have created a virtual monopoly in radio manufacturing. Enforcement of these license provisions was finally enjoined as violative of the Clayton Act [Lord *v.* Radio Corporation of America, 24 F (2d) 565 (1928), 28 F (2d) 257 (1928), 35 F (2d) 962 (1929), 47 F (2d) 606 (1931)], and a government prosecution of the corporation under the federal antitrust laws resulted in the entry of a consent decree calculated to break up the concentration [United States *v.* Radio Corporation of America, 3 F. Supp. 23 (1933)]. The Radio Act requires the commission to refuse licenses to any person convicted of " unlawfully monopolizing or attempting unlawfully to monopolize, after February 23,

1927, radio communication . . ." or of having "been using unfair methods of competition" and authorizes the courts, in suits under the federal antitrust acts, to revoke the licenses of guilty defendants. It further prohibits the unified ownership, control, operation, "directly or indirectly," of public, point to point radio and wire or cable communication systems, if the "purpose is and/or the effect thereof may be to substantially lessen competition or to restrain" interstate or foreign commerce "or unlawfully to create monopoly in any line of commerce."

The peculiar characteristics of radio have thus evoked a distinct radio law. But the legal controls have been shaped largely by the state of the art and require continual revision if they are to keep pace with its progress.

HARRY SHULMAN

See: COMMUNICATION; ADVERTISING; PUBLICITY; PROPAGANDA; EDUCATION; AMUSEMENTS, PUBLIC; ELECTRICAL MANUFACTURING INDUSTRY; TELEPHONE AND TELEGRAPH; COMBINATIONS, INDUSTRIAL; PATENTS; COPYRIGHT; LIBEL AND SLANDER; GOVERNMENT REGULATION OF INDUSTRY; COMMERCIALISM.

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RADISHCHEV, ALEXANDR NIKOLAEVICH (1749–1802), Russian philosopher of the Enlightenment. Radishchev received his early education in the home of his father, a landlord known for the humane treatment of his serfs. At the age of seventeen young Radishchev was sent by Catherine II to the University of Leipsic, where besides preparing himself for an administrative career in accordance with the wishes of the empress he eagerly absorbed the ideas of Rousseau, Helvétius and Mably. Upon his return to Russia he served successfully as an official in the senate and in the College of Commerce and was finally appointed head of the customs office of St. Petersburg.

While in office Radishchev continued his interest in the ideas of the Enlightenment; he translated Mably's *Observations sur l'histoire de la Grèce* and contributed to a periodical published by Novikov, with whose Masonic circle he maintained friendly contact. Under the immediate stimulus of Raynal's works he wrote in 1781–83 his ode, *Volnost* (Liberty), with its eulogy of Cromwell and Washington, and in 1785–89 his chief work *Puteshestvie iz Peterburga v Moskvu* (A journey from St. Petersburg to Moscow). The latter work, composed in a form borrowed from Sterne and consisting of a series of descriptive sketches of everyday life in Russia, constitutes one of the first and most eloquent attacks on the lawless regime, the corruption of the ruling classes and the ruthless exploitation of the peasantry by a greedy gentry. Radishchev appealed to the Russian rulers to establish a constitutional regime based on equality of rights and pleaded above all for the emancipation of the peasants by free consent of their masters. Should such consent be denied, Radishchev predicted a bloody revolt of the oppressed masses. Catherine II saw in his book a picture and criticism of her own regime and, still under the fresh impression of the developments of the French Revolution, ordered Radishchev's immediate arrest and trial. He was condemned to death, but the sentence was commuted to ten years of exile in remotest Siberia. As an exile Radishchev continued his literary activity and among other publications wrote an essay in which he attempted to disprove the materialistic thesis of Holbach and Helvétius with the aid of arguments drawn from Mendelssohn's *Phädon*; he himself wavered between deism and materialism, leaning more markedly toward the former.

Radishchev was permitted to return to his estate in 1797 by Paul I and was completely rehabilitated with the accession to the throne of Alexander I. Not only was he allowed to return to St. Petersburg, but he was even called upon to serve on the commission which was charged with the task of introducing the regime of legality in Russia. Sharing the general expectation that Alexander would upon his coronation decree a constitutional regime Radishchev at the suggestion of Count Vorontzov, who remained in close contact with the circle of the czar's young friends, working for reform in a private committee, drew up a remarkable constitutional project which incorporated the ideas outlined in his main work. The project did not materialize, however, and its author, despondent over its failure, committed suicide.

PAUL MILIUKOV

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RADOWITZ, JOSEPH MARIA VON (1797–1853), Prussian statesman and political thinker. Radowitz, a descendant of Hungarian nobility, was born in Blankenburg. After serving under Napoleon and the Hessian government he entered the Prussian general staff in 1823 and rose to distinction in Berlin court circles, particularly in the so-called "crown prince group" of the

later king Frederick William IV, whose most intimate friend and counselor he became. He was the cofounder of and from 1831 to 1835 the leading contributor to the *Berliner politisches Wochenblatt*, the first journalistic vehicle for conservative thought. During this period he followed Haller in advocating the restoration of the feudal and patriarchal corporate state of the Middle Ages. Gradually Radowitz abandoned the Christian Germanic ideas of this group of Prussian Protestant nobles, especially after he became active as military attaché at the federal diet in Frankfort in 1836. He then turned toward constitutionalism and, as Bismarck later did, attempted to bring together conservatism and the national idea, which in his time was championed chiefly by the liberals; as the king's intimate counselor he came out for constitutional and federal reforms. These efforts, however, were swept aside by the Revolution of 1848. In the Frankfort Assembly of 1848 Radowitz was the leader of the Catholic Right. In 1849 he was entrusted with the leadership of Prussia's German policy and became the prime mover and director of the Prussian policy of unification of Germany without Austria. When with the Olmütz agreement of 1850 this policy came to naught, Radowitz abandoned active politics. In his later years he came to view the social question as the central problem of the state and championed an alliance of the state with the workers. He developed some ideas tinged with state socialism, such as state protection of labor and profit sharing. Both in his social thought and in his national policy he is the most prominent precursor of the later policy of Bismarck.

SIGMUND NEUMANN

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RAE, JOHN (1796–1872), economist, sociologist and philologist. After studying at Aberdeen and Edinburgh, Rae emigrated to Canada, where he became a schoolmaster. Dismissed for alleged inefficiency in 1848, he began his wanderings to Boston, New York, California and finally to the Sandwich Islands, floundering "on from one instability to another," unsuccessful alike at teaching, medicine, business and farming.

Even greater restlessness characterized Rae's intellectual life. A projected "philosophical history of humanity" led him into history, physiography, economics, sociology and philology. But "adverse fortune" dogged his steps. His work on the resources of Canada went unpublished; his *New Principles of Political Economy* was virtually stillborn; his essays on the Polynesian language, although praised by J. S. Mill, were dismissed by Max Müller as unimportant.

Time has abundantly increased Rae's intellectual stature. Later investigations have made it clear that Rae preceded Wundt in formulating a gesture theory of language; while both the similarities and the differences between Böhm-Bawerk and Rae have led to a favorable reappraisal of Rae's economics. One of the first to perceive the strategic role of producers' goods, Rae expounded what Mixter aptly designated a "sociological theory of capital." All future goods Rae styled instruments. While a high "effective desire of accumulation" increases the time span between "formation" and "exhaustion" of instruments, invention reduces this time span and quickens the flow of present goods. Since invention, including the translation of foreign "art," can be hastened by the legislator "acting for the community," Rae vigorously opposed the nihilism of Adam Smith and insisted that, as private wealth and national wealth have different origins, the legislator—whose economic function should be to increase national wealth—must act contrary to laissez faire, must translate foreign arts, further accumulation and repress luxury.

Rae's sociological interpretation of the "effective desire of accumulation" was worked into J. S. Mill's *Principles of Political Economy*; his reproduction cost theory of value reappeared in the writings of H. C. Carey; his insistence on generating national productive "powers" foreshadowed List's *National System of Political Economy*; his condemnation of "conspicuous consumption" anticipated Veblen.

E. A. J. JOHNSON

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RAFFI, HAKOP MELIK HAKOPIAN (1837–88), Armenian writer and national leader. Raffi was born in Salmas, Persia; his family were merchants and he received his secondary education at the Tiflis Gymnasium. A visit to the eastern towns and provinces of Turkish Armenia, during which he observed the life and sufferings of the Armenians under Turkish rule, had a decisive influence on Raffi's subsequent career. He abandoned his business and went to the Caucasus, where he turned all his energies toward the development of the Armenian national movement. Under the stimulus of the famous Armenian journalist G. Arzruni he developed his literary talents. In his numerous novels, short stories and articles he portrayed with glowing ardor the heroic past of the Armenian people and the political oppression of the Armenians in his own day. Turkish Armenia he considered to be the Armenian fatherland, which was to be freed only by an insurrection against the Turks. Raffi's political aim was the creation of an independent and democratically governed Armenia. His writings contributed greatly in rousing the national feeling of the Armenians both in Russia and in Turkey; and, with Abovian and Arzruni, Raffi ranks as one of the most important of the early leaders of the Armenian revolutionary movement.

V. TOTOMIANZ

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RAFFLES, SIR THOMAS STAMFORD (1781–1826), British empire builder and colonial administrator. Having entered the East India Company's service at the age of fourteen Raffles was sent in 1805 as assistant secretary to the newly created presidency of Penang in the Strait of Malacca and in 1811 was appointed lieutenant governor of Java after its capture from the Dutch. When Great Britain relinquished Java, Raffles was transferred to Benkulen on Sumatra. His continued interest in the British control of the Strait of Malacca as a corridor to the trade of the farther East led to his suggestion that Singapore should be made a British post. In 1819 he took it for the company and it was retained despite strong opposition on the part of the home authorities. It proved to be a perfect site, according to Raffles, for a "great commercial emporium, and a *fulcrum*, whence we may extend our influence. . . ." By virtue of his insistence that Singapore be a free port it soon became the most important center of the eastern trade.

As an administrator Raffles was a better master than a servant—impetuous, insatiably ambitious, in constant trouble with the company over financial matters. In Java, Benkulen and Singapore he did much for the natives, introducing a new system of land tenure and abolishing mutilation and torture, tax farming, compulsory cultivation, gaming farms and the slave trade.

Raffles took a great interest in the culture, antiquities and natural history of the Malay region. Sympathetic concern for the Malays led him to establish the Singapore Institute for native education. His *History of Java* (2 vols., London 1817; 2nd ed. 1830), for which he was knighted, contains considerable first hand information concerning Java. His contemporary scientific reputation has been somewhat eclipsed, however, by the phenomenal growth of his political child, Singapore.

HOWARD ROBINSON

Consult: Boulger, D. C., *The Life of Sir Stamford Raffles* (London 1897); Coupland, R., *Raffles, 1781–1826* (London 1926); Egerton, H. E., *Sir Stamford Raffles: England in the Far East* (London 1900); Wright, Arnold, and Reed, Thomas H., *The Malay Peninsula* (London 1912) p. 98–119; Mills, L. A., "British Malaya, 1824–1867" in Royal Asiatic Society, Malayan Branch, *Journal*, vol. iii (1925) pt. ii, especially ch. iii; Swettenham, Frank A., *British Malaya* (rev. ed. London 1929) ch. iv.

RAI, LALA LAJPAT. *See* LAJPAT RAI, LALA.

RAIFFEISEN, FRIEDRICH WILHELM (1818–88), German agricultural cooperative leader. The son of a village burgomaster, Raiffeisen after being trained for the military was appointed in 1843 regional secretary in Mayen. Between 1845 and 1865, when he resigned because of illness, he served as burgomaster of a number of small German towns and villages around Neuwied. After his retirement from public service he conducted a small business estab-

lishment but devoted most of his energies to the cooperative movement.

The famine years of 1846–47 brought to Raiffeisen's attention the plight of the poor peasants and villagers, who even after the emancipation of the peasantry suffered from ignorance and poverty which made them the prey of usurers. In 1846 Raiffeisen founded and expended a large part of his modest personal fortune upon the Weyerbuscher Konsumverein, a welfare society which by its cooperative mill and bakery effected a drastic reduction in the cost of living. In the succeeding years he established in several villages and towns a number of *Hilfsvereine* and loan banks, which he subsequently transformed into agricultural credit cooperatives, having become convinced that personal credit was the outstanding need of the poorer peasantry. Like Schulze-Delitzsch and other cooperative leaders of his time, Raiffeisen envisioned cooperation not only as a method of satisfying the immediate material needs of individual communities or occupational groups but as the vehicle of popular education and moral renaissance.

His theory and program were elaborated in his *Die Darlehnskassen-Vereine als Mittel zur Abhilfe der Noth der ländlichen Bevölkerung* (Neuwied 1866–87), which went into five editions during his lifetime and was reprinted in 1923 by the general union of the German Raiffeisen cooperative societies. In 1872 he founded the first regional central cooperative bank; in 1876 he organized a national central agricultural bank and the following year he united all the societies which adhered to his program. The movement spread rapidly after 1880.

Although they were based in many respects on Schulze-Delitzsch's plan of credit societies for urban artisans and tradesmen, Raiffeisen's societies introduced innovations to meet prevailing conditions among backward rural communities; thus he emphasized the philanthropic aspect and the authoritative and conservative character of the cooperatives. Because of these features it may be questioned whether he bridged completely the step from welfare to self-help organizations. A pious evangelical Christian, Raiffeisen laid great stress upon the religious aspect of these societies and won for them the cooperation of religious leaders and institutions, although they were never confessionally restrictive. His remarkable personality and complete devotion to the movement won it many friends, but its success was due to the soundness of his understanding of the basic needs and character of the German peasantry. Despite some deviations and improvements which must be credited to the able work of his early collaborator, Wilhelm Haas, the vast majority of German societies which still bear the name of *Raiffeisenvereine* and the spread of similar societies in other countries bear testimony to the significance of his program.

ERNST GRÜNFELD

Consult: Krebs, W., *Aus dem Leben Friedrich Wilhelm Raiffeisens* (2nd ed. Neuwied 1925).

RAIKES, ROBERT (*c.* 1735–1811), English promoter of Sunday schools. At the age of twenty-one Raikes succeeded his father as owner and publisher of the Gloucester *Journal*, and the files of the paper reflect his philanthropic interests during the years of his management. He was particularly active in efforts to improve conditions in the jails of Gloucester and of England in general. The work for which he is held in remembrance, however, is his early participation in the Sunday school movement. A chance visit to the slums of Gloucester called his attention to the "misery and idleness" of the children at play in the street, and further inquiry elicited a story of especial license on Sundays. Raikes was at once convinced "that it would be at least a harmless attempt, if it were productive of no good, should some little plan be formed to check this deplorable profanation of the Sabbath." To this end he employed four schooldames, at a shilling a Sunday, to receive such children as came to them and to instruct them in reading and the church catechism. Thus two old factors, the schooldame and a religious subject matter, united with an element of novelty, namely, a Sunday session maintained by philanthropy, to form the Sunday school. The first school in Gloucester was established in 1780, and because of the publicity Raikes was able to give it in the columns of his paper the movement spread rapidly. Within three years some two thousand poor children were enrolled in similar schools in Leeds and Yorkshire, and by 1818 a parliamentary return showed that nearly a half million pupils in England and Wales were attending Sunday schools. The effort at popular education in England by this means gave way at the close of the century to the more comprehensive program of the National Society and the British and Foreign School Society, which provided day schools for the children of the poor on the basis of a monitorial plan of instruction. That Raikes

was not the first to arrange free instruction for poor children on Sunday is well authenticated, but it is equally true that his experiment in Gloucester was the starting point, not only of Sunday schools for the poor on an extensive scale but of the entire system of philanthropic school societies which laid the foundation of the English elementary and infant school system.

EDWARD H. REISNER

Consult: Harris, J. Henry, *Robert Raikes, the Man and His Work* (London 1889); Massey, J. W., *Robert Raikes, a Pioneer of Education* (Reading, Eng. 1930); Wodehouse, Helen, *A Survey of the History of Education* (London 1924) p. 144–46.

RAILROAD ACCIDENTS. Accidents associated with railroading are of two types, those in which employees are killed or injured and those in which other persons, that is, the traveling public and trespassers, are involved. The risk to employees corresponds to the industrial accident risk in other industries, while accidents to other persons constitute a non-industrial or public risk, a type of hazard peculiar to the transportation industry. A third type of accident, in which railroad equipment or property is damaged but without loss of life or injuries to persons, is of relatively less importance and will not be discussed here.

The non-industrial or public risk attracted early attention because of the interest of the public in the safety of its means of transportation. Heavy damages assessed for injuries suffered by passengers led the railroads to take special precautions to prevent accidents. Almost equally important from the point of view of arousing public interest in the problem of accident prevention were the grade crossing accidents, which caused many casualties to persons using other means of transportation.

Most civilized nations today have governmental agencies for the supervision of safety devices on railroads and the investigation of accidents as well as for the collection of statistics relating to the latter. But because of varying requirements for the reporting of railroad accidents, statistics are not internationally comparable. In some countries railroad accident figures are available for only the state railway systems; in others only the great trunk lines are covered; in still others statistics do not include all accidents resulting in injury.

Again, to permit of comparison between the experiences of different countries a common measure of risk, based upon comparable figures of railway accidents in relation to railway accident exposure, is required. This is not available. In pre-war Austria, for example, governmental reporting included two measures of risk: accidents per 1,000,000 train kilometers and casualties per 1,000,000 train kilometers for all persons only (train employees not separated). No indices for post-war Austria have been computed. In France the measures of risk have been accidents per 1,000,000 train kilometers and casualties to railway men per 1000 railway men. In Germany the measures of risk have been accidents per 1,000,000 train kilometers and per 1000 full time workers.

The United States, since 1910, has had the most complete system of railroad accident reporting in the world. Its measures of risk are the following: passenger casualties (killed and injured separately) per 1,000,000 locomotive miles and per 1,000,000 passenger miles; trespassers (killed and injured separately); employee casualties (killed and injured separately) per 1,000,000 man hours, by occupations and also by roads and occupation for freight and passenger trainmen separately. The composite index of safety used by the committee of award of the E. H. Harriman Memorial Medals may be noted in this connection. The record for each railroad is summarized in a single figure in which fatalities are given the weight of five non-fatal injuries; also casualties to passengers in train accidents are rated per 100,000,000 passenger miles, those to passengers in train service accidents per 1,000,000 passengers carried, those to employees per 1,000,000 man hours, and those to other persons (except trespassers) injured at protected grade crossings or as a result of a vehicle or pedestrian running into the side of a train per 50,000 locomotive miles.

Because of incomplete and non-comparable statistical returns it is impossible to present the record of the fight against railroad accidents on an international basis. This article will therefore be concerned largely with the United States; it may be pointed out, however, that American progress in coping with railroad accidents has been duplicated in considerable degree in other countries. The increasing safety of passengers in railroad transportation in the United States is shown in Table 1, which gives annual average casualties for five-year periods from 1888 to 1931. Casualties to railroad passengers in non-train accidents are not included.

The decided improvement in passenger safety as indicated in Table 1 is relatively greater than

TABLE I

NUMBER OF PASSENGERS KILLED OR INJURED IN RAILROAD TRAIN AND TRAIN SERVICE ACCIDENTS ANNUALLY, UNITED STATES, 1888–1931

PERIOD*	KILLED	INJURED
1888–1892	316	2,582
1893–1897	239	2,861
1898–1902	267	4,437
1903–1907	460	10,321
1908–1912	308	12,260
1913–1917	266	10,933
1918–1922	276	6,820
1923–1927	140	4,901
1928–1931	78	3,021

* Figures up to 1915 are for fiscal years ending June 30; for 1916 to 1931 they are for calendar years.

Source: Compiled from United States, Interstate Commerce Commission, Bureau of Statistics, *Accident Bulletin, 1931*, no, 100 (1932) p. 103.

would appear from this series of absolute figures, since the decline in passenger casualties has been attained in face of an increasing total of train and passenger miles of transportation. If the year 1900, for example, is compared with 1931, the number of passengers killed per 1,000,000,000 passenger miles decreased from 15 to 2.1, a reduction of 86 percent; while the total number of passenger deaths fell from 249 in the earlier year to 46 in the later year, or a reduction of 81.5 percent. It is true that during the last two years of the series, 1930 and 1931, part although not all of the decrease in accidents was due to a decrease in transportation during the depression.

Accidents in 1931 in train and train service which proved fatal to passengers were as follows: 1 due to collision, 3 to derailments, 19 to getting on or off cars or locomotives, 9 to being struck or run over, 6 to suicides and 8 to miscellaneous causes. The injuries were distributed among these causes as follows: collisions 244; derailments 232; getting on or off cars or locomotives 843; struck or run over 13; attempted suicide 2; miscellaneous 744. Noteworthy is the relatively small number of casualties in recent years resulting from collisions and derailments. In the past collisions have been caused largely by failures of personnel, such as errors of train dispatchers, disobedience of orders by engineers and conductors and inability of engineers to control trains. The early and general adoption of the block signal system, which provided a continual check upon the movements of trains, and the increasing use of automatic train control devices, particularly during the 1920's, materially reduced the danger to passengers from this source. Derailments are due for the most part to failures of track or equipment, such as broken rails and defective switches: floods and washouts also are responsible for accidents of this kind. In order to cope with problems presented by these types of accident railroads have inaugurated systems of track inspection; locomotives also are inspected so that dangers from defective boilers and the like may be eliminated.

A second major constituent in the risk of accident to the traveling public is to be found in the hazards at grade crossings. Of the 1811 persons killed at grade crossings in the United States in 1931 only 191 were pedestrians; 1331 were riding in automobiles and 239 in motor trucks. Of the 4657 persons injured only 148 were pedestrians, while 3583 were in passenger automobiles and 721 in motor trucks. Accidents of this type showed a steady increase from 730 killed and 1294 injured in 1900 to the peak of 2568 killed in 1928 and 6804 injured in 1929. Since these years the numbers killed and injured have declined slightly, no doubt as a result of the decrease in railroad and highway traffic during the depression. The marked rise in highway travel by motor vehicles is directly responsible for the significant increase in this type of accident; and despite employment by public authorities of safety posters, signposts and signal devices to warn the motor traveling public of the presence of grade crossings and their dangers the hazard continues to be a serious one. It can be eliminated only by the removal of grade crossings and the depression or elevation of motor highways at points of intersection with railroad tracks. While a few such crossings are removed annually, the great cost attending such a program on a wholesale scale stands in the way of the abolition of the risk. Nevertheless, the growth in the absolute number of casualties at grade crossings should not be accepted as proof that the problem is beyond control; the ratios of deaths and injuries from this type of accident to total automobile registrations have shown marked declines in recent years. In 1917, 2.17 persons were killed per 10,000 automobiles registered; in 1931 the ratio was 0.61. In the earlier year 6.02 persons were injured per 10,000 automobiles registered as compared with 1.68 persons injured in 1931. An analysis of fatalities by type of vehicle involved shows a somewhat higher rate for motor trucks than for passenger vehicles. It is interesting to observe that the protection of crossings does not altogether eliminate this risk, for, in 1931, 37 percent of the accidents occurred in spite of the presence of closed gates, watchmen and various types of visible or audible signals. In 1932 there were

237,035 highway grade crossings on the Class 1 railroads in the United States, of which fewer than one seventh (30,809) were protected; during the year 1447 were eliminated and 815 were added, making a net reduction of 632.

Accidents to trespassers represent a third type of railroad accident involving the public. In 1900 the total number of trespassers killed in the United States was 4346; the total number of injured, 4680. The maximum number killed was reached in 1907 when the total was 5612; by 1931 it had dropped to 2489. The maximum number of trespassers injured was 6488 in 1915; in 1931 the number of injured was 2977. In this type of accident the very high proportion of killed among the total casualties is noteworthy, for nearly half result in fatalities. This is no doubt due to the fact that these casualties include so many cases of vagrants who are overtaken while walking the tracks or killed while "bumming" a ride on moving trains. Measures for reducing this type of accident are exclusively within the province of the railroads and consist in a more vigilant policing of the tracks and trains to prevent unauthorized persons from trespassing.

The industrial risk to employees in railroad transportation is of no less importance than the risk to the public. It includes, in addition to casualties suffered in the train and train service accidents, casualties suffered in non-train accidents; namely, in maintenance of way and structures and maintenance of equipment operations. The number of American railroad employees killed decreased from an annual average of 3273 during the five-year period 1911–15 to 1446 in 1921 and to 677 in 1931. This last marked a decline of nearly 80 percent during the whole period and of over 50 percent during the later ten-year period. The decrease in the number of railroad employees injured was almost equally striking, dropping from an annual average of 148,640 during 1911–15 to 104,530 in 1921 and to 23,358 in 1931. The low figures for 1930 and 1931, however, were due in part to the falling off in traffic during the depression. In terms of locomotive miles, as a measurement of the incidence of casualties among railroad employees, fatalities decreased from 0.70 per 1,000,000 locomotive miles in 1925 to 0.37 in 1931, a decline of nearly 50 percent. For purposes of comparison with other industries exposure to risk is best measured in man hours. Fatalities to railroad employees on duty per 1,000,000,000 man hours decreased from 362 in 1922 to 212 in 1931, a drop of 41 percent, as compared with

TABLE II

NUMBER OF RAILROAD EMPLOYEES KILLED OR INJURED ON DUTY BY CAUSES OF ACCIDENTS, UNITED STATES, 1931

CAUSE	KILLED		INJURED	
	NUMBER	PERCENTAGE	NUMBER	PERCENTAGE
Total	644	100.0	22,954	100.0
Train accidents, total	92	14.3	414	1.8
Collisions	33	5.0	169	0.7
Derailments	42	6.5	189	0.8
Locomotive boiler accidents	8	1.2	8	—
Other locomotive accidents	—	—	3	—
Miscellaneous	9	1.4	45	0.2
Train service accidents, total	396	61.5	9,019	39.3
Coupling or uncoupling locomotives or cars	12	1.9	394	1.7
Coupling or uncoupling air hose	13	2.0	175	0.8
Operating locomotives	7	1.0	1,406	6.1
Operating hand brakes	18	2.8	824	3.6
Operating switches	—	—	245	1.1
Coming in contact with fixed structures	18	2.8	232	1.0
Getting on or off cars or locomotives	28	4.3	1,879	8.2
Highway grade crossing accidents	13	2.0	33	0.1
Struck or run over, not classifiable above	165	25.6	179	0.8
Miscellaneous	122	18.9	3,652	15.9
Non-train accidents	156	24.2	13,521	58.9

Source: United States, Interstate Commerce Commission, Bureau of Statistics, *Accident Bulletin, 1931*, no. 100 (1932) p. 9.

a drop of 68 percent over the same period for all employees in industry. It is abundantly clear from these figures that a remarkable decrease in accident hazard to railroad employees has been achieved during the past decade in the United States. The causes of accidents to employees on duty on American railroads in 1931 are given in Table II.

The prevention of accidents has long occupied the attention of both the railroads and the public authorities. Governments in particular have taken steps to safeguard passengers and employees. In the United States regulation was at first wholly in the hands of the states, which passed laws requiring signboards at public crossings, limiting the speed of trains and prescribing the use of bells, lights and the like. In 1882 Connecticut enacted a measure regulating safety appliances, and New York followed in 1884. With the passage of the federal Safety Appliance Act of 1893 the federal government entered this field, laying down requirements for the use of power brakes and automatic couplers. Other important milestones in federal safety legislation were the following: the law of 1910, requiring efficient hand brakes and sill steps; the Accidents Reports Act of 1910, providing for a report by the railroad, under oath, of the cause of each accident as well as for an investigation by the Interstate Commerce Commission wherever necessary; the Hours of Service Act of 1907, limiting the hours of consecutive duty of any employee to sixteen, except in cases of emergency; the Ash Pan Act of 1908, stipulating that locomotives be equipped with automatic devices for emptying and cleaning the ash pans and thus eliminating a type of accident which often occurred during cleaning; the Boiler Inspection Act of 1911, which was later extended to cover all defects in locomotives; and the Transportation Act of 1920, by which the Interstate Commerce Commission was authorized after investigation to require the installation of automatic train control and stop devices.

As a result of these laws the commission receives reports on all railroad accidents, inspects locomotives and cars, investigates the causes of all major accidents and publishes accident statistics. The annual reports of the Bureau of Safety, which is responsible for inspection, indicate the results of its inspections of railroad equipment and the progress of the work of installing automatic train control devices. According to the report for the fiscal year ended June 30, 1932, 11,538 miles of road, 20,562 miles of track and 9318 locomotives have been equipped for automatic control.

The efforts of the railroads themselves to lower accident rates have included the establishment of safety divisions and the inauguration of safety contests between the different roads. Personnel policies designed to prevent accidents, for example, the elimination of color blind persons from employment as engineers or firemen and insistence upon abstention from alcoholic beverages, were early adopted as routine procedures. The favorable result of all these measures taken as a whole is shown in the statistics already presented.

ROBERT M. WOODBURY

See: ACCIDENTS; ACCIDENTS, INDUSTRIAL; MOTOR VEHICLE ACCIDENTS; SAFETY MOVEMENT; RAILROADS; ROADS; EMPLOYERS' LIABILITY.

Consult: United States, Interstate Commerce Commission, *Accident Bulletin*, nos. 1–100 (1902–32), and Bureau of Safety, *Report of the Director*, 1913/14–1932/33 (1914–33); Great Britain, Ministry of Transport, *Railway Accidents*, published quarterly since 1870; International Labour Office, "Methods of Compiling Statistics of Railway Accidents," *Studies and Reports*, Ser. N, no. 15 (Geneva 1929); Hsieh, W. L., *Railroad Safety Problems, Federal Safety Legislation and Administration* (Shanghai 1930); Wilson, H. R., *The Safety of British Railways* (London 1909), and *Railway Accidents, Legislation and Statistics, 1825 to 1924* (London 1925); Patterson, F. D., "The Accident Problem of the Railroads" in International Congress on Hygiene and Demography, 15th, Washington, 1912, *Transactions*, 6 vols. (Washington 1913) vol. v, pt. i, p. 149–64; Stockert, Ludwig von, *Eisenbahnunfälle: ein Beitrag zur Eisenbahnbetriebslehre*, 2 vols. (Leipsic 1913), and n.s., 2 vols. (Berlin 1920); Grüb, Anton, "Zur Psychologie der Eisenbahnunglücke und Eisenbahnunfälle" in *Archiv für die gesamte Psychologie*, vol. lxix (1929) 207–82.

RAILROAD RATES. *See* RAILROADS.

RAILROADS

GENERAL. Among modes of transport, as seen in the perspective of history, the railroad is conspicuous by virtue of its conjunction of exceptional technical merits with the unique service opportunities afforded it by the industrial revolution. Canals and improved roads served tolerably well the youth of modern industry during the late eighteenth and the early nineteenth century, but speed, cheapness and ubiquity unattainable by these means were essential to that free movement of materials and that expansion of markets required by the matured transformation of industrial processes. In Great Britain the successful experimentation with steam tractive power during the 1820's elicited an eager re-

sponse; numerous bills authorizing railroad construction were speedily presented for parliamentary action, and the British railroad net was shortly in course of development. On the European continent the lag in industrial change was reflected in a qualified enthusiasm for the new transport agency; but with a larger measure of state participation and with greater regard for the railroad's significance as an instrument of political strategy and national defense, extensive railroad construction also followed without long delay. But the role of the railroad as handmaiden of the factory system in the older countries was less striking than its use in the exploitation of vast undeveloped areas throughout the world. The early successes in England exerted their strongest influence in the United States. A substantial westward movement to the fertile lands of the interior began before 1800 and grew rapidly after the War of 1812. To weld the economy of the frontier and of the developed coastal areas into effective unity, however, was a task made formidable not alone by distance but by mountain barriers as well. Turnpike construction, even under the stimulus of federal aid, could provide no economical outlet for the bulky products of the west. The Mississippi-Gulf route was long and hazardous, and the Appalachians were not to be traversed by artificial waterways. The one direct sea level route, exploited through completion of the Erie Canal in 1825, demonstrated by its success the importance of western commerce; and the rise of New York challenged such rival centers as Baltimore and Philadelphia to establish western connections. An extraordinary opportunity existed for the railroad to show its worth. Of the early construction projects the majority were modest in purpose; only a few embraced this larger vision. But as the practicability of rail transport was established, no undertaking was too grandiose to claim support, and the railroad became the major instrument in subduing the continent. The example thus set in North America was followed, in a manner hardly less striking, in opening to commerce vast areas in Asia, Africa, Australia and South America.

The assignment of any date to mark the beginning of rail transportation must be arbitrary. In a technical sense the railroad sprang, during the first third of the last century, from the union of two fairly distinct lines of development. One of these, the use of rails to ease the movement of wheeled vehicles, had been proceeding in England for two hundred years in connection with mine and quarry operations. The other, the application of steam power to road vehicles, dates probably from the appearance of Nicolas Cugnot's steam carriage on the streets of Paris in 1769, the year of Watt's successful stationary engine. The rails, originally made of wood, underwent numerous modifications through the addition of wear resisting plates and of flanges to keep wheels in place, the flanges being transferred in due course to the wheels; from 1767 they were extensively made of cast iron and from 1800 of wrought iron, which proved able to sustain the impact of steam locomotives, although in America, well into the railroad era proper, reasons of cheapness led to the use of wood and even of granite rails stripped with metal. Vehicles on the early railroads or tramways were pulled by horses, or the loaded movement was by gravity with the return effected by stationary engines; but from 1800 there began experiments to adapt steam driven vehicles to rail use. During the first quarter of the century a solution was found for such elementary problems of locomotive construction as the maintenance of adequate boiler pressure and the adhesion of wheel to rail without the use of cogs; and some use was found in colliery service for the low speed locomotives that were built.

But rails and steam do not make a railroad. In a functional sense the railroad originated only when the physical instrument was employed as an agency of public transportation service and not as a mere plant facility. A tramway was chartered for public use in England as early a 1801; and before it was clear what the motive power would be, a number of railways designed for general use were under way both in England and in America. Of these the English Stockton and Darlington Railway employed a Stephenson locomotive in 1825 to haul thirty-four cars at a speed of fifteen miles per hour; it undertook the general carriage of coal for a group of neighboring collieries and derived some additional business in moving merchandise and passengers. But it was the Liverpool and Manchester Railway, after conducting the Rainhill competition of 1829 won by the "Rocket," George Stephenson's great engineering success, which dramatized the promise of the steam railroad as a general transportation agency. That same year the first British built locomotives tried out in the United States were found to be excessively heavy for the light track construction. But locomotive building was under way in America and from the successful demonstration of Peter

Cooper's "Tom Thumb" in 1830 proceeded rapidly, with a considerable export movement by the end of the decade. The Baltimore and Ohio Railroad, chartered in 1827 and opened with thirteen miles of line in 1830, which experimented at the outset with horses and even with sails as means of power, was shortly committed to the steam locomotive; while the Charleston and Hamburg Railroad, opened in 1831, was expressly designed for steam power.

With the basic features of rail transportation thus established, progress along technical and operating lines was rapid. In America the weight of locomotives was doubled during the first decade, and the distribution of weight was greatly improved during succeeding years. Speed increased from the phenomenal twenty-nine miles per hour of the "Rocket" to sixty miles by mid-century. Cars were specially designed for rail service; and the passenger carriage in particular lost its early stagecoach characteristics and evolved in the direction of the modern vehicle, with its improved springs, trucks, axle bearings, couplers and comfort yielding accommodations. In the roadway corresponding developments occurred. Grades were reduced, curves flattened and flimsy structures replaced, although in these respects the standards maintained in America were behind those established in Great Britain and on the European continent. Rails were increased in weight and improved in design, especially in the manner of their attachment to ties, or sleepers, and toward the end of the century came predominantly to be made of steel. The multiplicity of gauges which appeared with the early construction of disconnected lines was gradually reduced, although it required the Civil War in America to demonstrate the supreme importance of a standardized gauge and a free interchange of cars. Similar progress was made in the handling and dispatching of trains, as required by growing traffic. Numerous experiments in signaling intervened between the man on horseback who preceded the trains of the Stockton and Darlington Railway and the block system of the 1860's. Telegraphic dispatching was a revolutionary innovation about 1850; and the automatic air brake, introduced in 1872, contributed greatly to the safe and effective handling of heavy trains. Along with marked improvements in recent years in the efficiency of steam locomotives has come a substantial use of electric traction, especially in congested areas, but to some extent also under mountainous conditions.

These qualitative changes surrounding the infancy and youth of rail transport were fully matched as to quantity by the spectacular spread of railroad lines, first in Europe and North America, then throughout the world. The growth of line mileage by thirty-year periods, classified on the basis of continental areas, is shown by Table 1. It is apparent that during the early decades the settled nations of Europe engaged in railroad construction to about the same aggregate extent as the people of North America, but that the rest of the world was scarcely touched by rails until 1870. In Asia, Africa, Australasia and South America the rate of growth since that time has been rapid, with more than half the mileage appearing since 1900. But in absolute amount the greatest construction, at least until quite recently, has continued to occur in Europe and North America, leaving the former with 33 percent and the latter with 40 percent of the world's mileage in 1930.

TABLE I

THE GROWTH OF RAIL LINE MILEAGE, BY CONTINENTAL AREAS

	1840	1870	1900	1930
North America	2954	56,106	223,454	319,100
Europe	1818	65,192	176,179	261,545
Asia		5,086	37,470	82,487
South America		1,770	26,450	58,809
Africa		1,110	12,499	42,450
Australasia		1,097	14,922	30,822

Source: Adapted from *Archiv für Eisenbahnwesen*, vol. xxxv (1912) 552–56, and vol. lvi (1933) 6.

Despite that larger hope of penetrating the interior which inspired the Baltimore and Ohio Railroad project, early construction in the United States consisted mainly of small, detached segments of line intended chiefly to supplement water routes and to connect nearby towns. The railroad's transition from a modest adjunct of coal mining to the instrument of a comprehensive transport system was not abrupt. The network grew at first by small accretions of limited purpose. In England the proximity of major cities led as early as 1840 to the completion of lines between such centers as London, Birmingham, Manchester and Liverpool; and by 1850 the principal routes of the present day were well established. In similar manner a network of lines developed in the more populous eastern states of the United States at an early date, and soon after 1840 Albany was united with Boston on the east and Buffalo on the west by series of short lines. But to build railroads into the thinly settled areas west of the Appalachians—to con-

struct lines in the hope thereby of attracting the population and the industry necessary for their support—involved great daring; the extension of the rail network in a few decades over the entire American continent must be regarded as one of the outstanding examples of human enterprise. By 1850 much building had occurred in the middle west, and soon thereafter Chicago was connected with the Atlantic seaboard; while in the south lines reached from Atlanta to the Ohio, the Mississippi and the Atlantic. Construction continued into the farther west, and in 1869 occurred the most spectacular single event in American railroad development—the joining near Ogden, Utah, of the Union Pacific and the Central Pacific to form the first transcontinental route. Progress had gone far; but to the 53,000 miles of line built in the United States during the first forty years of the railroad era there were added 200,000 more during the next half century, the zenith of construction activity being reached during the 1880's. Six more transcontinental lines, including two in Canada, were built across the western plains and through the Rockies; while further construction in the east and south afforded access to nearly all useful portions of those areas. From 1910 the construction of new lines subsided, and after 1920 abandonments exceeded new construction, although the capacity of existing lines continued to expand to meet the needs of traffic.

If economic immaturity hampered railroad enterprise in America, in Europe the obstacles sprang from established usages, vested interests, high land values and the conservative temper of an older community and business life. Less stirred than England by the industrial revolution, Germany and France proceeded somewhat more slowly with railroad construction; but the mileage in these and in a number of other European countries was considerable by 1850, although at that time the ultimate framework of their rail systems was less clearly indicated than in Great Britain. When comparison is made, on the basis of their present development, between the railroad network of these old and densely populated European areas and that of the United States, it is apparent that the line mileage of the latter country (and likewise of Canada, Australia and Argentina) is much greater in relation to population served than is the case in Europe; on the other hand, the European network covers with a much finer mesh the area it serves.

European enterprise in railroad building likewise projected itself into every industrially backward section of the earth, supplying much of the capital invested in the United States and actively undertaking construction in Canada, northern and southern Africa and South America. India was given one of the great railroad systems of the world; the Trans-Siberian Railway was pushed across the vast expanse of northern Asia to connect Europe and the Pacific; and the Berlin-to-Bagdad Railway was built into the Near East. With China's permission Russia constructed the Chinese Eastern Railway across Manchuria; while Japan not only built a large mileage at home but also entered China by constructing the South Manchuria Railway to connect the Chinese Eastern with Port Arthur. Table II indicates the line mileage of the principal countries of the world for 1930.

TABLE II

RAIL LINE MILEAGE OF PRINCIPAL COUNTRIES OF THE WORLD, 1930

Argentina	23,756
Australia and New Zealand	30,821
Austria	5,095
Belgium	6,893
Brazil	19,720
Canada	42,626
Chile	5,542
China	8,426
Czechoslovakia	8,553
Denmark	3,287
Egypt and Sudan	4,894
France	39,550
Germany	36,402
Great Britain and Ireland	24,414
Hungary	5,921
India	41,481
Italy	13,049
Japan	17,142
Jugoslavia	6,222
Mexico	16,443
Netherlands	2,298
Norway	2,407
Poland	12,853
Rumania	7,424
Russia	47,867
Spain	10,139
Sweden	10,445
Switzerland	3,746
Union of South Africa	12,602
United States	249,052

Source: Committee on Public Relations of the Eastern Railroads, *Yearbook of Railroad Information* (New York 1933) p. 18–19.

Such evidence of continued railroad construction suggests how eminently successful a transport instrument the railroad proved to be. In view of the part it played in the great economic developments of the nineteenth century the traffic which it came to carry was mainly new traffic not previously moved by any other

method. At the same time the railroad largely displaced such other transport agencies as were not effectively protected from its competition. During the eighty years following 1750 the turnpike had assumed an important commercial role; but as rail lines were built, road transport came to possess a purely local significance. A few rivers, like the Rhine, retained their worth, and by heavy subsidies and protective legislation France and Germany were able to maintain the use of their canals. But the United States, despite large outlays on canals and the apparent success of some of them, turned as early as 1840 to the railroad as its most promising means of transport. For some time traffic continued to grow moderately on the Erie Canal and the Mississippi, and not until about 1880 did an absolute decline set in. But by 1870 the railroads of New York state had passed the canal in tonnage carried and by 1900 had outstripped it ten times over; and a substantially parallel shift in traffic occurred in the Mississippi valley. Water transport except on the Great Lakes and in coastwise vessels became negligible. There was thus established for the railroad a position of dominance which remained unchallenged until the 1920's.

To bring about so striking a development, at least in a time so short, private enterprise however dynamic was not enough; in most countries government in one way or another lent its active support to railroad building. England alone seems to have depended wholly on private capital and private initiative. In France the government provided rights of way, guaranteed interest on railroad obligations and undertook some direct construction. Many of the German states built their own lines, and private undertakings were often subsidized. The first railroad building in Belgium was a state enterprise. In Austria at the beginning the government opposed railroad construction, but it was shortly subsidizing private roads and building lines itself. The outlays of European capital in establishing railroads in the Latin-American countries were largely encouraged by public subsidies and guaranties. Early construction in India was similarly promoted, although here, as in Australia and South Africa, rail lines have largely resulted directly from state enterprise. The unique relation of transport development to the total economic structure as well as its bearing on political cohesion and military need served in practically every country to induce a generous collective interest in railroad building.

Such was the case in the United States. Despite the opposition of persons engaged in road and water transport activities and accessory occupations, a powerful popular enthusiasm for railroad construction led, from the first decade of the railroad era, to extensive governmental aid. Towns and counties donated sums of money, provided terminal sites and made other land grants in addition to guaranteeing railroad bonds or exchanging their own for them. States subscribed to the stock of railroad enterprises, guaranteed their bonds and made liberal loans in addition to allowing tax exemptions, providing convict labor and contributing millions of acres of land. Pennsylvania, Virginia, North Carolina, Georgia, Michigan, Illinois and Indiana engaged directly in the construction and operation of lines, although subsequently they withdrew in favor of private interests. The federal government had contributed extensively to internal improvements during the first quarter of the century, but no substantial aid was given the railroads until after 1850. From that time and until 1871 federal land grants were made to the railroads, both directly and through the states, which totaled over 150,000,000 acres. Not all of these grants were taken up, because of failure to meet attached conditions; and the roads receiving land assumed obligations to carry government troops and supplies and mail at reduced rates. Direct financial aid of substantial amount was also extended to the early transcontinental lines.

It is not feasible either to estimate the total subsidy received by American railroads or to appraise the extent of the responsibility of subsidy for their development. Certainly government aid accounts for only a very small fraction of the total investment to date, although in offsetting the early hesitancy of private funds its importance was great. On the whole it seems proper to regard the railroads of the United States as an impressive product of private enterprise, since despite public aid the difficulties faced and the risks assumed were exceptional. On the physical side there have been few more striking accomplishments than the construction of railroads across the plains and through the forests and mountains of North America; and on the financial side the commitment of vast sums for serving traffic, the emergence of which was largely dependent upon the railroad itself, constituted enterprise of the most speculative type. During the early decades of railroad construction private financing was accomplished mainly through the

sale of securities to persons, often of small means, living in the immediate localities to be served. But from about 1860 railroad finance began to assume those more spectacular features which made it the dominant element in the operations of the larger financial centers. From the time when railroad construction began seriously to penetrate the western portion of the country, to assume proportions beyond the scope of local resources and to attract millions of European capital, and with the appearance of large dealings in railroad securities—by Vanderbilt, Drew, Fisk, Gould and other so-called magnates—the financing of railroads began to color the whole of the nation's financial life. It is anomalous that the scores of individuals who pioneered, along engineering and business lines, to spread the railroad net and establish effective service—who, by their enterprise, made the railroads possible—are less well known than the outstanding manipulators of share control in the security markets. But in considering the second major phase of railroad development, the combination into systems of the scraps of line originally built, it is not improper to assign the magnates a prominent if not always a creditable place.

However admirable the enterprise of early builders, their efforts were often ill suited to the broader needs of national and international commerce. The connection of widely separated producing and consuming areas was at first the incidental result of the joining of intermediate points; it is not surprising that private builders, whether or not they envisaged the potentially profitable traffic between remote termini, should have laid their plans with reference mainly to the more certain traffic near at hand. Nor can it be said that the influence of government generally reflected a broader vision. State and local subsidies in the United States, stimulating efforts to secure a maximum of public aid, definitely promoted irregularity of layout. The railroad activities of the small German states were governed by strictly local interests. The elementary essential of gauge uniformity was overlooked in the construction of state systems in Australia. France alone seems to provide a clear example of railroad development in conformity with an early plan of national scope, although in many countries the later construction, whether directly by government or with public aid and guidance, disclosed broad visioned economic or political design. A highly critical view need not be taken of the more spontaneous sort of railroad development, since all ambitious planning has its dangerous side and since the magnificent energy and adaptability of private enterprise offset its limited outlook. But it must be recognized that early construction provided merely the raw material—and often a highly resistant raw material with respect to both location and technical features—for the creation of larger systems designed to meet the broader needs of commerce. By the process of combining small railroads into large there were developed not only the great private systems of Great Britain and the United States but also the public systems of Germany and India.

In the United States the process whereby the disconnected short lines of the mid-nineteenth century came to form the large systems of the early twentieth was extremely varied in motive, method and result. At a time when potential end-to-end connections were often dissimilar in gauge and when, even if they were not, there existed a complete absence of those inter-system arrangements necessary to effective through service, the obvious way to improve operations over a series of lines was to bring them under common ownership. Opposing influences were the hostility of local producers to competition from a distance and the early difficulty of managing successfully a road more than one hundred miles long. But end-to-end combinations had been proceeding inconspicuously before the formation in 1853 of the New York Central, which brought together the lines between Buffalo and Albany; and it is probable that by 1870 as many as fifty combinations, each comprising from two hundred to one thousand miles of line, had been organized. By that time the construction of western lines was proceeding in original segments of substantial length. These combinations were accompanied by the longer distance movement of traffic, which in turn introduced a degree of competition not previously present. Small local roads might have a fairly complete monopoly; but as important centers were connected by more than one combination of roads, there arose a competition which was often bitter and destructive. It is a curious fact that the end-to-end combinations productive of this competition were themselves promoted by it. As long distance traffic increased, a road, to possess any sense of security, had to be assured of a share of interchange traffic at junction points; and where there were rival claimants to this traffic, such security could come only through control of the connection.

This was and is today a leading consideration, more potent than reasons of service and operation, in promoting the combination of connecting lines; and it also accounts for that frantic extension of lines to tap every important source of traffic which characterized competitive railroad construction well into the present century.

Under such pressure, however, railroads were combined not only so that they might be more effective competitors but also in order to reduce the severity of competition. To the ruinous rate cutting which accompanied bitter rivalry for limited traffic the natural response was for parallel roads to act in concert. During the 1870's and 1880's, when competition was most severe, this reaction manifested itself less in an endeavor to effect unification under common ownership than in agreement by independent lines to refrain from destructive rivalry. Rates were maintained by cooperative action; and in order to remove the incentive to rate cutting pooling arrangements were established, definitely fixing the respective shares of rival roads in competitive traffic or revenue. The principle was applied in all parts of the country, sometimes to specific traffic movements and sometimes, as in the case of the Southern Railway and Steamship Association, to wide areas. A genuine need was met; but in the power thus to maintain rates on a compensatory level lay the possibility of exacting extortionate charges, and the public, traditionally hostile toward every form of monopoly, protested. In consequence the Act to Regulate Commerce, passed in 1887 in response to a swelling spirit of indignation against railroad abuses, not only provided for federal regulation of rates but declared unlawful the formation of pools, which were deemed to be a fruitful source of excessive charges. Pooling arrangements were thereafter largely terminated, but the cooperative determination of rates by traffic associations continued. In 1897, however, the Supreme Court construed the Sherman Anti-Trust Law as prohibiting railroad combinations of this character; and the railroads, if they were to remain independent from the standpoint of ownership, were thus deprived of any lawful means of reducing the excesses of competition. But since the belief was widely held that they might accomplish by corporate combination what was denied them through loose association, there occurred during the two decades following 1887, for purposes of effecting concentration of control, transactions of enormous magnitude in the ownership of railroad securities.

A false impression of the course of railroad combination would be gained, however, if it were viewed wholly in the light of operating and competitive considerations. This was the period when the goals of power and profit attainable in the field of corporation finance were first clearly recognized, and to this field were attracted some of the most ambitious and dynamic personalities in the business world. Railroads provided especially attractive opportunities for their operations. Despite its speculative and often fraudulent aspects the financing of new construction was fairly prosaic compared with vast dealings in the securities of roads already built, the purchase and manipulation of control of large mileages and the creation of ever expanding railroad systems. In the railroad field as throughout all industry the combination movement gained sharp momentum toward the end of the century, and there developed a popular faith in the magic of large corporate aggregates which was but loosely related to any technological considerations which might justify them. During lean years competition for traffic was most severe and combination had most to contribute; but it was in such periods, as after the collapse of 1893, that railroad systems fell apart. When prosperity prevailed and confidence was high, on the other hand, securities were readily sold in enterprises of every sort, and dreams of railroad empire were consummated with amazing ease by the leaders in railroad finance. Railroad combination must be viewed therefore in terms not only of the economics of the industry but of the outlook, the ethics and the psychology of the period of its development.

Under these several influences, variously operative in connection with particular combinations, the railroads of the United States during the first decade of this century approached more nearly a condition of territorial monopoly than at any time in their history. The Pennsylvania system achieved great size while retaining solidity and developed a compact structure both physically and financially. Similarly the New York Central system was shaped as an excellent service medium, although some of its elements were for some time held together rather loosely. After 1900 these two systems attained a working control of the other important lines in the eastern trunk line territory. By a purchase program, which, however, turned out to be disastrously extravagant, the New Haven for a time came to dominate all transportation, rail and water, in New England; while in the south a chaotic col-

lection of lines was brought through Morgan leadership under the control of two large and closely allied systems. In the northwest James J. Hill, both a builder and a financier, first brought the Great Northern and the Northern Pacific together through common ownership of the Chicago, Burlington and Quincy Railroad and then effected their complete control through the organization of the Northern Securities Company. This move was fought vigorously but unsuccessfully by E. H. Harriman, who, after acquiring and rehabilitating the Union Pacific, aspired to complete monopoly in the west. Harriman did succeed, however, in extending his sway over the central and southern transcontinental lines; and even without including a large mileage, especially in the east, in which the Union Pacific obtained substantial minority interests, he controlled at the time of his death in 1909 a railroad empire approaching in extent the 25,000 miles of the Hill domain. A collection of properties in the southwest, including the Missouri Pacific, long subject to the depredations of Jay Gould, became the sickly nucleus of a loose aggregate of 19,000 miles of line, stretching nearly from coast to coast, which quickly fell apart under the impact of the depression of 1907.

Among the important combinations in which railroads have been involved are those connecting them with traffic producing industries and with other transport agencies. Many railroads have been built as part of lumbering and mining activities, and a few important carriers, as, for example, the roads owned by the United States Steel Corporation, continue to be run by enterprises which they largely serve. But in such relationships the carrier has more commonly been dominant; and in the outstanding instance of anthracite coal a group of railroads, in quest first of traffic control and later of excessive profit in selling the product, created a situation which has figured prominently in the records of industrial monopoly. The movement toward monopoly in transportation led to railroad investment in canal routes, to extensive ownership of Great Lakes shipping and to control of coastwise services. More recently the railroads have been entering the fields of air and highway transportation. Except in the latter instances the public has generally been hostile toward extensions of the railroad sphere, and legislation has been enacted to curtail them. In 1906 the "commodities clause" of the Hepburn Act forbade the carriers to transport revenue traffic, except lumber, produced under their control; and the more direct instances of such relationships have disappeared. Likewise in 1912 the Panama Canal Act required the removal of railroad control over shipping lines competing with the railroads through the Panama Canal, and in other places where the effect of the control was markedly to restrict competition; and provisions were included calculated to strengthen water competition.

As for the movement toward monopoly among the railroads themselves, a decline set in during the early years of the century. The decision of the Supreme Court in the Northern Securities case in 1904 that corporate combination, even through the holding company device, was subject to the Sherman Law led to the paring down of systems and the sale of equities in parallel lines. An unfavorable judgment brought the dissolution of the Union Pacific-Southern Pacific relationship; and voluntary action anticipated judicial procedure in other cases. Not only was the public aroused by the menace of monopoly in all fields, but adverse business conditions undermined fair weather financial arrangements and there was no disposition to assist in new financing. Despite the alliances that had prevailed railroad rivalries were pronounced. Within the limits set by public regulation of rates the struggle for traffic was severe; and an individualistic spirit characterized railroad management, which precluded even such joint action as might have been lawful in the direction of effecting a more highly cooperative and systematic conduct of transportation. In the emergency created by the World War the attempt at voluntary cooperation under the Railroads' War Board proved inadequate; and it was deemed necessary at the end of 1917 to establish complete unification under federal control. For twenty-six months the carriers were operated as a single system by the United States Railroad Administration, rolling stock and other facilities being used without regard to ownership and the movement of traffic being controlled in the public interest. Because the increase in rates fell short of the increase in costs, the Railroad Administration failed to earn the rental guaranteed the owning corporations; but the prime purpose of achieving a free movement of traffic was successfully accomplished. It was thus demonstrated that a degree of unity and system might at times be required in the railroad industry greatly surpassing the results achieved through the adaptations of private enterprise within the restrictions set by law; and for normal

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times as well it appeared to many that a radical modification of the older arrangements was desirable.

In spite of some effort to retain the railroads in public hands as a nationalized industry the political sentiment favoring a return to private ownership and operation was dominant, and the Transportation Act of 1920 so provided. At the same time provisions were adopted looking toward a more effective organization of rail service, in the interest primarily of solving the problems of the weak roads and achieving economies. The past insistence upon competition was modified to the extent of allowing the Interstate Commerce Commission to authorize pooling arrangements and under emergency conditions to require the common use of facilities. The commission was also granted comprehensive powers of supervision over more permanent inter-carrier alliances. Combinations through purchase of securities or lease of lines were to be carried out only upon the commission's approval; and combinations involving the outright consolidation of properties were to be undertaken only in accordance with a comprehensive plan to be prepared by the commission. In this plan the roads were to be assigned to systems of substantially equal strength, and wherever practicable the existing channels of trade were to be maintained. On the basic issue of competitive relationships Congress saw fit to maintain its accustomed position: the systems proposed by the commission were to preserve competition as fully as possible. The preparation of such a plan was an undertaking of overwhelming difficulty, and relief from the duty was vainly sought by the commission. In a somewhat halfhearted manner and merely as a procedural step a plan was published in December, 1929, which called for consolidation of the railroads of the United States into twenty-one systems.

Following 1920 there were numerous instances in which systems were extended or rounded out or rearranged through acquisitions of control; and in some cases the inclusion of weak lines was made a condition of such acquisitions. The most spectacular episode of the decade was the creation by the Van Sweringen brothers, largely through a succession of holding companies, of effective control over about 25,000 miles of line. The combination lacked official approval and, along with other instances of holding company control, revealed a gap in the commission's power arising from the restriction of its jurisdiction to operating companies—a gap filled in 1933 by the extension of its authority to all methods of effecting control over carriers. In the matter of outright consolidation little progress has been made, although the commission has consented to the modification of its plan for eastern territory along lines upon which it seems that the railroads may agree. Any public plan of system formation which relies on voluntary action for its achievement must necessarily be slow of execution, since on the whole the motives which lead carriers voluntarily to combine do not correspond closely to public aims. Improved service and general prosperity during the 1920's obviated serious criticism of system organization; but with the railroads largely dependent upon public funds during the ensuing depression agitation was resumed, emphasis being placed more definitely than before on matters of economy, for an extensive reorganization of the railroad system. As an emergency measure the president was authorized in 1933 to appoint a federal coordinator of transportation to assist the carriers in the cooperative attainment of economies.

The movement toward more comprehensive units, as thus traced in some detail for the United States, has made itself felt in all other countries. In Russia, Germany, India, Australia, Union of South Africa, Canada, Mexico, Italy and elsewhere much or most of the mileage has been combined into state systems. Outside the United States nearly 60 percent of the world's mileage is state owned. In some cases state lines have been leased to private companies to operate. Public ownership moreover may mean, as in Germany since 1920, a single unified system or, as in Australia, a collection of provincial monopolies or, as in Canada, a public enterprise in competition with private companies. In France the early policy of territorial monopoly has been continued, with public provision of roadways and structures and a guaranty of operating returns. In Great Britain railroad systems grew, as in the United States, through private action; but because of less restrictive legal requirements, a greater density of traffic and the more settled temper of the business community competition never attained the violence or produced the abuses prevalent for some time in the United States. During the war the British government assumed a close control over the railroads, and in 1921 Parliament provided for a complete consolidation of lines into

four systems laid out on a territorial basis. As the new arrangement was compulsory it was consummated speedily; but despite the contrary intention inter-system competition has continued to be a potent influence in matters of rates and service.

In the course of both their original construction and subsequent combination into systems railroads have disclosed financial features which, while seemingly related to the strictly private sphere of the investor, have nevertheless evoked great public concern. Their capital arrangements and financial policies influence the services they furnish; and the very magnitude of these transactions renders them a substantial element in the total structure of the business world. The carriers of the United States originated largely under conditions militating against subsequent financial health. Under prevailingly loose corporation laws roads could be and often were built and operated in a manner imperiling their solvency and the position of their investors, while enabling a few individuals to reap great fortunes. Railroad building was commonly undertaken not by the railroad companies themselves but by separate construction companies formed by those in control of the railroads, under contracts strikingly profitable to the insiders. In the case of the most notorious of these ventures, the Crédit Mobilier connected with the building of the Union Pacific, $111,000,000 of securities was issued, according to W. Z. Ripley, "in order to raise $74,000,000 of cash, to construct a railroad which actually cost about $60,000,000." Thus a railroad might arise through the operation of motives largely unrelated to the social purposes which might justify it and enter life borne down by the millstone of obligations it could scarcely hope to meet. Once under way, it might be administered not primarily to yield service and realize income but, as in the case of the early history of the Erie, to enhance the profitableness of speculation in its securities. Reports might be falsified, capital outlays and current expenditures juggled, capitalization manipulated and funds gravely needed for upkeep diverted to other ends. By such circumstances the unavoidable obstacles to railroad prosperity in a new country were greatly enhanced; and while it must be recognized that the industry was not as a whole subject to abuses of the grosser sort, there has nevertheless been great difficulty in throwing off the legacy of unsound finance and the suspicious popular attitude generated by it.

The paucity of records of actual investment in American railroads and the lack of connection between capitalization and investment render uncertain, except for recent years, the amount of capital by which the profitableness of railroad investment may be tested. Without allowance for overcapitalization then persisting it appears that the net capitalization of American railroads in 1906 was approximately $58,000 per mile of line. Among individual carriers the corresponding figure ranged from about $30,000 for a number of western roads to nearly $170,000 in the cases of the Erie and the Reading. Unlike physical conditions which surround construction account for important differences, as do also the widely dissimilar traffic conditions to be met; but varying degrees of recklessness and conservatism in issuing securities and in actual expenditures are quite as important factors. The average capitalization per mile of line at this time may appear low when it is noted that in Germany it was twice as great, in France two and one half times as great and in Great Britain four times as great. But in these European countries a different type of construction had been warranted; and while, if one can judge from earnings records, the outlay there may have been somewhat too heavy—assuming no overcapitalization—still the greater density of traffic seems largely to have justified the difference. Popular criticism of railroad finance in the United States sprang mainly from the belief that rates were fixed to yield a return on a grossly inflated volume of securities; and the Interstate Commerce Commission, without further facts as to the value of properties, felt itself seriously handicapped in determining the reasonableness of rates. In consequence Congress, by passing the Valuation Act of 1913, imposed upon the commission the prodigious task of inventorying all railroad properties and fixing a so-called physical valuation for each carrier, an undertaking which has since absorbed the greater part of the appropriations. Since 1906 capitalization per mile of line has increased by about 33 percent.

Whatever its past significance as the device and symbol of loose and corrupt financing, the "watered" aspect of the railroad capital structure is of less present importance than the character of the securities which make it up. While British railroads incurred debts to the extent of about one fourth of their capital and private lines in South America, Egypt and elsewhere largely follow the British pattern, the capital of American roads has come mainly

through sale of bonds. In the top heavy structures of early roads bonded indebtedness often equaled or exceeded actual investment; and while the building up of properties has reduced the fractional importance of bonded debt in relation to values, about 60 percent of the net capitalization of all roads continues to be in that form. Less than one third of the total consists of common stock, while the small remainder is preferred stock, largely of a non-cumulative type, which appeared in place of bonds in the process of financial reorganization. Bonds have revealed the infinite variety of which corporate financing is capable, and the names assigned to issues have often been designed to conceal their decidedly junior status. The debenture, secured merely by a carrier's general credit and earning power, is the principal encumbrance of British railroads; but in the United States the practise has been to secure bonds by liens on specific properties. About four fifths represent mortgages on roadways and structures, either general or divisional; and the next most important class of bond is the equipment obligation, secured by cars and locomotives. Out of the intricate interrelationships of railroad corporations has come another important type, the collateral trust bond, representing a lien on the securities of other roads. The income bond, an anomaly whose claim to interest is contingent upon the realization of earnings, is another offshoot of the reorganization process. While the extent of fixed obligations is a vital factor in the financial stability of the private company, the capital structure is of slight importance where railroads are a state enterprise, even when in form a separate railroad department or corporation is created, since the treasury is finally available to support them. Likewise it is of slight significance that French railroads are capitalized almost wholly with bonds, in view of the government's guaranty of sufficient revenue to meet interest and dividend requirements. In Germany a unique situation was created in 1924, under the Dawes plan of international settlement, when the previous debt of the state railroad system, wiped out by currency inflation, was replaced by a special bond issue of 11,000,000,000 gold marks whose service was to be on account of reparations. The Young plan of 1929 removed this obligation.

Superficially at least it appears that American railroads have been unwise in the extent of their reliance on bonds for the provision of funds. The amount of insolvency, produced mainly by failure to meet interest and principal payments, has been enormous. During the forty years following 1875 the mileage falling into receivers' hands approximated the total mileage of the United States; some roads escaped but others repeated the experience with each decline of business. In 1932 the aggregate of carriers, while showing a substantial net operating revenue after taxes, failed by a wide margin to earn their interest requirements, and only the availability of hundreds of millions in public funds averted widespread default. It is true that this record does not constitute without qualification an indictment of the present capital structure of the roads. Early failures were caused chiefly by overbuilding and by the assumption of excessive obligations in comparison with the slight volume of available traffic. Competitive rate cutting, in part the result of legislative prohibition of cooperative action, produced a drain on revenue in no way inherent in the railroad situation. Mushroom combinations, created often by the sale of bonds to the public for the purchase of stocks in other carriers, represented a passing condition, induced largely by an unreasoning wave of optimism. Certain notorious failures may be attributed directly to incompetent and corrupt management. Moreover it may be said that railroad capitalization need not normally be constituted with an eye to such devastating catastrophes as the collapse following 1929. Despite these considerations, however, the debt of the carriers seems a proper object of serious criticism. In view of the specialized nature of railroad property, which precludes its use for other purposes, the practise of pledging assets to secure bonds is of slight significance; financial integrity depends wholly on earning power. Since railroad traffic reflects a cross section of general business conditions, it cannot be said that revenues are protected by an exceptional stability of demand, such as may justify the large funded debt of some of the local public utilities. Certain railroad expenditures are fairly inflexible in the face of declining traffic; although after 1929, with a substantial postponement of upkeep, expenditures paralleled revenues quite closely. But even if the ratio of expenses to revenues did not increase with falling traffic, the absolute difference between them must contract; and with taxes a large and rather inflexible item, debt obligations easily become embarrassing. For the carrier whose capital structure involves the average amount of indebtedness and whose earnings are no better than average, some retirement of bonds is plainly desirable. While

railroad capital was greatly increased during the latter 1920's without appreciable increase in indebtedness, sound policy would seem to require a definite reduction of debt when earnings make possible repayment at maturity either from revenue or from sale of stock; and when reorganization is undertaken, a drastic curtailment of fixed obligations is indicated.

But financial strength is a matter not only of capital structure but also of earnings through good years as well as bad. Indeed indebtedness often results from lack of earnings. The view has been widely circulated that repressive regulation, involving a restrictive rate policy, has been a major ailment of American railroads. It is not easy by factual means to evaluate this view; but on the whole it seems ill founded. It is true that after 1910 in the face of rising prices the carriers found difficulty in convincing the Interstate Commerce Commission that rates should be raised, and their credit doubtless suffered somewhat in consequence. But in most years from 1900 to 1929 more than 6 percent, often substantially more, was earned on the stockholders' equity by all carriers; and after 1920, while the rate of return was only slightly improved, the railroads were able on favorable terms greatly to increase their capital and to command their due share of new savings seeking investment. Because of peculiarities of the railroads' earnings comparisons between them and other industries have slight significance. Unlike manufacturing enterprises, the several railroads do not cooperate in supplying a single market with their services and by competition weed out the least effective of them; instead each carrier has its unique area which it must serve and upon whose traffic it must depend. Under these circumstances aggregate or average earnings figures tell little about specific roads. Probably despite low general earnings all roads with any just claim to additional capital could get it favorably. It is true that, while certain carriers have been exceedingly remunerative investments, the buyers of equities in railroads as a whole have not realized the extensive returns that have come to investors in some other fields. Railroad fortunes came from construction activities and dealings in securities. But this result may be explained not only by the regulation of earnings but by the excessive investment in an industry given artificial public stimulus. Moderate earnings seem to have characterized the railroad industry in most countries; and where state ownership prevails, and in France under the system of guaranty, rail transportation has often been a substantial drain on the public treasury.

In the United States the roads' financial status and policies have been touched at many points by the hand of government. Following the subsidies of early decades federal rate regulation was inaugurated in 1887 and strengthened in 1906 and 1910, with the aim in part of preventing excessive carrier incomes; and this is still the most significant form of control bearing on railroad finances. The close supervision of railroad accounts, instituted in 1906, with the enforcement of a high degree of publicity respecting railroad affairs, has served primarily as a tool of rate regulation but incidentally has checked unscrupulous speculation in securities based on manipulation of accounts and reports. From 1907 the Interstate Commerce Commission recommended that railroad security issues be subjected to its control, both as an aid to rate regulation and as a means of protecting the credit of the carriers and the investors in their securities from unsound financial practises; such authority was granted in 1920. As a further means of insuring financial stability power was given the commission to veto proposed line extensions which might prove wasteful or destructive in effect, although a corresponding authority was also granted to prevent abandonment where carrier losses were outweighed by counter considerations of public convenience and necessity. With the extensive control established over the combination of carriers into systems railroad finance has been brought very largely under public supervision, except in the matter of dividend policy; but it may be noted that in this respect too sharp criticism has been directed at the carriers, particularly in view of their distribution in 1931—in the absence of much evidence of forthcoming economic betterment—of sums vastly in excess of current earnings.

Railroads touch the public most intimately, however, not through their organization and finance but through the specific services they render shippers and travelers and the rates they charge for these services. There is no pricing problem more complex than that involved in the sale of rail transportation of freight. American railroads recognize some twenty-five thousand descriptions of traffic, any item of which conceivably may move from any one to any other of many thousands of stations. The possible number of rates required is of astronomical proportions. No simple principle, as that of applying the same rate per hundred pounds to all the

different commodities and the same rate per mile to all the different hauls, would be theoretically or practically acceptable. Even if there were no other consideration involved than to spread the costs of service as evenly as possible over all traffic, the weight mileage basis would be bad. Early railroads took over from wagon transportation the practise of charging on a space basis for carrying low density commodities; and in a much more discriminating fashion it is now recognized that loading characteristics are as important as weight in assigning charges. Shipments in less than carload lots amount to less than 2.5 percent of the tonnage of American railroads, but they account for 25 percent of the loaded cars, and they involve a disproportionate part of clerical expense and terminal handling. Coal moving at extremely low rates is one of the most remunerative forms of traffic. Commodities differ widely in the special services they require and the loss and damage claims they occasion. In the treatment of different hauls rates proportional to distance received early application and are still employed in passenger transportation, but they depart widely from the cost principle. Heavy terminal costs necessitate rates tapering with distance, but to a diminishing extent as the haul lengthens. Unequal traffic densities and widely different capital and operating costs on different routes likewise call for recognition. Thus cost factors alone account for a high degree of complexity in the rate structure; but despite their importance there are considerations of another sort, springing from the conditions which must be met in getting and holding traffic, which have been of major significance in the evolution of freight rates.

The outstanding characteristics of a railroad from the rate standpoint are two: the customary presence, especially when historically regarded, of unused capacity in some or all of its facilities and the large outlays involved in providing that capacity. Not only did the superiority of rail over other transport agencies justify construction for relatively light traffic, but the overhead costs occasioned by even a minimum plant proved relatively heavy as judged by most other businesses. In early decades at least such costs increased much less rapidly than traffic; and many operating costs, such as are involved in a minimum of maintenance and of train service, were likewise capable of being spread over more traffic. There thus existed the strongest possible inducement to depart from a cost basis of rate fixing: to impose charges as low as necessary to get traffic as long as the effect on profits was positive and to impose as high rates as feasible on traffic not easily discouraged. If peculiarities of the industry provided the incentives to discriminatory charging, they also supplied the conditions which made it possible. The great cost of railroad construction, and the necessity of physical contact of the railroad plant with the area served by it, established a position of monopoly with respect to a large part of the traffic; and the fact that rail service is not a homogeneous commodity, but is sold to buyers who can be classified on the basis of goods shipped and routes shipped over, afforded a further condition of discriminatory pricing. As between types of traffic, the value of the commodity has long been recognized as a rough gauge of rate paying ability; while as between different hauls, the presence or absence of competitive rail, water or other carriers, whether directly parallel or serving alternative sources of supply for important markets, induced a nearly complete departure from that consistent relation of rates to distance which a cost basis would impose.

Freight classifications and tariffs are the evolutionary product of such cost and traffic factors as have been mentioned, modified by regulation. A score or so of classes seem adequate to recognize the peculiarities of the thousands of commodities and forms of shipment. Classification was first undertaken by individual roads, then carried on by traffic associations; and, in the interest of obvious elements of economy and convenience, it has evolved in the United States under the encouragement and guidance of the Interstate Commerce Commission into a Consolidated Freight Classification by which a single volume gives in parallel columns the class ratings for all descriptions of traffic in three classification territories, the so-called Official, Southern and Western. The percentage relations between classes vary considerably, but to a large extent railroads believe it necessary to depart from the system of class rates, especially where a commodity moves in large volume over a given route or where some special competitive factor is present. Thus in the United States fully 80 percent by weight of all freight traffic moves at exceptional or commodity rates; and in Great Britain a similar situation prevails despite an attempt, through complete overhauling of the rate structure, to accommodate the bulk of traffic in the regular classes.

With mileage relegated to a minor role in fixing rates on specific hauls the relation of

charges as between different points of origin and destination developed without any systematizing factor; the result is a confusing maze of charges that almost defies description, one which makes the practical task of quoting rates to shippers enormously difficult and cumbersome. The United States is divided into a larger number of territories for tariff purposes than for classification, and innumerable tariff publications are issued by individual carriers and small or large cooperating groups of lines, covering rates to and from specified points and areas for one or a few or a great many commodities or for all traffic moving on the classified basis. On branch lines and non-competitive hauls a mileage basis may prevail; but to a dominant extent competitive relationships, often of long standing, remain influential, despite resulting disparities as judged by distance. On long routes between points favored by water competition, especially in the south and west, rates were at one time commonly lower than on the shorter hauls between included points on the same lines; but under the pressure of regulation prejudicial relationships of the grosser sort have been largely eliminated. More generally there have been created rate groups within which all points are treated equally for hauls of any length. Such groups have been as large as the entire territory east of the Mississippi and even larger for Pacific coast shipments. Competitive equality has been maintained for the several combinations of roads meeting at junction points along the Ohio and Mississippi rivers; and on export and import traffic the carriers serving the various ports have had their position maintained by a system of differentials. So important is transportation cost in the market price of many commodities that the survival of producing centers and areas, and of the carriers serving them, is greatly dependent upon the relationship of rates; and although a master critic of American economic arrangements might not wholly approve the existing channels of commerce and localization of production, actual commitments are properly the weightiest consideration in judging proposals for change.

Of all features of rail transportation it is the fixing of rates which has been most extensively regulated. For this purpose primarily the elaborate regulation machinery typified by the Interstate Commerce Commission was created. Even in the earliest days of rail transport some effort was made to control rates, mainly through charter provisions and general legislative limitations; the growth of abuses and of the problem's complexities led to the establishment of administrative commissions. In part the purpose of rate control was to prevent a monopolistic level of charges. The Granger legislation of the 1870's was designed chiefly to meet the evils of exorbitant rates, and this purpose was also included among the objectives of the original federal statute of 1887. In the control of rates from this standpoint the requirement that rates be "just and reasonable" has necessarily been construed with reference to broad segments of the rate structure; for when the propriety of carrier earnings is questioned, it is the general rate level and not individual charges which is at issue. Many important controversies of this character have been determined, especially since 1910; and the commission's responsibilities toward carrier revenues were given fuller and more affirmative expression by Congress in 1920 and again in 1933. But quite as important in accounting for rate regulation were abuses connected with specific charges and their relationship. Of these the most obviously obnoxious was the favoritism extended individual shippers, especially those controlling large traffic, in order to get their business. This evil was met by the enunciation in 1887 and the workable formulation in 1903 of the elementary rule of equality of treatment of shippers of the same commodity under like circumstances. Another and similarly elementary objective of regulation was the removal of business uncertainty incident to frequent and sudden changes in rates. But more serious than these abuses, especially when judged on the basis of the continuing activities of the commission down to the present, have been the unfair relationships of rates, as between different commodities and different routes and hauls, produced by the broad latitude within which the carriers have fixed rates according to the ability of traffic to bear them. The justification of departing from the principle of even cost distribution has been noted; and it was never the purpose of Congress or of the commission to prevent the roads from so fixing rates as to utilize their capacity and spread their overhead. Neither was the public alarmed by that larger economic waste which might be induced by the rate structure in stimulating unduly remote producing areas and excessive lengths of haul, especially since it was at all times anxious to have the maximum number of sources of supply competing in each market. In the scramble for traffic, however, charges were often imposed

which were grossly unreasonable as judged by other comparable charges; and where commodity movements were competitive, such serious prejudice often resulted that it appeared that the fate of industries and areas rested with the caprice of railroad traffic officers. Such power over a nation's economy could not properly reside in an uncontrolled private industry. In 1854 the British Parliament had declared against undue prejudice in the treatment of patrons, and in 1873 a tribunal was established to administer the principle of reasonable rate relationships. The congressional mandate that rates be just and reasonable has been as applicable to individual rates as to the general level of charges; and other provisions have declared explicitly against unduly discriminatory and prejudicial rate relationships. The authority accorded the Interstate Commerce Commission in 1887 has been extended by successive amendments, so that complete power to control individual rates is now vested in it. Thousands of specific cases have been decided; and, especially in recent years, the commission has been frequently concerned with comprehensive proceedings, designed to bring about such readjustments as would render the total rate structure more rational and more coherent.

It is apparent that the difficulties of rate control are directly related to the organization of the rail system and that these difficulties have attained a maximum in the United States. With a large number of companies of widely unequal earning power it is impossible to adjust rates so as to sustain the weak without unduly enriching the strong. Moreover with an area occupied by a number of competitive carriers the likelihood of improper relationships is greatly increased. It is inaccurate to say that competition is responsible for discrimination; but the presence of competition at some points, combined with its absence at others, is productive of prejudicial relationships. Where railroads are combined regionally, as in Great Britain and France, a symmetrical rate structure is facilitated; but it is by no means accomplished, since many cities still enjoy competitive services and non-parallel lines serving rival producing areas continue to compete. A complete railroad monopoly, when governmentally operated or stringently controlled, is freest from the economic influences making for bad rate adjustments. But whatever the state of railroad organization, rate adjustments are affected by the competition of other carriers, either by water or on the highways; and the belief that railroad rates cannot be controlled satisfactorily unless the charges of alternative agencies are subjected to the same control accounts in part for efforts to establish a more extensive regulation of motor and water transportation. As the temptation to adjust rates unfairly varies with the extent of unused capacity, the problem is most serious when railroad construction outstrips the growth of tonnage, when the appearance of new agencies threatens the loss of traffic and when a generally low state of business activity reduces the total demand for service.

No less important than the charges which railroads exact are the character of the services which they render and the operating practises on which both rates and service depend. If revenue receipts are taken as a rough measure of the services performed by American railroads, it appears that the carriage of passengers is a relatively minor function for the average road, accounting for about one seventh of its revenue. About four fifths comes from freight, and of the minor items making up the remainder the most important are the mail and express services. Individual carriers of course depart widely from the average. In Great Britain passenger service yields more than a third of rail revenue, and the proportion is similar in much of western Europe; while in Japan it accounts for more than half of the total. Travelers resort to the railroad less frequently in the United States than in a number of other countries, a condition prevailing even before the present wide use of automobiles; but the usual journey is relatively long, averaging now, with commutation traffic excluded, more than seventy-five miles, an average whose 40 percent increase in ten years reveals the greater effect of motor competition on the shorter journey. But the relatively great importance of freight service in the United States is due in the main not to a smaller passenger traffic but to a larger per capita production of goods and to a long average haul exceeding three hundred miles. Ton mileage per capita in 1929 exceeded 3500.

The growing importance of the railroad as a means of passenger transport, from its supersession of the stagecoach to the rise of the automobile, was paralleled by a striking improvement of service. Out of the early springless vehicles whose occupants were showered with engine soot there evolved comfortable coaches, supplemented by sleeping and dining facilities, which made travel less an ordeal and to many a pleasure. A speed of fifty miles an hour includ-

ing stops became feasible; and at the same time accidents to passengers fell to negligible proportions. But the generally high level of performance attained was by no means adequate to withstand the devastating competition after 1920 of the automobile. Low rate commutation, or suburban service, and high rate Pullman service, which accounted for half the total passenger mileage, could not do much more than maintain their absolute position until the depression; but from 1923 to 1929 day coach travel in the United States decreased by more than 40 percent. With the sharper declines after 1929 the passenger revenues of few roads covered even those operating expenses which could be allocated, much less any return on capital devoted to passenger facilities. In response to this condition many services have been abandoned, rail cars with self-contained power units have been substituted for regular trains, and to an increasing extent special excursion or round trip rates have replaced the regular fares; but more drastic measures appear necessary. Incipient technical developments include the air conditioning of coaches and the designing of lightweight and streamlined trains capable of 100-mile speeds, which may revolutionize the quality of service. General reductions in basic fares appear likely; and an increasing cooperation of railroad companies will probably bring some elimination of duplicated services.

While less manifest to the casual observer, the evolution of freight service, through improved construction of roadways and structures, the better design and greater size of cars and locomotives, the speeding up and regularizing of operations and its closer adaptation to the peculiarities of traffic, outweighs in economic importance the changes in passenger transport. Although essential similarities exist in the developments in different countries, there have likewise been striking differences, as in the emphasis in Great Britain on the timely movement of small consignments in small capacity cars and the opposite emphasis in the United States on low cost bulk movements. Much progress, especially in freight transportation, has depended on inter-company cooperation; and developments in this respect have reached a high level, despite opposition, as in the United States, to drastic reduction of railroad competition. Early cooperation, often international, was aimed at gauge uniformity; but for free interchange of traffic the standardization of equipment and repairs was scarcely less important and commanded early attention. Organized cooperation in the United States in the latter direction began during the 1860's when the Master Car Builders' Association was formed. Along with technical cooperation numerous business arrangements are necessary to the effective handling of interchange traffic. The through billing of freight must be provided for, and with the quotation of joint rates machinery for their division among connecting lines must be established. As cars move off the lines of the owning road, arrangements must be entered into for compensation for their use, for their repair, both ordinary and extraordinary, and for a reasonable promptness of return. Great difficulty has been experienced in providing adequate incentives for the "homing" of cars, without creating an excess of empty running. In the United States many of these activities are directed by divisions of the American Railway Association, an organization which originated in the conventions held for standardizing railroad time, but which later turned its attention to formulating rules respecting demurrage, signals and safety matters generally; it now includes the Freight Claims Association and sponsors the research conducted by the Bureau of Railway Economics. In addition sectional groups of carriers conduct, by means of traffic associations, the preparation and publication of tariffs and police the weighing and billing of shipments. Interline routing of freight and exchange of equipment take on a political aspect when national boundaries intervene. Thus most of the European governments signed the Convention and Statute on the International Régime of Railways of 1923; and the League of Nations has promoted railroad cooperation.

An issue in the organization of railroad service which has always been present in various guises is the extent to which the railroad company itself should assume direct responsibility for rail services and facilities. At the outset it was thought that only the roadway should be provided and that it should be made available to various users as canals and turnpikes were; but the danger and confusion of such an arrangement were quickly apparent. With tractive power provided by the railroad, however, it is still possible for the several services to be conducted independently. There were, for example, the independent freight lines which after the middle of the last century provided through interline services on American railroads, prior to the establishment of effective cooperative arrange-

ments between carriers; and on the same principle sleeping car and express services have been independently supplied. Moreover for services under direct railroad control cars have often been provided on a rental basis by shippers or car owning companies. In Great Britain private cars are common; while in the United States the majority of tank cars, many refrigerator cars and some coal and livestock cars are separately owned. When cars are owned by shippers, technical progress may be impeded and empty car mileage increased; but when, as in the case of Pullman cars, specialized equipment is made freely available wherever a demand exists, a more economical utilization is attained than would be possible through direct railroad ownership and the administration of car service rules. To an important extent and in a manner productive of serious abuses freight forwarding companies stand between shipper and carrier in their capacity of consolidating small consignments into carloads. These companies often undertake the collection and delivery of freight, a function long performed by the railroad itself in Great Britain and a number of other countries. Under the spur of motor competition American railroads are beginning in a tentative manner to extend their services to the shipper's door in the handling of less-than-carload freight. In several instances, notably with regard to express, American railroads own the companies performing separate services; and the general tendency is toward a more inclusive conception of the function of the railroad company.

From a more strictly managerial standpoint the provision of rail transportation has revealed many unusual aspects. Besides the peculiarities as to financing and pricing which have been noted special significance attaches to the wide ramification of the physical plant and the exceptional problem of supervision created thereby in the proper maintenance of roadway and rolling stock, the operation of trains and the control of labor. The hazards of the industry necessitate large outlays, otherwise unremunerative, in the interest of safety; and the continuous flow of loss and damage claims and the innumerable contacts with regulative authorities require almost as extensive participation of the legal as of the engineering profession. For the specialized performance of functions it is necessary that management be departmentalized; but it is equally necessary that it be organized territorially for the recognition of local needs. These two principles, the departmental and the divisional, clash somewhat; but both are recognized, with probably a greater emphasis on the latter in the larger American systems. In view of the importance of training and experience on the part of workers operating trains railroad labor enjoys an exceptionally strong bargaining position; and this circumstance, combined with the public stake in continuous rail service, has given unusual prominence to labor relations in the conduct of the industry. Numerous features make for a highly routinized performance, a condition which has led to the observation that the industry is one peculiarly fitted for government operation. But on this ground it seems equally pertinent to observe that the industry is one in which, because of a strong tendency toward inertia and routine, exceptionally dynamic leadership is required if it is to move forward in the changing realm of transportation. The likely source of such leadership, whether private or public, is another matter.

On the whole the character of service and the manner of providing it in the United States have been left to private management. The leading exception has been the stringent safety regulations, the influence of which has been most praiseworthy. But after 1900, as traffic caught up with carrier capacity, there were frequent and serious car shortages, which impeded the conduct of business. Responsibility may be assigned to inefficient operations, poor credit or ineffective inter-carrier arrangements; but whatever the cause, the World War brought a crisis in rail transportation which led the federal government to operate the roads as a single system. Before this time the only action of the Interstate Commerce Commission in matters of car service had been directed at abuses growing out of the assignment of private cars to mines; but in 1917 and 1920 authority was granted it to supervise and enforce adequate car service rules, to require the provision of reasonably adequate facilities, and in emergencies to compel their common use, as well as to establish priorities and direct the routing of traffic. Whether or not because of the mere presence of these powers, for they have been little exercised, the carriers managed in the ensuing decade to carry a growing traffic with almost complete freedom from congestion and car shortages and with conspicuous expedition of service. A more credible explanation may be found in the prevailing sentiment that private operation was on trial and in the emerging fear of road and water competition. The establishment of machinery through

shippers' advisory boards to cooperate with shippers in anticipating car requirements constitutes one of the more concrete evidences of the new spirit of enterprise. Improvements in service were paralleled by economies in operation, as shown by most of the so-called indices of efficiency. One of the more inclusive of these, gross ton miles per train hour, advanced 60 percent in eight years. These results were made possible not only by an energetic managerial approach but by generous capital outlays.

It may well be that rail transportation, like other basic constituents of social living, is not accorded in popular thinking a just measure of its significance; but, on the other hand, it is strikingly true that through the century of its development the industry has seldom failed to keep itself squarely in the public eye. From the early and unsuccessful opposition of intrenched business interests the railroad passed through four decades of almost unqualified public enthusiasm and support, in which it was identified with revolution in industry and exploitation of territory. It is true that charters imposed restrictions, that during this early period mildly regulatory acts were passed in Great Britain and that the French system of close governmental supervision was beginning; but in the United States the menace of railroad favoritism and monopoly provoked serious popular alarm and action only after 1870. From then on, through state legislation and the enactments of Congress in 1887, 1903, 1906 and 1910, there was established a machinery of regulation, concerned primarily with rates, whose nature and intent reflected the widespread conviction that so indispensable an agency subject to so many actual and potential abuses must be closely restricted and controlled. But prevention of abuses was not enough; it became increasingly apparent that public policy should embrace the further aim of promoting positively a vigorous and effective railroad system. To this end it was never seriously considered that restrictive regulations should be relaxed; indeed a strong sentiment had developed, reaching its height following the end of the World War, that the government should assume complete responsibility for rail transportation through public ownership and operation. This view did not prevail; but in 1920 Congress rewrote the Interstate Commerce Act to the end that the commission thenceforth should be definitely concerned with promoting a sound financial condition in the industry and the performance of a high level of service through adequate provision and systematic arrangement of railroad facilities.

Perhaps, as is sometimes contended, the direct results of this legislative expression of an altered popular attitude were slight; but within a decade two developments served to crystallize a more sympathetic public response to the problems of the carriers. The first of these was the growth of rival transport agencies, especially on the highway, which undermined railroad monopoly and aroused concern over the future of the industry. The second was the general business breakdown after 1929, which greatly increased the sense of social dependence upon the railroads. On the latter account the fear was not merely that financial embarrassment would impair operations but that extensive defaults on railroad obligations would shake the entire financial fabric of the United States, in view of holdings totaling perhaps $7,000,000,000 of railroad bonds in the hands of insurance companies, savings banks and other institutions of great public importance. It was realized also that inactivity in steel, lumber and other basic industries was much intensified by the impoverished state of the railroads. For these reasons railroads, next to banks, were the principal beneficiaries of emergency credit extended by the government through the Reconstruction Finance Corporation.

Doubtless during the depression years of 1932 and 1933 too pessimistic a view was taken of the railroads' position, because too large a responsibility for their immediate plight was attributed to the competitive factor and too little to the supposedly temporary general breakdown. It is but necessary to recall that in 1929, despite competition, the railroads were in a strong financial position and to recognize that only a slight fraction of the decline in traffic since that year is explainable by the further diversion to rival agencies. Nevertheless, the future position of the railroads must be considered largely with reference to the growingly serious competition of other means of transportation. The operation of millions of motor vehicles over paved highways has cut deeply into the passenger and less-than-carload freight traffic of the railroads and with greater menace into certain types of carload freight, such as cotton and livestock. Most of the vast traffic in motor fuel moves by pipe line; while the railroad movement of coal is affected by the long distance piping of natural gas and transmission of electric power. The intercoastal movement through the Panama Canal and the operation of barges on rejuvenated waterways

have become substantial factors; while commercial air transport is seeking high class passenger, mail and package business. The combined attack of these rivals has led to predictions that the railroad will go the way of the stagecoach and early canal boat. Foreseeable developments, however, afford slight basis for such an expectation. The position of the railroad, strengthened by measures quite free of the taint of artificial resuscitation, seems secure.

Such bolstering of the railroad's position may occur along three lines: restriction of competition, removal of burdens and improvement of operations. Of these the first is most obvious and is most open to abuse in view of the danger of denying the public the full advantage of progress in transportation. Whether competition is restricted by the licensing system usually applied to motor carriers, by limiting the size and weight of road vehicles or by permitting railroad control of rival agencies, there may easily be a sacrifice of beneficial developments through undue regard for the railroad viewpoint. But where loss of revenue from a limited range of traffic will weaken the railroad in serving traffic for which the rival provides no adequate substitute, the balance of public advantage may warrant restriction. Nor does public gain accrue from competitive services offered at unremunerative rates or at rates made remunerative by an artificially low level of costs. The economy of truck and barge operations results in part from inferior labor standards and in part from indirect public subsidies. It is debatable how adequately motor transportation pays for the use of public roads, in addition to a reasonable general tax contribution, although it appears that in some jurisdictions the levies are sufficient. The availability of toll free waterways obviously subsidizes the water carrier. It is only reasonable to allay such fears for the railroad's future as are due to a competition unable fully to pay its way.

Doubtless also the railroads have been subject to a variety of burdens and impediments which can be lessened if their continued health is genuinely at stake. Property taxes, for example, weigh exceptionally upon an industry of such extraordinary capital requirements that it takes the revenue of four normal years to equal the value of its property. Whatever the expediency of tax relief, there seems only a sterile legal reason for requiring railroads to make large unremunerative outlays for highway grade separations, the occasion for which is the growth of road transport. Similarly the duty to continue a service once undertaken has diminished force from a broad social viewpoint when the traffic producing power of an area has declined or when traffic has to some extent passed to rival agencies which are able, without disastrous consequences, to supplant the railroad. There are many thousands of miles of line in the United States whose continued use must burden the remaining mileage and the traffic which it serves; and despite the hardships to communities sometimes occasioned by abandonment any doubt regarding the general integrity of the rail system argues the reasonableness of that expedient. But very largely such embarrassment as the railroads have experienced may be explained only in part by loss of traffic; it is even more directly attributable to the attempted support of a capital structure, a burden of fixed obligations, improper in an industry subject to marked fluctuations. Where this is the case the remedy raises no fear as to the patient's life. The view is a common one also that the railroads have been most weighted down by the very regulation to which they have been subject; but few convincing considerations can be adduced in its support. While some changes in regulatory policy would doubtless prove helpful, particularly through an increased emphasis upon coordination of transportation agencies, any far flung relaxation of the impact of government control would probably be opposed by the carriers themselves.

Adaptation of the railroads to new conditions must come mainly through their own efforts. Possibilities remain of improving service and reducing cost. Recent technical developments suggest that passenger transport may become much faster, cheaper and more comfortable than the railroads now provide, although reasons of cost must prevent any sudden general replacement of existing facilities. With productive activity in the United States devoted increasingly to manufacturing and the distribution of manufactured goods and, in agriculture, to the growing of fruits and vegetables, the railroads must modify still further their traditional emphasis on slow quantity movements. While any great effort to retrieve certain parts of the traffic lost to other agencies would be ill advised, a full readiness to make feasible changes seems necessary, whether in methods of service or in those rate relationships which derive from a monopoly situation. If one may judge by the resistance to trucking competition offered by British railroads, despite a typical length of haul and size of consignment within the range largely usurped

by the truck in the United States, the combination of fast scheduled freight services and prompt collection and delivery by railroad vehicles is an effective competitive weapon, although one properly limited to routes where the movement is substantial. It seems that the employment of road vehicles, freight and passenger, in both line haul and terminal operations, affords the railroads many opportunities to cut costs and improve service. But undoubtedly some of the most important economies are to be obtained only through a lessening of duplication in service and through a modification of the competitive organization of systems, a course dependent in part on legislative changes. No justification remains for conducting competitively the enormously expensive less-than-carload service; and it has been suggested that the jointly owned Railway Express Agency, Inc., might expand to perform this function. The pooling principle may also be applied more extensively, especially in the passenger field. But it is possible to go much further, particularly if competitive incentives are a luxury which can no longer be afforded by an imperiled railroad industry. Thus estimates of annual savings all the way up to a billion dollars or more through a drastic reorganization of American railroads into regional systems have been made by persons whose views may not lightly be dismissed.

But while the way seems open to considerable strengthening of rail transportation in its relation to competitors, the need for action, although great, is less imperative than may appear in the gloomy half light of a prolonged economic depression. Given a substantial recovery, most rail carriers should not suffer, despite competition, from lack of traffic. Where cost is a consideration, air transportation offers no serious threat in the foreseeable future; nor does the waterway, except through a determined policy of governmental support. Because of highway competition the place of the railroad in passenger transport in the United States seems destined to be a limited one, unless drastic changes are effected; but fortunately the chief dependence of the railroad, especially in the United States, is freight. The minimum cost per ton mile in motor trucking seems certain to remain several times the average cost by rail where quantity shipments are extensive and average hauls are long. The greater availability of energy resources by wire and pipe line is an important competitive factor, but it probably does not threaten any serious absolute reduction in the railroad movement of fuel. With the restoration of a higher level of general business and a fair public attitude in formulating relevant policies, it seems that with ordinary enterprise the railroads should retain their dominant position in transportation.

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Labor. The public has a direct interest in the relations between railroads and their employees, since it demands continuous and uninterrupted operation and efficient and safe transportation. The public is concerned also with the question of remuneration, because railroad wages constitute the major portion of operating expenses, which in turn react upon rates. Whether the railroads are owned by the government or by private companies, the labor problem is bound sooner or later to become an object of public scrutiny and regulation. Its magnitude in strictly labor terms can be realized from the fact that in four countries alone, the United States, Great Britain, Germany and France, the railroads in 1929 employed over 3,500,000 persons.

The wide array of crafts encompassed by the industry may roughly be divided into four classes. The highest degree of selection and skill is represented among the men engaged directly in the movement of trains: engineers, firemen, conductors and brakemen. These workers in addition to their skill must possess physical endurance and mental alertness. Next in importance are the shopmen employed in the building and repair of equipment: machinists, blacksmiths, boiler makers, electrical workers, sheet metal workers, firemen, oilers, carmen and others. Both types of work involve a skill acquired only after years of apprenticeship. The greatest number of unskilled workers are to be found among those engaged in the maintenance of way and structures, where, outside of a relatively small group of supervisory officials and skilled persons, there is a large body of section men and common laborers. The miscellaneous services include a number of occupations of varying skill, principally those of station agents, clerks, baggagemen, telegraphers, flagmen and gatemen.

For many years the railroad industry showed a steady increase in the number of employees, but during the past decade the trend has been in the opposite direction. In the United States the decline in all carriers was from 2,075,886 in 1920 to 1,902,222 in 1923 and 1,694,042 in 1929, a

year of peak prosperity; at the end of 1932 railroad employees numbered fewer than 1,000,000. In Great Britain the reduction was from 736,000 in 1921 to 616,000 in 1931. There have been similar decreases in other countries. Although in the United States the drop since 1929 has been largely a result of the temporary effects of the economic depression, much of it may be traced to the permanent changes in the industry before 1929; of these the most important are technological advances, which have increased efficiency without enlarging the volume of business, and competition from motor transportation, which has taken business away from the railroads. In lesser degree these developments affect the industry in other countries. The workers have been the chief sufferers, as a result of losses in employment opportunities.

There is considerable variation in wages, hours of labor and other working conditions among railroad employees, according to the nature of employment, skill and bargaining power. Railroad wages reached their peak during the World War, but since then they have been subject to a gradual deflation; and very rarely has their level exceeded those of similar skills in other industries. Because of the decrease in employment there has been a substantial decline in total wages and salaries—from $3,681,000,000 in 1920 to $3,004,000,000 in 1923 and $2,896,000,000 in 1929. Average yearly compensation has risen only slightly. In some places, especially European countries, the regular rates of pay are supplemented by extra payments and other allowances. For many years the railroads were notorious for their long hours of work, a situation that has been remedied to a large extent in recent years, mainly by means of legislation tied up with safety laws. The workers have been trying to achieve extra pay for overtime and the recognition of the principle of seniority in promotions and employment, but in neither case have far reaching results been attained. Considerable progress has been accomplished, notably outside of the United States, with regard to pensions and other insurance benefits.

WAGES AND SALARIES OF RAILROAD EMPLOYEES AND RATIO OF OPERATING EXPENSES TO REVENUE, UNITED STATES, 1920–29*

YEAR	NUMBER OF EMPLOYEES	WAGES AND SALARIES (in $1000)	YEARLY AVERAGE	PERCENTAGE RATIO OF OPERATING EXPENSES TO REVENUE
1920	2,022,832	3,681,801	$1820	94.4
1923	1,857,674	3,004,072	1617	77.9
1924	1,751,362	2,825,775	1613	76.2
1925	1,744,311	2,860,600	1640	74.2
1926	1,779,275	2,946,114	1656	73.2
1927	1,735,105	2,910,183	1677	74.7
1928	1,656,411	2,826,590	1706	72.6
1929	1,660,850	2,896,566	1744	71.9

* Except for ratio of operating expenses to revenue, the figures are for Class I railroads.

Source: United States, Bureau of Foreign and Domestic Commerce, *Statistical Abstract of the United States* (1932) p. 371, 380.

In the United States the organization of workers in the industry has been almost entirely on a craft basis. There are at least 23 unions. The trainmen's brotherhoods, the most powerful group, include the Brotherhood of Locomotive Engineers (1863), the Order of Railway Conductors (1868), the Brotherhood of Locomotive Firemen and Enginemen (1873) and the Brotherhood of Railroad Trainmen (1883). There are nine unions affiliated with the American Federation of Labor as members of the Railway Employes' Department: the International Brotherhood of Boilermakers, Iron Shipbuilders and Helpers (1880), the Brotherhood of Maintenance of Way Employees (1886), the International Association of Machinists (1888), the Sheet Metal Workers' International Association (1888), the International Brotherhood of Blacksmiths, Drop Forgers and Helpers (1889), the Brotherhood of Railway Carmen (1891), the International Brotherhood of Electrical Workers (1891), the Switchmen's Union of North America (1894) and the International Brotherhood of Firemen and Oilers (1898). Other railroad workers' unions affiliated with the American Federation of Labor are the Order of Railroad Telegraphers (1886), the Brotherhood of Railway Clerks (1898), the Order of Sleeping Car Conductors (1918) and several locals of Pullman porters not yet united into a national body. There are also the Brotherhood of Railroad Signalmen (1901), the American Federation of Railroad Workers (1901), the American Train Dispatchers' Association (1917), the Brotherhood of Dining Car Conductors (1918), the Railroad Yardmasters of America (1918) and a few minor organizations covering agents, station employees, colored workers and a rival group of yardmasters.

The powerful trainmen's brotherhoods include the great majority of all persons engaged in those occupations. Their members occupy a strategic position in the movement of trains and can be replaced only with difficulty in case of strikes. So strong are these unions, which have measurable control over wages and working conditions, that they have throughout most of their

history kept aloof from the other organizations and have refused to join the A. F. of L. The unions of boiler makers, machinists, sheet metal workers, electrical workers and firemen and oilers have members both inside and outside the railroads and together with the carmen cooperate in collective bargaining through a scheme of system federations. Outside the Railway Employees Department of the A. F. of L., the most important organization is that of the telegraphers, which is sometimes classed with the trainmen's brotherhoods. Nearly all of the unions belonging to the A. F. of L. control only a portion of the workers in their respective fields, having written agreements with a limited number of roads; this is also true in a general way of the chief miscellaneous organizations, of which the American Federation of Railroad Workers is unique by virtue of its being an industrial union. In recent years most of the unions have been united as the Railway Labor Executives' Association and are working together on legislative and other matters of common interest.

Although there were a number of railroad strikes during and after the 1850's, it was not until the depression of the 1870's that the spirit of unrest became widespread because of severe reductions in wages. In 1877 there were strikes on the most important railroads in the eastern states, which led to violence in various cities and suppression of the strikes by troops. During the 1880's the shopmen, under leadership of the Knights of Labor, conducted several successful strikes against western lines; but the last one in 1886 ended in defeat and disrupted the organization. An important strike was that participated in by engineers, firemen and switchmen in 1888 on the Chicago, Burlington and Quincy Railroad; although this strike failed, it brought such extensive financial loss to the company that for many years thereafter most lines did not dare to risk a strike, a factor which led to the gradual recognition of the trainmen's brotherhoods. The Pullman strike of 1894, involving the shopmen around Chicago who belonged to the American Railway Union organized by Eugene V. Debs, was lost largely because of the opposition of the federal government through a court injunction and the calling out of troops.

The frequency of strikes soon created a demand for legislation to aid in the settlement of labor disputes; the first such law was passed in 1888, but it was rarely brought into operation. Ten years later this law was superseded by the Erdman Act; it covered only employees engaged directly in the movement of trains and provided for mediation and conciliation, upon application of either side to the controversy, to be followed in case of failure by an offer for arbitration by a board of three members. The Erdman Act was not used until 1906, after which it played a very important part in the settlement of a number of controversies. In 1913 it was replaced by the Newlands Act, which created a permanent board of mediation and conciliation with the power of taking the initiative in adjusting disputes; the membership of the board of arbitration was increased to six in order to lessen the influence of the neutral representatives upon the decision. The Newlands Act was instrumental in the settlement of a number of disputes, until it ceased to function at the close of 1917.

An interesting development during the life of the Erdman and Newlands acts was the use by the trainmen's brotherhoods of the concerted movement, whereby one or more of the organizations engaged in collective bargaining with all the railroads in a given territory or throughout the country. The chief objects of the concerted movements were to increase the bargaining power of the men by more united action and to bring about uniformity in wages, hours and working conditions over a wide area. All concerted movements prior to 1916 involved only the engineers and firemen or the conductors and trainmen, covering merely a single territory. In that year, however, all four brotherhoods united in a single concerted movement and demanded of all the railroads the establishment of the eight-hour day with the same pay and time and a half for overtime. The unions rejected arbitration and threatened to call a general strike if the demands were not granted. President Wilson succeeded in persuading the brotherhoods to give up the idea of punitive overtime, provided the eight-hour day was established. As the railroads refused to accept the compromise, a strike was called for September 4, 1916, and was averted only through the passage of the Adamson Law, subsequently upheld by the United States Supreme Court, establishing the eight-hour day for all employees engaged in the movement of trains.

The brief period of government operation of the railroads from the close of 1917 to the early part of 1920 marks a new era in the industry's labor relations. Whereas prior to this time the members of the powerful trainmen's brotherhoods had been the only railroad workers to

receive consideration, the government now adopted the policy of treating all workers alike; and an attempt was made to narrow the gap between the wages and working conditions of the men of various skills. One of the first acts of the Federal Railroad Administration was to remove all former restrictions as to membership in labor organizations, which brought about a rapid unionization of the industry. Next, the workers were given a number of wage increases in order to meet the constantly increasing cost of living. At the same time there was established the general eight-hour day with time and a half for overtime, accompanied by various other improvements in working conditions.

With the return of the railroads to private operation on March 1, 1920, the adjustment of disputes between the companies and their employees was placed in the hands of the newly created Railroad Labor Board, composed of nine members appointed by the president and representing on an equal basis the roads, their workers and the public. Its functions were to hold hearings and hand down decisions relating to wages, hours and working conditions. The board granted varying increases in wages to nearly all persons in the employ of the railroads because of the rising cost of living. However, even before this decision had been announced, the period of post-war depression had already set in. The railroads now came forth with demands not only for reductions in wages but also for the abrogation of the national agreements and reconsideration of the rules concerning hours and working conditions put into effect by the Federal Railroad Administration. Both requests were granted by the Labor Board to take effect on July 1, 1921, thus creating wide dissatisfaction in the ranks of labor. In 1922, following another wage reduction in the mechanical departments, the shop unions went out on a general strike, which was defeated with the help of the federal government through an injunction. This experience increased the opposition of the workers to the board, and soon the trainmen's brotherhoods began to disregard its existence and to deal with the railroads directly. The board became involved in a controversy with the Pennsylvania Railroad, which in spite of the former's decision insisted on dealing with its own company union instead of with the bona fide organization of labor. The case was taken to the United States Supreme Court, which decided that the powers of the board were merely advisory and not mandatory. Finally, the board lost so much prestige that both the railroads and the employees began to make demands for its abolition. It was abolished in 1926 by the Watson-Parker Act.

The Watson-Parker Act in effect marked a return to the method of settling grievances as outlined in the old Newlands Act. The new measure provided for a Board of Mediation, which was to act in all controversies not settled within the individual roads or by bipartisan boards of adjustment, and in case of failure it was to induce both parties to submit the case to a court of arbitration of three members (or six by agreement). In case the dispute could not be settled by these methods, thereby threatening an interruption of traffic, the president of the United States was empowered to set up an emergency board to report within a specified period. The workers were not denied the right to strike. The chief obstacle to the proper functioning of the Watson-Parker law has been the refusal of the railroads to set up bipartisan boards of adjustment, so that too great a burden has been placed on the Board of Mediation and the settlement of disputes has consequently been delayed.

The 1920's witnessed the launching of several interesting experiments by the organized workers on the American railroads. One of them was their advocacy of the Plumb Plan for the industry, a form of guild socialism based on public ownership and operation by representatives of employees, including supervisory officials, and the government, accompanied by an excursion into the field of independent political action, which reached its climax during the La Follette presidential campaign of 1924. At present, although most of the unions would probably still favor government ownership, only a very few of them have retained the idea of independent political action. Another experiment was in the field of banking and investment; this was undertaken by several organizations, especially that of the locomotive engineers, but ended disastrously in nearly all cases. Lastly, there is the experiment in union management cooperation, first introduced on the Baltimore and Ohio Railroad in 1923 after the shopmen's strike. According to this plan, which now extends chiefly to the mechanical departments of several large railroad systems, both the men and the companies work together for improved efficiency, the former being given a share of the gains.

The chief problem with which railroad labor

is concerned at the present time is that of employment stabilization, involving a reduction in the weekly hours of labor with no decrease in pay and the placing of competitive forms of business under government regulation. The workers are also demanding, in the case of railroad consolidations, compensation for any consequent losses in employment and removal of homes; certain provisions to this end have been made in the Emergency Railroad Transportation Act of 1933.

In general contrast to the situation in the United States the railroad workers of most countries have shown a strong tendency to group themselves into industrial unions. Trade unionism on British railroads dates back to 1865. The progress of these unions, however, was very slow at the beginning, chiefly because of strong opposition from the companies. In 1890 the Amalgamated Society of Railway Servants led an unsuccessful strike on the Scottish lines over the question of excessive hours, but the struggle helped to focus public attention on the subject and even led to some abortive legislation. An attempt in 1896 by one of the companies to dismiss from its employ all members of unions served only to swell the membership of the Amalgamated, so that in the succeeding year it felt sufficiently strong to undertake a concerted movement for higher wages and shorter hours; the railroads, however, refused to deal with the union. In the meantime the Amalgamated became involved in the famous Taff Vale Case, according to which the courts held the union liable for the acts of its officials in a local strike. In 1907 the men renewed their concerted movement, but this time the refusal of the companies to deal with them led to a threat of a strike. The government promptly intervened and persuaded the railroads to accept a system of conciliation boards. Largely because of sabotage by the companies, it became almost impossible for the unions to obtain anything through the boards. Growing dissatisfaction among the men finally led to a general strike in 1911, in which four of the principal unions participated. Through government efforts a settlement was reached, which modified the work of the conciliation boards to provide for more rapid settlement of grievances and resulted in improved working conditions. Yet far more important than the outcome of the strike was the fusion in 1913 of three of the associations, including the Amalgamated, into an industrial organization called the National Union of Railwaymen, embracing all crafts in the industry. Two craft unions survive, the Associated Society of Locomotive Engineers and Firemen (1880) and the Railway Clerks Association (1897).

One of the first steps taken by the newly formed National Union of Railwaymen was to join with the miners' and transport workers' organizations in forming the "Triple Alliance." Having gained recognition from the companies, it now began to demand nationalization of the railroads and a share in their management. During the World War, in order to meet the rising cost of living, the men received, with the aid of the government, successive bonuses applied uniformly throughout the country. Early in 1919 the government granted to all workers the eight-hour day without reduction in pay. There still remained, however, the problem of combining the varying basic rates of pre-war days with the uniform war bonus, so that uniform pay might be established on a national basis. Instead the government, while satisfying the locomotive engineers and firemen, surprised the other workers by ordering a reduction in pay to take effect on January 1, 1920. Evidently the government was determined to make a stand against the National Union of Railwaymen, but the latter organization went out on a general strike and was promptly joined by the Associated Society of Locomotive Engineers and Firemen but not by the miners and transport workers in the Triple Alliance. The struggle lasted for nine days, a settlement being reached through the mediation of other trade union leaders. The settlement brought about a solution of the wage question and a little later the establishment of national and local machinery for settling disputes. Since then the only other stoppage participated in by the railroad workers occurred in 1926, as part of the general strike in support of the miners affecting all labor in the country. All three unions joined in the struggle; and, although the strike was not a success, it served to show the solidarity of the railroad workers. During the past few years the chief concern of the workers, as in the United States, has been the stabilization of employment.

In Germany in 1929 the railroads had 729,838 employees. Prior to the Hitler upheaval the principal labor organization was the German Amalgamated Union of Railwaymen, an industrial body with a large membership; but there were also minor Christian, liberal and communist organizations. The chief craft union was that of locomotive drivers, which at times co-

operated with the other organizations. With the removal of the anticombination rules on railroads soon after the revolution of 1918, the membership of the unions increased by leaps and bounds until 1922, when there set in a steady decline. The unions are now practically non-existent. Even during the republic the right of the upper grades of railroad workers to strike was virtually prohibited by the government, although the shopmen, maintenance of way men and others retained the right to quit work.

In France, where with the exception of one large system private ownership prevails, the railroads in 1926 had 524,713 employees. At present the workers are not very well organized. There is an important union comprising the majority of locomotive engineers; the rest of the men are organized only partially into two competing industrial unions, the French National Federation of Railwaymen and a rival radical organization. In 1910 there was a general strike on the French railroads, which was put down by Premier Briand through the novel means of calling the strikers to the colors. About that time a number of organizations were in existence, but in 1917 they all amalgamated into one union. The latter grew rapidly in membership until May, 1920, when another general strike ended in failure, and soon afterward the split occurred. Since that time, however, the French National Federation of Railwaymen has been making steady progress at the expense of its competitor.

Important unions of railway workers exist in Argentina, Australia, Austria, Belgium, Czechoslovakia, Holland, India, Mexico, Poland, the Soviet Union, Spain, Sweden and Switzerland, although in some of these countries the right to strike is still prohibited or subject to limitations. Their problems in general are similar to those in the countries discussed above.

The movement toward the international organization of railroad labor began in 1893, when a conference was held at Zurich and a committee appointed to inquire into conditions in various countries. In 1898 the workers on railroads combined with those engaged in water transportation to form the International Transport Workers' Federation, which showed a steady growth until 1914. During the war the federation was entirely disrupted, but in 1919 it was reconstituted with headquarters in Amsterdam. It is now one of the secretariats in the International Federation of Trade Unions and is in turn subdivided into several sections, of which the unit embracing railroad labor, an autonomous body, is the most important. Most of the railroad unions belonging to the International Transport Workers' Federation are located in Europe. In general the federation has been very active in advancing the cause of workers on railroads in various lands, a striking illustration being its offer of assistance to the British unions during the general strike of 1926. The railroad section of the federation has been working for nationalization, freedom to organize, participation in management, the eight-hour day, installation of safety appliances and other reforms.

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See: TRANSPORTATION; COMMERCE; COMMON CARRIER; TERMINALS; INTERSTATE COMMERCE COMMISSION; GOVERNMENT REGULATION OF INDUSTRY; GOVERNMENT OWNERSHIP; WAR ECONOMICS; RATE REGULATION; VALUATION; FAIR RETURN; LAND GRANTS; RAILROAD ACCIDENTS; ACCIDENTS, INDUSTRIAL; WORKMEN'S COMPENSATION; TRADE UNIONS; STRIKES AND LOCKOUTS; ARBITRATION, INDUSTRIAL; HOURS OF LABOR; MOTOR VEHICLE TRANSPORTATION; ROADS, section on MODERN; WATERWAYS, INLAND; PANAMA CANAL.

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RAMABAI, PANDITA (1858–1922), Indian feminist and social reformer. Contrary to orthodox Hindu customs, Ramabai was taught Sanskrit and was educated to look forward to the emancipation of Hindu women, a cause which, as she grew older, became the great passion of her life. After the death of her parents in 1874 she and her brother traveled through India as pilgrims, advocating education for high caste women. In Calcutta she was received with great honor by the leaders of the Brahmo Samaj, who had already begun to work for social reform and women's emancipation. In 1880 the Pandita, a Brahman, married a Sudra, thus completely breaking all caste regulations. When her husband died she went to Poona, where she founded the Arya Mahila Samaj, an organization to promote women's education and discourage child marriages; later branch societies were established through the Bombay presidency. Realizing the need for further training for her educational work, Ramabai went to England in 1883; there she became a Christian. She attended Cheltenham College and subsequently studied kindergarten methods in the United States. Her lectures and her book, *The High Caste Hindu Woman* (Philadelphia 1887; new ed. with an introduction by R. L. Bodley, New York 1901), aroused a wave of enthusiasm in the west for the cause of Indian womanhood, of which she was the chief representative; the Ramabai Association was formed in the United States to support her social work in India.

On her return to India, the Pandita established at Khedgaon, near Poona, Mukti Sadan, her famous widows' home, in which industrial and teachers' training schools were set up. At first she enjoyed the backing of Hindu reformers, such as Ranade; but when her Christian missionary zeal became manifest, this was withdrawn. Yet her social work won their highest regard and she remained the acknowledged leader of the early period of the women's emancipation movement.

C. F. ANDREWS

Consult: Nikambe, S. M., in *Women in Modern India*, ed. by E. C. Gedge and M. Choksi (Bombay 1929) p. 14–24; Butler, Clementina, *Pandita Ramabai Saraswati* (New York 1922); Macnicol, Nicol, *Pandita Ramabai* (Calcutta 1926).

RAMBAUD, ALFRED (1842–1905), French historian. Rambaud was professor of history at the University of Nancy and professor of modern history at the University of Paris; he finally entered politics under the influence of Jules Ferry, whose trusted collaborator he became. He was a member of the Senate and from 1896 to 1898 minister of public instruction. It is his historical work above all which merits attention. Rambaud was one of the first among his French contemporaries to become interested in the long neglected history of Byzantium. His *L'empire grec au dixième siècle; Constantin Porphyrogénète* (Paris 1870), by reason of its penetrating insight into historical problems and lucidity of presentation, still remains one of the most remarkable works on Byzantine history. Several supplementary articles by Rambaud on this subject are collected in his *Études sur l'histoire byzantine*

(Paris 1912, 3rd ed. 1922). Rambaud soon turned his attention to the Slavic world. In *La Russie épique* (Paris 1876) he presented an interesting study on the heroic songs of Russia, and his brief *Histoire de la Russie* (Paris 1878, 7th ed. 1918; tr. by B. Lang, 2 vols., new ed. New York 1904) is a model of clarity and precision. With Ernest Lavisse he directed the publication of the *Histoire générale du IVe siècle à nos jours* (12 vols., Paris 1893–1901), to which he contributed several excellent chapters on the Byzantine Empire, on southwestern Europe and on Russia. All his works, which include several volumes on the history of French civilization, on the colonial expansion of France and on African problems, bear witness to an almost boundless energy, a truly superior intelligence and remarkable historical talent.

CHARLES DIEHL

Consult: Monod, G., in *Revue historique*, vol. xc (1906) 344–48.

RAMSAY, SIR GEORGE (1800–71), English economist. Ramsay's work was lacking in originality, nor was he successful in synthesizing the often new and important ideas eclectically borrowed from others. He was without appreciable contemporary influence and has received slight subsequent notice. He is significant, however, as one of the first English writers to grasp the value of certain concepts employed by continental economists—especially Destutt de Tracy, J. B. Say and Storch—and to attempt, laudably although unsuccessfully, their transplantation to England as supplements to and improvements upon the views of the Ricardians. In his *Essay on the Distribution of Wealth* (Edinburgh 1836) he emphasized the conventional French distinction—but recently utilized by Tooke, Read and Scrope—between capitalist and entrepreneur (called by Ramsay the "master"), between interest ("the net profits of capital") and profit ("the profits of enterprize"). He analyzed the functions of the "master," a species of labor and risk bearing, and stressed the pivotal position occupied by him in the productive and distributive processes.

According to Ramsay a wage element, a reward for risk bearing, certain monopoly elements and "surplus gains" are the component parts of "profits of enterprize." Wages vary directly as the demand for, inversely as the supply of, labor. Rent is originally the effect but later operates as a cause of high prices. The distributive whole depends ultimately upon the productiveness of industry. The importance of time in production and in the determination of value is emphasized particularly. In a shrewd passage at the close of his *Essay* Ramsay warned against any policy that would make British prosperity dependent upon industrial advantages which must, with the rise of manufacturing competition in the United States and elsewhere, prove temporary. Ramsay was the author also of several unimportant works on politics, philosophy and psychology.

KARL W. BIGELOW

Consult: Seligman, E. R. A., *Essays in Economics* (New York 1925) p. 106–11.

RANADE, MAHADEV GOVIND (1842–1901), Indian nationalist and social reformer. Ranade was one of the earliest graduates of Bombay University, where he later served as syndic and dean of arts. After holding a number of lower positions in the judiciary he was appointed judge of the High Court.

Ranade taught that the essence of India is the continuity of its traditions and forms of thought and that the true reformer must not destroy but fulfil their promise. Reform, he held, meant improvement in every aspect of life. In 1867 he formed the Prarthana Samaj, a liberal religious society similar in its theism, rationalism and eclecticism to Ram Mohun Roy's Brahmo Samaj, although it was more nationalistic than the older society and more deeply rooted in the Hindu tradition. He also participated in the nationalist movement and was one of the founders of the Indian National Congress. As an educator he tried to introduce vernacular languages into the university curriculum and he sponsored the translation into Marathi of standard English works. His *Rise of the Maráthá Power* (Bombay 1900), which deals with the first national Hindu empire, is written from a nationalistic point of view and shows marked scholarly attainments.

Ranade's name is linked especially with social service and with the introduction of European ideas in this field. He was the founder of the Indian social conference movement and wrote on India's economic and agricultural problems, the significance of which he fully appreciated. He devoted considerable attention to the social and educational problems of women and with his wife, Ramabai Ranade (1862–1924), carried on agitation against child marriage and in favor of the remarriage of widows; he likewise advocated female education and the abolition of caste.

Ramabai Ranade was educated by her husband to take part in the work of social reform. She established at Poona the Seva Sadan (Home of Service), an institution for Hindu women which provided religious, literary, medical and industrial educational facilities and functioned as a center for social service work. She was actively associated with the woman suffrage campaign and is known as one of the pioneers in the women's movement in India.

HANS KOHN

Consult: Mankar, G. A., *Justice M. G. Ranade* (Bombay 1902); Andrews, C. F., *The Renaissance in India* (London 1912) p. 135–42. For Ramabai Ranade see Sorabji, S., in *Women in Modern India*, ed. by E. C. Gedge and M. Choksi (Bombay 1929) p. 25–37.

RANKE, LEOPOLD VON (1795–1886), German historian. Ranke was trained in the school of classical philology and, deeply influenced by Niebuhr's critical reconstruction of Roman history, was the first to apply this method of studying sources to the modern history of almost all the important Romano-Germanic peoples and of the papacy. In his historical seminar in Berlin, founded in 1833, and in the works of his most prominent pupils (Waitz, Giesebrecht, Jaffé and Sybel) it was extended to mediaeval history.

Ranke's philosophy of history is to be derived only from a survey of all his work and not merely from his theoretical essays, for he expressed his philosophic ideas better when he wrote history than when he wrote about history. He was opposed to the tendency of Hegel and his disciples forcefully to fit facts into a philosophic system. With Savigny and Schleiermacher he was one of the pioneers of the historical school and he recognized the values of the separate empirical disciplines. Although he freed himself from his youthful Pietistic leanings, historical development always appeared to Ranke as a revelation of God. He sought neither to experience this revelation mystically nor to construct it philosophically, believing that man could merely have a presentiment of the intervention of "God's finger" into his destinies. He looked for the general "ideas" or "tendencies" of historical epochs not transcendentally "behind" the world of appearance but rather panentheistically within the fully developed individual forces themselves. With the doctrine of the irreducibility of individuals or of collective individuals, as expressed in his dictum "every epoch stands in immediate relationship with God," Ranke became the father of modern historicism. He remained free, however, of its relativism, because of his firm faith in Providence and in an absolute system of ethical values. As a non-dogmatic, open minded and almost supra-confessional Lutheran he also avoided Hegel's historical pantheism and idolization of the state as well as Schlosser's moralistic or Heinrich Leo's theological historical writing. He strove to apprehend historical phenomena "as they actually were" without any preconceived inclinations or evaluations and with the greatest possible objectivity. He thus sought to gauge with equal fairness the historical significance of the papacy and of the Reformation. The dominant forces in the course of history are revealed, according to Ranke, in the national and political individuality of the "great powers," each of which realizes an "idea of God." Ranke therefore applied himself to the study of the leading powers of the Romano-Germanic world. He laid most stress, however, on their universal aspects and proceeded genetically and not in a teleological dialectic manner, like Hegel. In his *Weltgeschichte* he tried to present a harmonious general picture of human civilization. Nevertheless, political history occupied the most prominent place in Ranke's works, while cultural and economic history remained in the background.

Ranke's political views were influenced above all by Gentz. They were definitely conservative and based on the concept of a national state and the idea of the continuity of cultural tradition. Through his work in connection with the organization of scientific historical work on a national basis, as in the Historical Commission in Munich and the *Allgemeine deutsche Biographie*, he contributed to the growth of spiritual national unity. He did not, however, work in any way for the more strictly political unity of Germany before 1866. Sharing the anxiety of the cultured bourgeoisie over the growing consciousness of the industrial proletariat, he showed no understanding of the social question and he greeted the events of 1870–71 as the victory of conservative Europe over the revolution. He participated actively in politics only on two occasions, both times to counteract preceding revolutions. From 1832 to 1836 he directed the *Historisch-politische Zeitschrift*, which stood midway between the ideals of French constitutionalism with its claim for absolute and international value and those of the extreme Prussian right. After March, 1848, he wrote various memorials for Frederick William IV of Prussia to strengthen the latter's resistance to the demands for popular sover-

eignty. The Young Germany movement considered him a reactionary and the Prussian school of historians looked upon him as too relativistic and restrained in his judgment and attitudes. For these reasons his scientific influence was for a time curbed. During the period between 1850 and 1880 he enjoyed a lesser renown than the more decidedly political historians, like Duncker, Droysen, Sybel, Treitschke and Mommsen. Later, however, despite the emphasis of Lamprecht on cultural history, Ranke's prestige was generally restored, as is evident in the works of Max Lenz, Hermann Oncken and Friedrich Meinecke. Outside of Germany too Ranke became the model for scientific historians.

ERNST SIMON

Works: *Sämmtliche Werke*, 54 vols. (Leipsic 1867–90); a new critical edition with excellent introductions to each work is in process of publication ed. by Paul Joachimsen and others, 1st ser., work vii, vols. i–vi, work ix, vols. i–iii (Munich 1925–30).

Consult: Guglia, Eugen von, *Leopold von Rankes Leben und Werke* (Leipsic 1893); Helmolt, H. F., *Leopold von Rankes Leben und Wirken* (Leipsic 1921); Dove, A., *Ausgewählte Schriften* (Leipsic 1898) ch. ii; Fueter, E., *Geschichte der neueren Historiographie*, Handbuch der mittelalterlichen und neueren Geschichte, vol. i (Munich 1911) p. 472–85; Gooch, G. P., *History and Historians in the Nineteenth Century* (London 1913) chs. vi–vii; Croce, B., *Teoria e storia della storiografia* (3rd ed. Bari 1927), tr. by D. Ainslie (London 1921) ch. vii; Masur, G., *Rankes Begriff der Weltgeschichte*, Historische Zeitschrift, supplement no. 6 (Munich 1926); Simon, Ernst, *Ranke und Hegel*, Historische Zeitschrift, supplement no. 15 (Munich 1928); Meinecke, F., *Weltbürgerthum und Nationalstaat* (7th ed. Munich 1928) bk. i, ch. xii; Diether, Otto, *Leopold von Ranke als Politiker* (Leipsic 1911).

RANTOUL, ROBERT, JR. (1805–52), American reformer and politician. Rantoul served with intelligence and zeal various humanitarian causes as a practising lawyer, lecturer and writer, as United States attorney for Massachusetts and as a Democratic member of the Massachusetts legislature and of the United States Senate and House of Representatives. A Unitarian, he was an ardent defender of Catholics against Protestant bigotry. He was a pioneer in the movement for better public support of the common schools, a friend of lyceums and mechanics institutes and a valuable advocate in the causes of international peace and temperance. His report on capital punishment (1836) influenced reform in penal legislation in several states and was widely cited abroad.

Although he was an adherent of the creed that the best government governed least and always regarded himself as a Jeffersonian Democrat, Rantoul, witnessing the rapid growth of American competitive capitalism, soon found himself as a legislator and lawyer actively opposing the industrial and financial practises which were "fertilizing the rich man's fields by the sweat of the poor man's brow." He therefore demanded state checks on "accumulated masses of capital"; he opposed the increasing power and privileges of corporations and insisted that their abuses of the credit system and their irresponsible speculation be curbed; and he won the first victory in the courts of Massachusetts for the legal right of labor to organize [Commonwealth *v.* Hunt, 45 Mass. 111 (1842)]. In defending leaders of the so-called Dorr Rebellion in Rhode Island in 1842 Rantoul upheld the rights of his clients to secure elementary justice through the only channels open to them. He also championed human as against property rights by securing the condemnation of a ship engaged in the slave trade and the conviction of its master and by courageously opposing the Fugitive Slave Law. For this last he was read out of the Democratic party.

Rantoul's career, however, embodied the characteristic contradictions of middle class reformers of his age. Although he inveighed against the social irresponsibility of corporations, he was not above seeking to build up his fortune in much the same way. From 1845 to 1850, in association with other Bostonians, he tried to obtain valuable lumbering and mining rights to the lands around the headwaters of the Mississippi River; and in 1851, as representative of a group of Boston and New York capitalists, he gained from the Illinois legislature a charter for the incorporation of the Illinois Central Railroad Company, to which also a great federal land grant was to be turned over.

MERLE E. CURTI

Works: *Memoirs, Speeches and Writings*, ed. by Luther Hamilton (Boston 1854).

Consult: Rantoul, Robert S., *Personal Recollections* (Cambridge, Mass. 1916); Curti, Merle, "Robert Rantoul, Jr., the Reformer in Politics" in *New England Quarterly*, vol. v (1932) 264–80; Sumner, Charles, *Complete Works*, 20 vols. (new ed. Boston 1900) vol. iii, p. 246–52.

RAŠÍN, ALOIS (1867–1923), Czechoslovak statesman. Rašín was born in Bohemia and prepared for the bar in Prague. As a young man he took part in the secret political movement, the *Omladina* (Youth association), an activity which led to his being condemned to two years' penal

servitude (1893–95). In 1911 he became a member of the Reichsrath, representing the Young Czech party. After the outbreak of the World War a military court sentenced him to death for high treason but this punishment was commuted to imprisonment, and in 1917 he was granted amnesty. After the post-war collapse Rašín became the dominating figure of the National Revolutionary Committee and the first minister of finance of the new Czechoslovak Republic. He was assassinated by a Communist in 1923.

As the first minister of finance of the new republic Rašín had to organize a financial and currency system, since as a territorial fraction of Austria-Hungary it had no central departments of its own. Here he proved his great organizing ability. He made the banking office of the Ministry of Finance the central bank of the new state and effected monetary separation by stamping the old Austrian banknotes circulating in the republic. At the same time one half of the banknotes presented were withdrawn from circulation by means of a forced government loan at 1 percent. Provision was made for the substitution of state obligations by the imposition of a capital levy in 1920. In this way the circulation was diminished and the currency revalued. Rašín introduced the first budget of the republic and provided for the first home credit (liberty loan) and the first external credit for raw materials and food imports.

Strongly individualistic, Rašín believed in personal responsibility and, as an adherent of a productive system dominated by the entrepreneur, opposed all reliance upon the state. He separated government enterprises from the state administration and insisted upon economy. Rašín was a man of iron determination and was distinguished by candor and audacity, although his views were sometimes too narrow. The persecution he suffered during Austrian hegemony led him to employ harsh political methods. His death by violence made him a national martyr and saint and elevated the idea of well balanced finances to the status of unwritten law.

CHARLES ENGLIŠ

Works: *Můj finanční plán* (My financial plan) (Prague 1920); *Finanční a hospodářská politika československá do konce roku 1921* (Prague 1922), tr. as *Financial Policy of Czechoslovakia during the First Year of Its History*, Carnegie Endowment for International Peace, Economic and Social History of the World War, Czechoslovak series (Oxford 1923).

Consult: Kozák, J., *Československá finanční politika 1918–30* (Financial policy of Czechoslovakia 1918–30) (Prague 1932); Chanal, A., *Monnaie et économie nationale en Tchécoslovaquie (1918–1928)* (Paris 1929).

RATE REGULATION in the common usage of the term in the United States is concerned with the fixing of prices to be charged by public utilities. Usually these are enterprises furnishing transportation, communication, heat, light, power, water and the like and it is with such businesses that this article deals.

The English common law, perhaps continuing familiar church doctrine regarding the just price, gave ample recognition to the power of the state generally to control prices in the public interest. As late as the eighteenth century virtually any calling which a man pursued for profit was considered a common calling and treated as public in a sense akin to the modern. All such callings were under duty to serve the public at reasonable rates, and from time to time they were subjected to price fixing either by Parliament directly or through the delegated authority of the justices of the peace. English example crossed the Atlantic. Statutes in colonial America established prices for many of the staple commodities and services. As the economics of Adam Smith won its way in the congenial mental climate of the nineteenth century American law, however, this long experience was discredited when not forgotten, and the assumptions upon which it rested were in great part repudiated. Ultimately this reversal of opinion was written into state and federal constitutions by the lawyers and judges of the latter part of the century. The resultant contemporary separation of industry into businesses that are "public," and hence susceptible to manifold forms of control, of which price supervision is one aspect, and all other businesses, which are private, is thus a break with history. But it has built itself into the structure of American thought and law; and while the line of division is a shifting one and incapable of withstanding the stress of economic dislocation, its existence in the last half century made possible, within a selected field, a degree of experimentation in governmental direction of economic activity of vast import and beyond any historical parallel.

The survival of a few of the traditional common callings provided the nucleus from which developed by enlargement the modern category of public utilities. Chief among them was the common carrier, given new form and acquiring new importance with the perfection of the steam engine. The growth of railroads compelled legis-

lative protection of the public against extortionate tolls. This purpose was commonly given effect in conditions attached to the grant of the privilege of incorporation, following the method employed in the case of the familiar bridge, canal and turnpike companies. Thus the charter itself frequently fixed specific tolls or reserved power in the legislature to change those fixed by the carrier or, often, provided limitations upon net earnings. But such methods of control were at once too tenuous and too inflexible to meet the exigencies of a transportation system fast outgrowing all possible anticipations of the incorporating legislatures. Even before the Civil War several states paved the way to subsequent development by experimenting with rudimentary forms of continuous administrative supervision. After the war both agrarian and industrial pressures made the problem of control acute. In the 1870's legislation growing out of the Granger movement and in 1887 the creation of the Interstate Commerce Commission served to establish beyond controversy the principle of railroad rate regulation and to fix the administrative as the normal method of giving effect to it, definitely superseding rate fixing by charter or statute.

Other utilities from another beginning took a different course to a similar end. Water companies and light companies, first gas and then electricity, requiring franchises for the use of city streets, were originally regulated through franchise grants. Since their activities were confined in the beginning to individual communities, regulation by such localities sufficed. Gradually, however, the extension of the area of service by the utilities, their growing importance in economic life and the enormous power both economic and political which they exerted combined to create the necessity and the demand for more effective regulation. Meanwhile new forms of analogous public services, like pipe lines and electric power, patently beyond the reach of any but state authority, were coming under legislative scrutiny. Under these conditions the movement to establish public service commissions with state wide authority over all classes of utilities grew into one of the most significant legislative developments of the twentieth century. The issues were early made vivid by Theodore Roosevelt in the nation and such men as La Follette of Wisconsin, Hughes of New York and Dolliver of Iowa in the states. In 1907 Wisconsin and New York led the way in adopting legislation. Today tribunals of like character exist in all the states but Delaware, commonly exercising over the utilities broad powers with respect to rates, accounts, conditions of service, finance and management.

The legal conception of a public utility was established and applied to an ever widening group of services in the face of powerful currents of both thought and action, tending to the insulation of business from government. In a society committed to the general principle of free competition the economic justification of rate regulation in particular industries has naturally been framed in terms of the exceptional conditions prevailing in those businesses. Public utilities as a class lend themselves readily to such an analysis. On the affirmative side the argument of free competition as the automatic price regulator and public protector has not even doctrinaire validity; on the negative side the practical difficulties which ordinarily surround the enterprise of governmental price fixing are of greatly diminished force. The factors limiting the effectiveness of competition as a normal regulator of prices are cumulative. Fundamental is the peculiarly functional relationship which the utilities characteristically bear to the economic order as a whole. Transportation, communication, light and power are the keystones of an integrated industrial structure, control of which is attended by extraordinary economic power. Such power lends itself to abuse and tends to be concentrated in relatively few hands. For the utilities as a group are either enterprises which move toward monopoly or those whose highest efficiency may be reached under monopolistic operation. This characteristic may be due to a variety of reasons, such as the necessity of unitary management for adequate service, as in the case of telephones and telegraphs, or the limited capacity of city streets, as in the case of most municipal utilities. Most strikingly and most generally it grows out of the huge investment in plant required in proportion to current income, the operation of that plant largely at joint cost and the consequent necessity of a large and steady volume of traffic to maintain the investment. These circumstances render complete competitive duplication of facilities improbable or impossible and make duplication, so far as it exists, wasteful and uneconomic. New competitors are slow to enter and old ones slow to leave an industry in which participation involves so large a stake. Monopoly once secured thus tends to perpetuate itself; while competition, if it exists, offers only the alternatives of combination or of destructive price cutting, designed to

maintain volume at any cost. The experience of a century with railroads, and for shorter lengths of time with other utilities, attests the abuses of instability and waste, of alternating high rates and ruthless price cutting, of inadequate service and discrimination, which follow from a regime of unregulated competition.

Similar factors create conditions especially favorable for regulation. Competitors are few; and heavy expenditure together with the usual necessity of governmental permission to engage in the business prevents mobility of entrance and exit from it. The problem of supervision and control of investment is thus simplified. Because the businesses consist typically in the dispensing of services which are not, like tangible goods, susceptible either of being withheld from the market or of flooding it, private manipulation of prices through control of supply is difficult or impossible. Hence an area is marked out in which governmental price fixing may operate effectively even in the context of an economy basically laissez faire.

Some such economic considerations underlie the decisions of the Supreme Court on the constitutional power of the states and the federal government to regulate rates, but the reasoning has seldom been explicit. This is due partly to the relative novelty of the problem. The earliest decision upholding a state's power to regulate rates under appropriate circumstances is scarcely more than half a century old; and the legal basis for denying it under any circumstances is only eight years older. In 1876, when the potential breadth of impact of the Fourteenth Amendment upon restrictive state legislation was as yet scarcely imagined, statutes of middle western states regulating the rates of grain elevators and of railroads were attacked under the due process clause [Munn *v.* Illinois, Chicago, B. & Q. R.R.Co. *v.* Iowa, Peik *v.* Chicago & Northwestern Ry. Co., 94 U.S. 113, 155, 164 (1876)]. Chief Justice Waite's judgments sustaining the measures rested heavily upon the practical circumstances of monopoly and the inadequacy of normal competition to protect the public; in none of the cases did he make serious effort to mark out the limitations upon state power. But in justifying a conclusion otherwise arrived at he quoted a passage from Lord Chief Justice Hale's essay on the ports of the sea: "Looking then," Waite said, "to the common law, from whence came the right which the Constitution protects, we find that when private property is 'affected with a public interest, it ceases to be *juris privati* only.' " By reading into this colorless statement a negative principle justified neither by history nor by the context, decisions of the last twenty years have made Waite's opinion serve a purpose for which it plainly was not intended, have authoritatively set up the verbal canon of affectation with a public interest as determining legislative power to fix prices in a particular business. The history of this development is traced by Justice Brandeis in his dissenting opinion in the New State Ice Company *v.* Liebmann [285 U.S. 262 (1932)].

The words themselves are palpably empty. Chief Justice Taft essayed definition by classifying types of enterprise within their ambit: first, businesses "carried on under the authority of a public grant of privileges which either expressly or impliedly imposes the affirmative duty of rendering a public service demanded by any member of the public"; secondly, "certain occupations, regarded as exceptional, the public interest attaching to which, recognized from earliest times, has survived the period of arbitrary laws by Parliament or Colonial legislatures for regulating all trades and callings"; and, finally, as a catchall, "businesses which though not public at their inception may be fairly said to have risen to be such and have become subject in consequence to some government regulation" [Wolff Packing Co. *v.* Court of Industrial Relations, 262 U.S. 522 (1923)]. Into the third category the court has received the businesses of insurance and of livestock and insurance brokers; it has in specific instances excluded that of vendors of gasoline, of theater ticket brokers and of employment agencies, as not then "affected with a public interest" [Tagg Bros. *v.* United States, 280 U.S. 420 (1930)]. The category is still open; nor may it be expected soon to become closed. For in essence the futile efforts at dogmatic statement of doctrine cover a clash of opinion on a far reaching issue; namely, to what degree free competition is so complete a protection to the public interest as to render arbitrary any governmental departure from it. That issue remains open and will call for continuing accommodation so long as our politico-economic system is based on individualism.

The controversy over new admissions into the magic circle of public utilities is an aspect of the general problem of price regulation. Within the circle the critical issues are different. Like every other aspect of expanding governmental activity in the United States, rate regulation has presented for preliminary determination manifold

questions involving the harmonious adjustment of power within the federal system. The most intricate of these have been concerned with railroads, for their development most palpably transcended arbitrary state lines and abstract conceptions of state and national authority. Here too, where experience has been longest and pressure for effective action most insistent, the adjustment has been worked out in greatest detail. Originally the Supreme Court appeared to sanction state regulation of interstate rates in the absence of congressional action [Peik *v.* Chicago, Northwestern Ry. Co., 94 U.S. 164 (1876)]. In 1886 by repudiating this construction of its decision (Wabash, St. L. & P. Ry. Co. *v.* Illinois, 118 U.S. 557, 567, 569) it gave effective impetus to the passage of the Interstate Commerce Act of 1887. The movement finally culminated in the curtailment of state power even over intrastate rates. The court began by upholding in sweeping terms the states' authority to establish intrastate rates in the absence of federal action [Minnesota Rate Cases, 230 U.S. 352 (1912)]. But thereafter it upheld successively the power of the commission, under the original act, to set aside such rates if they discriminated unduly against particular persons or places in interstate commerce [Shreveport Rate Cases, 234 U.S. 342 (1914)] and the extension of its authority in 1920 to prescribe intrastate rates in lieu of existing ones discriminating against interstate or foreign commerce generally [Wisconsin Rate Case, 257 U.S. 563 (1922)]. The ultimate adjustment, however, has been achieved, not by the general terms of congressional legislation or in occasional explosions of litigation before the court but by the day to day work of the commission, which on the whole has exercised its plenary power with statesmanlike regard, on the one hand, for the necessities of a national transportation system and, on the other, for the desirability of harmonious cooperation between the Interstate Commerce Commission and state regulatory bodies, with a minimum of encroachment upon the latter's authority.

Effective collaborative action between federal and state administrative agencies is still unrealized in other fields. Particularly in respect to interstate power, where the situation is of comparable gravity, the utilities have for some time eluded control. The jurisdiction of the receiving state over retail distribution has apparently been recognized [Pennsylvania Gas Co. *v.* Public Serv. Comm., 252 U.S. 23 (1920); compare East Ohio Gas Co. *v.* Ohio Tax Comm., 283 U.S. 465 (1931)], but over wholesale distribution it has been definitely denied [Public Utilities Comm. *v.* Attleboro Steam & Elec. Co., 273 U.S. 83 (1927); Missouri *v.* Kansas Natural Gas Co., 265 U.S. 298 (1924)]. Meanwhile effective exercise of authority has been hampered by multifarious difficulties in obtaining adequate information and enforcing decisions, arising especially from confusion of intercorporate relations. In Smith *v.* Illinois Bell Tel. Co. [282 U.S. 133 (1930)], however, the court indicated how intercorporate interests might be divided for the purpose of bringing them under different regulative authorities. Control by the Federal Power Commission reorganized in 1930 is confined to licensees of federal power sites, and the provisions of the act of 1920 looking toward federal and state cooperation have yet to bear substantial fruit in action. Legislation is bound to enter this field with more comprehensive control.

Of a wholly different nature from problems of jurisdiction but of no less moment are the issues of constitutionality centering around procedural and substantive aspects of the rate fixing process itself. These are issues of conformity to whatever may be the requirement drawn from the due process clauses of the Fifth and Fourteenth amendments and they exist only because of the decisions of the Supreme Court. The earliest of these decisions disclaimed all concern with such questions. If the rate "has been improperly fixed," said Chief Justice Waite, in first sustaining railroad rate regulation, "the legislature, not the courts, must be appealed to for the change" (Peik *v.* Chicago, Northwestern Ry. Co). But this judicial self-abnegation did not long survive the pressure of distrustful property holding groups soliciting protection from unrestrained legislative action. There were several warnings of a different view, and in 1890 the court definitely adopted the position that "if the company is deprived of the power of charging reasonable rates for the use of its property, and such deprivation takes place in the absence of investigation by judicial machinery, it is deprived of the lawful use of its property, and, thus, in substance and effect, of the property itself, without due process of law . . . ." (Chicago, M. & St. P. Ry. Co. *v.* Minnesota, 134 U.S. 418).

This step was scarcely less important in procedural than in substantive law. The court did not stipulate, and it never has stipulated directly, any particular procedure in the fixing of a rate as an essential of due process. But it was indispensable to the success of the administrative

method that the party demanding "investigation by judicial machinery" should not be able to compel every step in the administrative process to be retraced afresh in court. Questions of law must be reexamined by a judicial tribunal. Questions of fact, the Supreme Court holds, need not be so reexamined if, but only if, the administrative procedure conforms to elementary fairness, without which judgment becomes arbitrary. The tribunal must grant a proper hearing to the parties affected: it must decide upon the evidence presented at the hearing, and there must be evidence in the record to support its findings. In the enforcement of these standards the courts—primarily the Supreme Court—have at once strengthened the essential administrative arm of government and protected private individuals against its arbitrary conduct, besides having evolved empirically a body of administrative law relevant in other fields of governmental activity. In one important group of cases, however, the court seized for the judiciary power that plainly belongs to the administrative experts, if they have any *raison d'être*. In Ohio Valley Water Company *v.* Ben Avon Borough [253 U.S. 287 (1920)] it decided that in rate controversies involving the issue of confiscation due process of law required that administrative findings of fact be open to independent reexamination in a court. This doctrine may be accounted for by judicial distrust of the non-judicial determination, even indirectly, of issues of constitutional right; by the extent to which in rate proceedings questions of law turn upon questions of fact; and above all by the vast interests that are at stake and the distrust of governmental curbs to big business at the time a divided court rendered the decision. In practise a genuinely independent judgment by the court is almost impossible by reason of the multitudinous details and their recondite significance; yet the Ben Avon case remains a sword of Damocles hanging over the regulatory systems, especially those of the states.

But it is in giving content to the substantive limitation announced in the early Minnesota rate cases that the Supreme Court has most decisively influenced the course of rate regulation. By that decision the court projected into every rate proceeding, state or federal, a potential issue of the denial of due process of law as guaranteed by the Fifth and Fourteenth amendments. The issue was of a character unfamiliar to the courts; save for the simple and scarcely adequate concept of reasonableness, the common law furnished no canons for determining when the rates which a utility was permitted to charge had been reduced to the point of confiscation. The opinion in the famous case of Smyth *v.* Ames [169 U.S. 466 (1898)] gave the first indication of how the court was going to attack the task of formulating such canons. The court undertook to measure the reasonableness of rates to be charged by a utility by inquiring into the return which they yielded; and it set out to determine the fairness of the return by inquiring into the value of the property which was used to earn it. Later decisions have brought into sharper focus another element of the decision, have made clear that in speaking of "the fair value of the property being used for the convenience of the public" the court meant the present value of that property. Out of this effort to tie rate regulation, as a matter of constitutional right, to a perennially shifting and inherently unstable rate base have flowed the most troublesome of the problems which ever since have beset the courts and the commissions. By a process of self-delusion not uncommon to judges when casting grave issues of public policy into the mold of law, the court seemed unaware that it was trying to formulate into legal principles and doctrines what were really determinations resting largely in opinion quite outside the orbit of judicial insight or experience.

Justice Brandeis, whose concurring opinion in the Southwestern Bell Telephone Company case [262 U.S. 276 (1923)] is the classic refutation of the doctrine of present value, explained its emergence in terms of the conditions following the panic of 1893. "Watered stock, reckless financing, and unconscionable construction contracts" had created fictitious capital values far in excess of those on which the shippers believed the railroads should be permitted to earn a return. At that time supervised accounting and financing had not yet been introduced to provide reliable proof of actual cost and investment. Accordingly, in Smyth *v.* Ames, William Jennings Bryan as counsel, representing shippers in agricultural communities, urged upon the court estimates of the present value of the railroad properties, which in a time of low prices were estimates of reproduction cost. A different explanation, however, must be sought for the Supreme Court's continued adherence to a rule thus established under conditions which no longer obtain. Basic was the conviction, rooted in attitudes toward the social justification of the stimulation of investment through its amplest

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protection, that utility investors should not be deprived of the benefit from appreciation of capital incident to investment in all other enterprises. The test of present value has been defended as a flexible instrument of accommodation to changes in the price level, doing equal justice to the public and the utility owners and making possible the attraction of new capital.

The determination of utility rates and the ascertainment of the rate base are essentially economic problems. But no judicial pronouncements upon matters fundamentally economic run so counter to the views of economists as do the predepression utterances of the Supreme Court upon present value. The theoretical unfairness of the doctrine has been repeatedly pointed out, for common stockholders benefit out of all proportion from increases in the price level appreciating the value of the entire property, whereas holders of bonds and preferred stock bear the risk of decreases without corresponding possibility of gain. Most conclusively, however, is the doctrine condemned by experience; the test of thirty-five years has powerfully demonstrated its unworkability. The Supreme Court itself has as yet been able to furnish no calculus of present value; and it becomes increasingly clear that none can be furnished, for uncertainty inheres in the standard.

The consequence has been, in every important rate fixing proceeding, a preoccupation, lasting sometimes for years, with contention over fanciful elements in quest of a rate base; that is, a supposedly objective mathematical ascertainment, in fact illusory, of the amount on which the allowable rate of return must be fixed. This procedure has entailed an incredible waste of time and money and inevitably embittered relations between the utilities and the public. Thus in a leading valuation controversy in New York over telephone rates the litigation began before a commission in 1920 and went its snail-like pace through the federal court until 1930. Half a dozen estimates of value—by the commission, the master appointed by the court, the court itself and the company's experts, all purporting to apply the Supreme Court's formula—ranged between $366,000,000 and $615,000,000. A similar case in Chicago was in the federal courts for more than ten years and had not been concluded at the end of 1933. In the latter case it cost $25,000 to print the record of the proceedings for review by the Supreme Court. The whole process is fundamentally an elaborate fiction. In the end rates are fixed which reflect no other reality than that of compromise, reenforced partly by the superior advantage of the utilities in litigation.

Actual cost, capitalization, prudent investment, cost of reproduction either of the existing plant in present use or of a modern plant giving equivalent service, these and many other elements have been pressed for consideration in diverse cases involving rate bases, and in various situations the propriety of all of them has been recognized. Necessarily the formula depends upon particular conditions: the past, present and probable future level of prices, the history of the company and the conditions of its property. No formula can survive serious changes in these elements of the problem.

Dominant effect, the court has indicated in a series of decisions antedating 1932, must normally be given to reproduction cost. To ascertain the expense of constructing a railroad, a power plant or a telephone system in the midst of a community which could have no existence without them is to operate on an unreal hypothesis and requires calculations upon assumptions foreign to human experience. It is not surprising therefore that the Supreme Court has never provided the commissions with workable intellectual tools for making the determination. The so-called rules constitute a maze; their operation in practise descends into a process of economic legerdemain whereby those who control utilities through narrow equities are enabled to seek constitutional sanction for speculative gains.

Nor has it proved to be true that the rule of present value provides a means of flexible adjustment to changing price levels. The process of valuation is too ponderous to permit flexibility under any circumstances. In practise moreover initiative in rate proceedings is more often taken on behalf of the utilities than of the public; the hands of the commissions are variously stayed in beginning actions for reduction, by lack of time, money, will or authority. More important still, in times of depression the doctrine of present value will not bear a rigid application in favor of the public. A deflated price structure is not responsive to the assumptions of a theory sedulously cultivated by the utilities during high prices; it produces a theoretical base too low to permit fixed charges, assumed at higher levels, to be met—the more so because decreasing traffic raises operating costs and earnings shrink even under existing rates. Thus while, obedient to theory, rates may rise with prices when business prospers and profits swell

with heavier traffic, under opposite conditions they fall less rapidly or not at all.

For all these reasons the practical result of the control evolved by the Supreme Court over rate regulation has been to put the constitution behind the right to earnings on utility investments, to an extent that contradicts the very basis on which governmental intervention rests. Indeed the judicial doctrine of valuation sanctions what the utilities themselves, as a matter of business, cannot practise. As a matter of "good business judgment" utilities commonly charge rates which, if established by the commissions and attacked in the courts, would be declared confiscatory and unconstitutional under the doctrine of a reasonable return on present value. On the other hand, as the point of confiscation drops with falling prices, utility rates habitually lag far above it, subject only to delayed and intermittent attacks by public authorities, the basis of which is liable to be destroyed at any time by price recovery. The depression which began in 1929 is replete with proof of this experience.

The difficulties with the method of determining the rate base, as developed under the rule of Smyth *v.* Ames, have their counterpart in the attempt to determine what is a reasonable rate of return. For by similar reasoning the utility is entitled to a return at a rate determined by the present condition of the money market, without regard to the price actually being paid for capital already invested. Hence common stock dividends, already swollen by inflated valuation, may benefit doubly from allowance of a higher rate of return. Similar uncertainty too beclouds the method of computation. Although the Supreme Court has indicated that the rate should be that generally ruling investments of comparable risk at the same time and place, the usual practise in rate cases is to submit opinion testimony by bankers or other persons as to the rate currently necessary to attract new capital, a test which in times of business stress may lead to an altogether different result. Since 1929, however, several federal district courts have upheld rate reductions ordered by commissions, holding that a fair return in times of depression should be calculated at a lower rate than in periods of prosperity.

Questions concerning the rate of return are, however, overshadowed in practise by controversies about valuation and the rate base, where the opportunity for inflated claims is greater. The reluctance of courts to recognize directly the necessity of a relatively high rate of return has contributed also to their willingness to permit adjustment of the rate base to serve in part the function of adjustment of the rate of return. The two problems are inextricable; a workable technique for computing fair return must await satisfactory determination of the elements to be considered in computing fair value.

The importance of the constitutional aspects of rate regulation is the greater because they in effect control proceedings not only in the courts but before the commissions. In theory the duty of a commission under the statute is to set a reasonable rate, and between the statutory standard of reasonableness and the constitutional one of confiscation there may well be a substantial margin. In practise, however, the line of confiscation is likely to be so high that the pressure of circumstances, and not least the desire not to run foul of the judiciary, will be to set the rate as near that line as possible.

But the problem of confiscation has only to do with the general level of rates. That level being fixed to allow a fair return on the property as a whole, administrative considerations have freer play in the determination of particular rates. It is here that rate regulation has achieved its most substantial accomplishment and has amply justified itself. Particularly in the case of railroad rates, which have been regulated far more minutely and effectively than those of other utilities, the most intricate problems concern the adjustment of tariffs for different commodities and hauls. In the making of these adjustments the Interstate Commerce Commission and the several state commissions exercise vast powers over the development of communities and industries. To a lesser degree similar problems and similar interests attend the adjustment of differentials in telephone and telegraph rates and rates for light and power. Joint costs being high and accurate allocation of costs to particular services impossible, the controlling considerations tend to be the assurance of adequate service throughout the area as a whole, without regard to loss at particular points, and the fullest possible promotion of the economic development of the entire community. Moreover the constitution cannot be invoked against state policy in treating a localized part of a larger system as the unit in determining the rate base [Wabash Valley Elec. Co. *v.* Young, 287 U.S. 488 (1933)]. In such conflicts among groups of consumers the inclination of the courts has been strongly toward accepting the administrative judgment. And while discrimination in rates was originally a

dominant factor in the movement for regulation, particularly in respect to railroads, similar complaints are now of comparatively minor importance.

The adoption of the modern machinery of utility rate regulation during the decade prior to the World War was accomplished upon a wave of popular enthusiasm. In the post-war decade, however, skepticism and discouragement tended to supplant the earlier feeling of hope. Particularly in the leading industrial states criticism was voiced against the failure of utility rates to reflect decreased operating costs due to technological improvements, against the costly futility of rate proceedings and against failure of the commissions to exercise skilled initiative in the promotion of the public interest. Conviction has been gathering that the regulatory systems do not realize but even operate to defeat the aims for which they were designed. This change of temper is no doubt partly a reflex of the different price levels obtaining before and after the war. When the commissions began to operate, rates were widely believed to be unreasonable; some measure of success at first attended the efforts to secure their reduction. With the great rise in prices after the war the commissions became more often instruments for the increase of utility rates than for their decrease. Dissatisfaction with the workings of the system, however, has still deeper roots. In a wide variety of concrete instances the machinery of utility regulation has shown increasing strain. Revealed shortcomings in administration and legislation and in the judicial doctrines to which they are required to conform have been accentuated by the stress of new economic forces and by the ingenuity of the utilities in devising unanticipated means of eluding effective control. Beyond question successful regulation cannot be achieved upon a permanently unstable and incalculable rate base.

The difficulties inherent in the methods imposed by the judiciary upon administrative agencies have been intensified by the quality of their personnel. Almost everywhere the commissions have been inadequately staffed, overburdened by detail, denied necessary technical aid, dependent on meager salaries and without security of tenure. The hope behind public utility legislation during the era of Theodore Roosevelt was a body of administrators intellectually as well equipped as the higher officials in the British Civil Service and exercising independence and authority comparable with that enjoyed by judges in the United States. A few men, like John M. Eshleman of California, George W. Anderson and Joseph B. Eastman of Massachusetts, Milo R. Maltbie of New York and David E. Lilienthal of Wisconsin, vindicated that hope. But in the main the public interest has suffered from too many mediocre lawyers appointed for political considerations, looking to the Public Service Commission not as a means for solving difficult problems of government but as a step toward political advancement or more profitable future association with the utilities. As a result there has been inequality in expertise, in will and in imagination between the utilities and the regulatory bodies. Thus, with only a few notable exceptions, the utilities have commanded the services of the best of the engineering profession on those technical issues which are so central in valuation controversies.

Nor has legislation been adequately responsive to the shifting exigencies of the problem. Many commissions lack adequate authority in various directions: they cannot enforce proper accounting methods, initiate proceedings for rate regulations, compel disclosure of essential information, inquire into the hide and seek mysteries of intercorporate relations. Especially have the efflorescence of the holding company and the organization of auxiliary companies for management, construction, purchase and finance created intricacies of technical ownership and practical control before which the investigating authority has often been helpless. Yet these very devices serve powerfully to sustain schemes for inflated values. These difficulties have been further enhanced by expansion of activity across state lines, so that effective legal control falls too frequently between the two stools of state and federal authority.

Pessimism as to the future of rate regulation, however, has nowhere been so profound as to suggest return to unregulated private enterprise; rather it has contributed to the impulse in quite the opposite direction, that of public ownership. To be sure, this development, even in the face of grave abuses and growing discontent, encounters the obdurate and stimulated traditions of the United States against government in business. On the other hand, government ownership as a yardstick gives every assurance of being powerfully promoted by the Tennessee Valley Authority. The reactive effect of this government enterprise upon electric rates of private companies has already made itself felt. To the extent that public opinion will not be

won to public ownership strengthening of the existing regulatory system is plainly indicated. Another mode of accomplishing the old objectives of utility regulation is by contract arrangements between municipalities or states and grantees of public franchises. Whatever the forms of the attempted solutions, problems of utility rate regulation—so long as private enterprise survives—are at once the epitome of crucial and characteristic issues of contemporary government and the test of its resources. Not until those resources, as to both men and method, have been explored far more patiently, persistently and imaginatively than they have been, will anything approximating a final verdict upon the undertaking be feasible.

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See: GOVERNMENT REGULATION OF INDUSTRY; PRICE REGULATION; PRICE DISCRIMINATION; PUBLIC UTILITIES; MONOPOLY; PROFIT; FAIR RETURN; VALUATION; JUST PRICE; CONSTITUTIONAL LAW; DUE PROCESS OF LAW; RAILROADS; TELEPHONE AND TELEGRAPH; ELECTRIC POWER; GAS INDUSTRY; MUNICIPAL TRANSIT; INTERSTATE COMMERCE COMMISSION; GOVERNMENT OWNERSHIP.

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RATHENAU, WALTHER (1867–1922), German statesman and social philosopher. Rathenau was the son of the famous German-Jewish industrialist, Emil Rathenau, the founder of the Allgemeine Elektrizitäts-Gesellschaft (A.E.G.). Although he was active in business and succeeded his father as head of the A.E.G., he is known primarily as a social theorist and political leader. In the early days of the World War he foresaw the possibilities of a long struggle and was entrusted with the organization of the supply of raw materials. He was opposed to Germany's surrender in 1918 and favored a call for a *levée en masse* as a last stand against the Allies. After the founding of the republic, however, he became the leading exponent of the so-called "policy of fulfilment" according to which Germany should comply with the reparations obligations of the Versailles Treaty but continue to expose the utter impossibility of carrying out the treaty in its entirety. Rathenau occupied high posts under the republic, represented Germany at various important international conferences, negotiated the important Rapallo Treaty with Russia in 1922 and greatly increased German prestige during the post-war period. But his personality as well as his success brought him dangerous enemies, and he was assassinated on June 24, 1922, by members of a nationalist terrorist organization.

As a social theorist Rathenau was interested in problems of foreign and domestic policy, of economics and of social development, and was profoundly concerned about the dangers to European culture entailed in industrial development. Like many of his generation he developed a skeptical attitude toward progress and an opposition to the mechanization of labor. He deplored this mechanization with its specialization

and abstraction, stereotyped thinking and complicated uniformity as the characteristic mark of the age. A second point which dominated his thought was the problem of selection. Rathenau was of the opinion that the economic system under high capitalism was becoming sterile because it was dominated by an oligarchy, even more exclusive than the older aristocracy, which did not understand how to recognize and utilize the talents inherent in the people.

Rathenau's social theories represented a mixture of conceptions of a new social order with certain romantic notions; he believed that improvement in general welfare was to be achieved by means of efficient economic organization. He was a leading exponent of economic planning to be carried out by the common action of the various economic organizations. His views were a reflection of the economic organization developed during the war and were influenced in large measure by von Möllendorf. At the time he could not envisage the enormous potentialities of modern technical advancement and therefore considered socialism as identical with general poverty, although he conceded that its principle of equality had a high ethical value. He held that the distribution of well being was a matter for social legislation. Redistribution, which would restrict private property only to consumers' goods, was to be carried out by taxation and radical reform of the inheritance laws. A logical consequence of this demand was the removal of the entrepreneur. According to Rathenau's later views industry was to be administered by guilds in which all groups of producers and consumers were to be represented. The aim of this economic system was to increase responsibility by instilling a new spirit into labor. By the elimination of the entrepreneur and the establishment of guilds for the individual branches of the economic system a solidarity, a feeling of achievement and a sense of responsibility for the general welfare could be attained which would compensate for egotistic instincts and the despair which resulted from the absence of spirituality in work.

Rathenau's social philosophy was thus essentially pessimistic. What he pictured was the same social set up without the rich: a society of sorrowful monotony with no cultural productivity or intrinsic value. Since there would no longer be any wealthy upper class, art would disappear. Rathenau did not perceive that a radical reconstruction of society would also involve the transformation of the relation between creative and receptive groups, as may be observed, for example, in Soviet Russia or in a comparison between feudal and bourgeois society.

Rathenau was a man of many contradictions. He was attracted toward the simple, instinctive and non-intellectual—the "Prussian." Essentially, however, he was a typical intellectual, subjecting all his observations to his reason. He was never at peace within himself but always at the mercy of his desire to "be different." These contradictions, however, were due mainly to his sensitive nature, which reflected all the vital tendencies of the troubled age in which he lived. To do full justice to his rich personality would really require the full analysis of the history of this period.

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RATIONALISM is a comprehensive expression applied to various theoretical and practical tendencies which aim to interpret the universe purely in terms of thought, or which aim to regulate individual and social life in accordance with principles of reason and to eliminate as far as possible or to relegate to the background everything irrational. Rationalism has played a fundamental role in the rise of general philosophy, which, as expressed in the great metaphysical systems, represents an effort to conceive the world as a coherent structure analyzable by human reason. Rationalism has also exerted a decisive influence upon the development of science by establishing the logico-mathematical approach to nature and by setting up the problems whereby this approach could be carried through rigorously in all fields. In individual and social life rationalism seeks to establish universal and self-evident principles for the regulation of human behavior. Rationalism here signifies the effort to rationalize life.

Rationalism always takes its starting point from the fact that in our original intuition of things and events reality presents itself as something irrational. What confronts us at first is the sense intuition, the chance alternation of impressions and events, the natural and instinctive manifestation of life. It is against this original intuition that the rational approach to reality has to assert itself. Of course it is not given to reason to eliminate the irrational altogether. The task of rationalism is rather to be always recommencing the struggle against everything that is recalcitrant to reason. In the realm of theory rationalism rejects "the appearances of the sense world"; in the realm of practise it seeks in various ways to grapple with the elements of chance and fate in individual and social life by combating the instinctive in man and submitting to criticism everything in social life bearing the character of mere custom and tradition and recalcitrant to generalizing, rational reflection.

In social and historical life the power of rationalism derives from the confidence which individuals and societies place in reason. This confidence is an experimental confidence born of the success or failure of human beings in their efforts to arrive at a rational knowledge of the universe and a rational regulation of individual and social life. Sometimes the irrational forces displayed in nature and life give the impression of omnipotence and human reason becomes conscious of its frailty. Sometimes, on the other hand, man is struck by the power which reason manifests in scientific knowledge and in the ordering of the various relations of human living, and he becomes permeated with the feeling that the human mind is sovereign. In the course of history the relationship of the rational to the irrational or superrational undergoes various transformations. The irrational which reason has to conquer manifests itself now preponderantly in the world of sense, now in the forces of chance and fate displayed in individual and interindividual life, now in human nature itself and now in the sequence of historical events. Rationalism, even though it starts out from universal and immutable principles, must therefore also change its attitudes and methods, modifying its tactics in accordance with the various forms which the irrational assumes.

Greek rationalism was directed above all against the sense world. In contradistinction to the world of changeable appearances, reason was supposed to attain to true being by means of immutable concepts. Reason and being became parallel terms, for reason grasped the objective and thinkable elements of the cosmos. In this way metaphysics assumed the form of a rational science, a science dealing with everything that remains self-identical throughout all temporal changes. Aristotle developed in his logic the forms of thought which were to enable man to arrive at this rational and objective knowledge of reality. Human reason and world reason found their unity in divine reason, which was the origin of both. In this scheme there remained outside the pale of reason only the world of change, which included also all individual differences. Since reason was confined to the sphere of the typical and the recurrent self-identical, it was regarded as incapable of extending its sway to the multitude of events that take place in individual and social life. Human life, especially its individual significance, could not be deduced from rational regularities. This did not mean that reason had no voice in human life. For in addition to theoretical reason there was also for Aristotle a practical reason. None the less, Aristotle was always concerned with a knowledge of what ought to be rather than with an attempt to bring about a rationalization of life itself. The Socratic ethical rationalism, which is typical of the rational attitude of the Greeks toward life, centered in knowledge rather than in the will.

It was only under the influence of the Roman spirit that a synthesis of reason and will became possible. In the Roman world view reason became a force in individual and political life. The objective and contemplative rationalism of the Greeks now gave way to a rationalism of the will that was oriented in practise. Reason became an instrument for the control of life. Of foremost significance in this connection was the theory that moral and rational insights were natural to all human beings. These insights, or judgments, were supposed to meet with the approval of every thinking being; they were valid for all times and all nations. This theory was the source of the idea of a universal legislation conceived as the basis of a political and social world order. Popularized and passed on by Cicero, such conceptions continued to supply—until far into the eighteenth century—the basis for a practical rationalism which found its expression in social life.

Side by side with the Greek idea of a cosmos subject to rational conceptualization we thus have here the view of a divine world empire

regulated by the universally valid laws of reason. These laws, however, were primarily of a legal and formal nature. They supplied the criterion for distinguishing in all human relations what was right from what was wrong. But since reason in this function was unable to shape human life so as to eliminate everything irrational and to dominate the elements of fate which defy rational regulation, the individual began to look for a place of refuge in his own self. For this purpose it was necessary that the individual's rational insight should dominate his passions. Thus there developed the ideal of the stoic wise man, the man who is guided by reason and who in the face of the vicissitudes of external life asserts the freedom of his independent and self-contained personality.

This confidence in the power of reason, so characteristic of stoic thought, disappeared in the Christian world view. St. Augustine maintained that the instincts and will had an independent existence and nature, and were not submitted to the control of intellect and reason. As a result of the fall man was unable to carry out decisions in accordance with rational insight. This proved for him both the impotence of human reason and the necessity of divine grace. In mediaeval Christianity there developed therefore a new conception of life. Human life was now conceived as a meaningful whole revealing the presence of a divine plan. Since human history was governed by divine Providence, its meaning could never be grasped by rational insight. Only divine revelation could disclose the plan of the whole and hence the meaning of life could be understood only from the point of view of religion, never from the point of view of rational thought, which remains in the realm of the permanent and the self-identical. How could reason deal with such a temporal occurrence as the story of redemption, which depends on the will of God and which determines the life of all mankind? There was thus necessarily imposed upon the conceptual system of antiquity a historical and religious superstructure expressing the superrational meaning of life.

This dualism, which found its clearest expression in Thomas Aquinas, was in the last analysis grounded in the mediaeval conception of God. God was conceived at once as intellect thinking only what is eternal and universal, and as will, expressing Himself in the temporal acts of the story of redemption. An insight into the decisions of God's will remained, however, outside the pale of human reason. This superrational voluntarism reached its most logical development in Ockham.

The belief in a superrational and purposeful interpretation of human life disappeared in the Renaissance as a result of the disintegration of the traditional religious views. The idea of divine Providence again gave way to that of the Fortuna of antiquity. The irrational, unpredictable and capricious elements of life found expression in the literature and philosophy of the time. The individual again fell back upon himself, looking for repose and security in the development of his individual reason—the one means for escaping from the tumult of life. The stoic philosophy of life again came into vogue.

On the other hand, the man of the Renaissance was also permeated with the consciousness of the multiplicity of things and events defying rational regulation as well as with a sense of the infinity of possibilities disclosing themselves to him. There was awakened a new sense for the particular, for the meaning of the individual phenomenon as such. The traditional forms of rational thinking—designed as they were primarily for the reduction of the individual and the changeable into something universal and permanent—proved therefore insufficient. What was of paramount concern now was rather the use of rational principles for organizing and regulating the multiplicity of the visible world. One was no longer interested in reducing things to conceptual patterns but rather in interpreting occurrences in the world of phenomena in conformity with rational laws. Types, ideas, forms, gave way now to functions, motions and laws about the interdependence of occurrences in the universe; the static and conceptual classification of things in higher and lower orders gave way to laws of dynamic causal connection; the emphasis on being gave way to an emphasis on events.

In this way there developed the constructive and scientifically oriented rationalism of the seventeenth century. Its basis was furnished by mathematics, which became the rational science par excellence; the chief concern of the philosophers was now to mathematize the universe by means of a projected "universal mathematics." Formulated first by Galileo, this universal mathematics became the foundation of the speculative systems of Descartes, Spinoza and Leibniz.

The same constructive and rational method now began to be applied in a parallel manner in the social and political field. Here the problem

was to rationalize human social life on the basis of self-evident and universal principles. The state was made into an instrument of reason for the control of individual arbitrariness and for settling the conflicts between the irrational instincts of the members of the group. Here too, exactly as in the rationalism of natural science, it was the law which supplied the fixity and the security; and whatever was individual, contingent and empirical was subordinated to the law. But while in nature the determinism of the individual phenomena by a system of universal laws was a fact, in social life the supremacy of the universal and of the rule over against the particular and the arbitrary was an ideal to be realized.

This striving for the rationalization of social life found its expression in the great empire states. In them the various domains of human life were regulated by definite principles on the basis of the decisions of a single sovereign will embodying the so-called *raison d'état*. This rational regulation, however, was able to cope with the irrational only to a limited extent. Individual life under this scheme proved insusceptible of rationalization. It was only in so far as the individual submitted to the reason of the state that he acted in conformity with a rational order. As soon, however, as he followed his personal insights he was regarded as succumbing to the arbitrariness and irrationality of instinctive life.

In the eighteenth century a new attitude became manifest. It was now the autonomy of the will that was stressed. The man of the middle classes learned to shape life rationally on the basis of his own foresight. No longer was the rationality of the political order opposed, as it had been by Hobbes, Bossuet and Spinoza, to the irrationality and arbitrariness of individual instinctive life; on the contrary, the compulsion exerted by the authoritarian state upon the newly won individual freedom was now regarded as an arbitrary act rationally unjustifiable.

Thus did reason come to play a new role in political and social life. In the seventeenth century reason was regarded as a sovereign power not dependent upon individuals and centering in the will of the state. In the eighteenth century, on the other hand, it was looked upon as a product of the cooperation of free individuals, as a collective expression of all the independent rational manifestations displayed by every member of the state. The private spheres of individuals were not interfered with but were left to the rational self-regulation of the individual himself. Also whereas in the seventeenth century a far reaching system of regulation was applied to economic life in order to curb individual arbitrariness, in the eighteenth century the tendency was to grant as much freedom as possible to the economic activities of individuals so as to enable the individual manifestations of reason to assert themselves to the fullest extent. In this the underlying presupposition was the belief that the various economic actions of individuals tended toward a natural harmony, and it was precisely this harmonization of interests which was regarded in the seventeenth century as the proper task of political reason, or statesmanship.

There are thus essential differences between the rationalism of the seventeenth century and that of the eighteenth century. In the former period reason was regarded as a compulsory force imposed from above; its task was to curb the various irrational and instinctive manifestations of individual life and to coordinate them in such a way as to make social life possible. In the latter period the prevailing attitude was that of confidence in the rational endowments which were proper to every individual, and which were to be developed through education and enlightenment.

Different as was the seventeenth century rationalism of authority from the eighteenth century rationalism of freedom, they both shared the belief in the eternal truths of reason as originally developed in the doctrine of the stoics. In the nineteenth century, however, the validity of such timeless truths for historical and social life began to be questioned. The historical consciousness which now came to the fore laid emphasis upon the temporal and relative character of all social and cultural realities. Burke and the romanticists awakened a sympathetic understanding for those forces in the development of social life which cannot be grasped rationally. But Hegel in his turn gave a new expression to the rational point of view. Reason was conceived by him not as a system of ideas given once and for all but as a process of thought realized in the course of history. Hegel rationalizes history to a certain extent, thus endeavoring to win for rational understanding a field which had long been regarded as the very realm of the irrational or of the superrational.

In the twentieth century a new tendency made itself felt. In contrast with the seventeenth century faith in the rational foundation of the

natural sciences, stress began to be laid now upon the fact that the sciences contained elements not amenable to rational human thought. Similarly in the sphere of economic life there was an undermining of the trust in a "natural harmony" of interests, uncontrolled from above and guided only by the autonomous reason of the individual members of society. The emphasis now seemed to be placed rather on attempts to rationalize the relations between the various individual economic activities. This active rationalism is reminiscent of the rational tendencies of the seventeenth century, which sought to organize and control economic life, rather than of the liberal rationalism of the eighteenth century. Great significance, however, was now attached to the eighteenth century idea of an economic interdependence upon an international basis. But it is important to note that this international relationship was not expected to emerge spontaneously on the basis of a natural order; it was rather to result from an active rationalization of the economic order.

B. GROETHUYSEN

See: PHILOSOPHY; LOGIC; SCIENCE; RELIGION; ETHICS; CONTROL, SOCIAL; COMMON SENSE; CYNICS; STOICISM; SCHOLASTICISM; NATURALISM; ENLIGHTENMENT; DEISM; MATERIALISM; REALISM; POSITIVISM; PRAGMATISM; LIBERALISM; SECULARISM; ICONOCLASM; ATHEISM; FREETHINKERS; HIGHER CRITICISM; ETHICAL CULTURE MOVEMENT.

Consult: Lecky, W. E. H., *History of the Rise and Influence of the Spirit of Rationalism in Europe*, 2 vols. (new ed. London 1890); Ollé-Laprune, Léon, *La raison et le rationalisme* (2nd ed. Paris 1906); Busson, Henri, *Les sources et le développement du rationalisme dans la littérature française de la Renaissance (1533–1601)* (Paris 1922); Dingler, Hugo, *Geschichte der Naturphilosophie*, Geschichte der Philosophie in Längsschnitten, no. 7 (Berlin 1932); Dilthey, Wilhelm, *Weltanschauung und Analyse des Menschen seit Renaissance und Reformation*, Gesammelte Schriften, vol. ii (2nd ed. Leipsic 1921); Meinecke, Friedrich, *Die Idee der Staatsräson in der neueren Geschichte* (Munich 1924); Joël, Karl, *Wandlungen der Weltanschauung*, 2 vols. (Tübingen 1928–29); Brunschvicg, Léon, *Le progrès de la conscience dans la philosophie occidentale*, 2 vols. (Paris 1927), especially vol. i, bk. 3; Groethuysen, Bernhard, *Die Entstehung der bürgerlichen Welt- und Lebensanschauung in Frankreich*, Philosophie und Geisteswissenschaften, Buchreihe, vols. iv–v, 2 vols. (Halle 1927–30) vol. ii; Cassirer, Ernst, *Die Philosophie der Aufklärung*, Grundriss der philosophischen Wissenschaften (Tübingen 1932); Benn, A. W., *The History of English Rationalism in the Nineteenth Century*, 2 vols. (London 1906).

RATIONALIZATION, in the social sphere and broadly conceived, is the application of purposeful ratiocination to political and economic ends. Machiavelli's *Il principe* is an early theoretical attempt at social engineering, and Colbertian mercantilism represents the first modern application of such planning to economic policy. Liberal individualism set up individual rather than collective action as the basis for economic organization: rationalization was to be achieved through competition and the struggle for profits. The Manchester school broadened the idea of rationalization by applying it to politics. A rational international division of labor was to be made possible by the suppression of irrational components, such as lust for or fear of power; but its failure to prevent wars forced industrialization on countries not fitted for it. And war, although its success depends on rational technique and organization, negates the working of the competitive system, paralyzing the free flow of goods and labor and necessitating the rationing of consumption and the coordination of production through coercive planning. Such rationing occurred during the World War on an unprecedented scale, with the result that the idea and the machinery of collective rationalization have played an increasing part in the economic life of the post-war period.

The term rationalization was first popularized in Germany, where indeed it became a catchword for any and all forms of industrial reorganization. Scientific management and industrial combination were to be merged into a new system of industrial organization. This conception of rationalization—well set forth in the writings of Walter Rathenau—was based upon a combination of socialistic theories as to the benefits of centralized production, military necessity and the monopolistic interests of big business. It relied upon the fact that competition is wasteful in so far as small units, making differentiated articles, incur higher costs than large units turning out standard goods. Large scale production and integration by vertical combination are cost saving, if cheaper manufacturing is not offset by wasteful financing (watering of stock). These advantages were frequently imputed also to cartels and syndicates, incorrectly, however, since these forms of organization are essentially antirational, their object being the maintenance of profits of individual "uneconomic" enterprises. When inefficient producers are wiped out by the pushing of prices below marginal costs, capital investments are totally or partially destroyed; if such enterprises are bought at a nominal price by new entrepreneurs, the capital of the erstwhile successful rivals may also be

threatened with extinction. Cheapness is thus secured by a continuous destruction of capital. The term rationalization has also been applied all too often to the formation of monopolistic combinations to maintain prices, through reduction of output if necessary, although such monopolies merely shift the cost of overinvestment to consumers and fail to prevent or eliminate waste.

The most obvious form of rationalization of production methods, mechanization, was practised in the United States as a result of labor scarcity long before the term was coined. Labor saving machinery was devised for backward immigrant labor, division of labor perfected and even the moving belt used (in the packing industry) many years before it was made fashionable by Henry Ford. Frederick Taylor and his followers applied the principle of mechanization to human labor. All these trends were intensified by the World War. In the post-war period the doctrine of scientific management made the waste of raw materials or by-products a moral crime; labor management came to be considered profitable and high wages to be regarded not as undesirable cost items, but as stimulants to maximum output, while fatigue studies determined the physiological optimum of such effort. At the same time the increasing spending power of the laboring classes made for market expansion and large scale production. Successful rationalization presupposes, however, the adjustment of production to demand. When neither scientific salesmanship nor new forms of consumers' credit succeeded in adjusting effectual demand to the capacities of rationalized production, resort was had to the regulation of supply by voluntary agreements between producers or in some cases by compulsory coordination through government agencies. With individual rationalization thus leading to such irrational results as capital losses and unemployment on the one hand and production restrictions on the other, there developed in many quarters a conviction of the necessity for centralized rationalization by government control.

It was to the United States that German industry turned for inspiration when the post-war depression was most acute. Isolation due to war and inflation had greatly reduced Germany's industrial efficiency, just at the time when it needed an export surplus for reparations payments. To secure this surplus the government turned to protection and intensification of agriculture to diminish imports and to rationalization of industry to increase exports. The American miracle, as manifested in the second industrial revolution, was to be reproduced; high wages were to increase purchasing power and thus expand the home market, the substitution of machines for men was to lower costs per unit of the increased output. It soon became evident, however, that Germany's main advantage had been adaptability to individual demands, not rigid standardization for serial production, and that the replacement of efficient cheap labor by costly machinery was but pseudo-rationalization. The benefits derived from better machines or organization (serial production) were turned into positive loss through the costliness of borrowed money. Moreover technical rationalization was nowhere accompanied by economic rationalization. After their attempt to stop overproduction by fixed quotas the cartels indulged in nation wide propaganda for the increase of capacity; while complaints about the high rate of interest were universal, agriculture and industry were encouraged to borrow blindly. Attempts were then made to raise prices by various protectionist measures. Rationalization as practised in Germany during the post-war years has been called the art of cutting costs while raising prices. Although it was technically efficient, it expanded the country's productive capacity beyond all possibilities of sales, saddling it with a huge debt, partly foreign.

These efforts of German industry attracted considerable attention both in England and in France. In the latter country interest centered chiefly in the scientific management aspects of rationalization. Considerable discussion of the technical backwardness of English industry led to the organization in that country of various groups interested in the problem, but the crisis of 1929 put an end to experimentation on a large scale.

Soviet Russia took over the idea of rationalization along with that of industrialization, finding it all the more necessary to raise the efficiency of both rural and urban labor as a means of protection against famine and foreign attacks. An absolute government enforcing nation wide standardization can establish uniform markets and spread overhead expense over a huge output so that costs are reduced to an almost unimaginable extent, especially when capital costs need not be taken into account and wages can be kept low. The Soviet program called also for mechanized scientific farming by cooperatives or on big government estates to provide the country

with cheap food and a considerable export surplus and to reduce the number of farm hands, releasing labor for industrial development. This giant rationalization program, enforced with boundless energy, can claim success on the technical, or construction, side. With the help of foreign engineers huge up to date plants have been erected, and large estates for mechanized agriculture have been formed by the expulsion of individual holders or by their combination into cooperatives. Economic success, however, is still not assured: the agricultural output remains insufficient for both home consumption and export, while the ultramodern works do not run evenly, and the employment of foreign experts is still necessary.

Technical rationalization indeed is different from successful economic and financial rationalization. Properly constructed and efficiently organized plants may be financial failures when forced to run below capacity, either because interest charges on borrowed money can be met only by high prices or for other reasons. Technically out of date plants may work more cheaply and more profitably than their modernized but debt charged rivals. Rationalization moreover may be successful for the individual concern and at the same time saddle the nation with unemployment.

Rationalization, if it is to be socially sound, must first prove profitable to the entrepreneur and enable him rapidly to liquidate the debts incurred. It must benefit the public through an adequate fall in price because of lowered costs of production. In the third place, labor retained in the rationalized concerns must earn high wages; the replacement of expensive labor by costly machinery run by low paid workers is scarcely desirable. Moreover labor displaced by new processes must be absorbed by new demands for additional raw material or machine construction; and the laboring class as such must benefit by a reduction in the cost of living. The profits of the rationalized industry and the income of the country at large must be increased sufficiently to provide employers, or taxpayers or both, with funds for the care of displaced workers. The temporary displacement of workers by the rationalization process may not be a serious social problem, but their being kept in permanent idleness, unfit for work as well as for citizenship, constitutes a social waste which more than outweighs the economic savings of rationalization.

Rationalization is too serious a business to be entrusted to individual business men. Cooperation as such does not guarantee sane judgment; some of the gravest mistakes have been made by cartellized industries. And it cannot be assumed that governments, subject to the pressure of various interests, necessarily rationalize more wisely. Governments might, however, successfully supervise rationalization, thus steadying rather than directing the process, particularly through control over the flow of capital. Rationalization must go on if a stationary society is to be avoided, but at a more equable rate if a stable society is to be achieved.

Rationalization, however, cannot succeed when confronted by an irrational or antirational political set up. The spread of nationalism in spite of some counter efforts, such as those of the League of Nations, is negating the natural geographical basis of the existing economic system. In many countries tariff protected industries are enabled to produce goods which are superfluous in view of the available supply. Technical rationalization, by enormous outlays of capital, has made it possible for agriculture and industry to produce even under most unfavorable conditions. Such rationalization cannot lead to increased satisfaction of human wants. It may be purposeful when national self-sufficiency is the political ideal, but economically and socially it remains essentially irrational or antirational.

MORITZ JULIUS BONN

See: SCIENTIFIC MANAGEMENT; STANDARDIZATION; SPECIALIZATION; LARGE SCALE PRODUCTION; COMBINATIONS, INDUSTRIAL; STABILIZATION, ECONOMIC; UNEMPLOYMENT.

Consult: Brady, Robert A., *The Rationalization Movement in German Industry* (Berkeley, Cal. 1933); Sombart, Werner, *Die Rationalisierung in der Wirtschaft* (Leipsic 1928); Gottl-Ottlilienfeld, Friedrich von, *Vom Sinn der Rationalisierung*, Germany, Reichskuratorium für Wirtschaftlichkeit, R. K. W.-Veröffentlichungen, no. 31 (Jena 1929); Bonn, M. J., "Rationalisierung als finanzielles Problem" in *Archiv für Sozialwissenschaft und Sozialpolitik*, vol. lvi (1926) 289–301; Schiffer, Karl, *Die ökonomische und sozialpolitische Bedeutung der industriellen Rationalisierungsbestrebungen*, Wirtschaftsstudien, vol. xi (Karlsruhe 1928); Hinnenthal, H., *Die deutsche Rationalisierungs-Bewegung und das Reichskuratorium für Wirtschaftlichkeit*, Germany, Reichskuratorium für Wirtschaftlichkeit, R. K. W.-Veröffentlichungen, no. 4 (Berlin 1927); Reichskuratorium für Wirtschaftlichkeit, *Handbuch der Rationalisierung*, ed. by Fritz Reuter (3rd ed. Berlin 1932); Warriner, D., *Combines and Rationalisation in Germany 1924–1928* (London 1931); National Industrial Conference Board, *Rationalization of German Industry* (New York 1931); Fourgeaud, André, *La rationalisation* (Paris 1929); Baebler, Alexis,

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RATIONING. *See* WAR ECONOMICS.

RATKE, WOLFGANG (Ratichius) (1571–1635), German educator. Ratke, often called Ratichius, was born in Holstein and received his education in Hamburg and at the University of Rostock. From 1603 to 1611 he lived in Holland, where he attempted to interest Prince Maurice of Orange in his educational ideas. Meeting with no success he returned to Germany, and in 1612 in a "Memorial" to the Imperial Diet at Frankfort he set forth his plan for reforming the German schools, which had become rigidly scholastic. He urged that instruction in all common branches be given in the vernacular, that the Latin Bible be replaced by the German and that the teaching of foreign languages be simplified. He advocated state schools, state school supervision by professional experts and compulsory education with a three-year preparatory German course for girls as well as for boys. Like Leibniz after him, Ratke hoped to achieve national and political unity through uniform speech and government and a common religion. He won the support of several princes and scholars and in 1614 he was given an opportunity to demonstrate his methods in Augsburg. The experiment failed, as did subsequent attempts at Cöthen (1618–20) and at Magdeburg (1620–22), partly because of Ratke's lack of executive and organizing ability and partly because of unsettled religious conditions in Germany at the time.

Ratke's pedagogical principles included repetition and continuous practise "without compulsion," the elimination of rote memory work, and uniformity of method in all instruction, with emphasis upon the "natural" ("everything according to nature's order and course"); new subject matter should be mastered by procedure from the particular to the general. His progressive contributions were emphasis on the vernacular and the study of languages based on literature and drill. The weaknesses of his system were disproportionate memory training, absence of individual activity and a cramping of the teacher's personality. Although the practical results of Ratke's life work were small, his educational ideas survived, especially in the *Didactica magna* of his successor, Comenius.

ROBERT REIGBERT

Chief works: *Ratichianische Schriften*, ed. by Paul Stötzner, Neudrucke pädagogischer Schriften, vols. ix and xii (Leipsic 1892–93).

Consult: Vogt, Gideon, *Wolfgang Ratichius der Vorgänger des Amos Comenius*, Die Klassiker der Pädagogik, vol. xvii (Langensalza 1894); Israel, August, "Wolfgang Ratke (Ratichius)" in *Geschichte der Erziehung*, ed. by K. A. Schmid, 5 vols. (Stuttgart 1884–1902) vol. iii, pt. ii, p. 1–92; Meyer, Johannes, "Comenius und Ratke" in *Neue Bahnen*, vol. iii (1892) 127–72; Quick, Robert H., *Essays on Educational Reformers* (new ed. New York 1890) ch. ix; Adamson, John W., *Pioneers of Modern Education* (Cambridge, Eng. 1905) p. 31–45; Seiler, Karl, *Das pädagogische System Wolfgang Ratkes* (Erlangen 1931).

RATZEL, FRIEDRICH (1844–1904), German geographer. Ratzel came into the field of geography from zoology by way of journalism. His first publication (1869) dealt with organic evolution; all his subsequent geographic work was based on biologic views, which re-expressed the tradition of Ritter in harmony with later nineteenth century science. In order to finance his zoological studies, Ratzel wrote travel sketches, which met with immediate success. As the result he was engaged by the *Kölnische Zeitung* to visit and report on various parts of the world, including the United States and Mexico. From feuilleton writing Ratzel passed directly to university lectures in geography at Munich and then at Leipsic, where he attracted a steadily growing audience until his death.

Ratzel is remembered most widely for his formulation of anthropogeography as the conditioning of culture by environment, which he called the dynamics of human geography and for which he supplied most of such generalizations as are still current. In the second volume of his *Anthropogeographie* (2 vols., Stuttgart 1882–91; 4th ed. 1921–22) he considered the geographical distribution of man and his culture. From Moritz Wagner, the zoologist, Ratzel adapted the theory of development of new or-

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ganic forms by migration and isolation as the fundamental thesis of human history. By pioneering studies of the geographical distribution of individual culture elements, by first stating the case for diffusion of culture and by anticipating the culture area concept Ratzel became parent to the modern cultural history school in anthropology.

Out of the biologic viewpoint proceeded also his *Politische Geographie* (Munich 1897, rev. ed. 1903; new ed. by E. Oberhammer, 1925). The state was considered a quasi-organism, bound to a particular *Lebensraum*, in contest for space with other states and exhibiting distinguishing characteristics of vitality or decadence.

Ratzel directly stimulated, and wrote the philosophy of, the first actual *Weltgeschichte*, carried out by his pupil Hans Helmolt (9 vols., Leipsic 1899–1907).

With the exception of the culture area concept, Ratzel made relatively slight contribution to present scholarship. The reason perhaps is to be found in his general philosophic view that there are sciences of actuality and sciences of abstraction and that geography belonged among the latter. It has been excessively difficult to establish satisfactory inquiries directly into these relationships. On the other hand, Ratzel's fruitful thesis, that of the diffusion of culture, is applicable inductively in the examination of the arrangement of phenomena and has contributed therefore to a "science of actuality," with which he was not concerned.

CARL SAUER

Consult: Hassert, Kurt, in *Geographische Zeitschrift*, vol. xi (1905) 305–25, 361–80.

RATZENHOFER, GUSTAV (1842–1904), Austrian sociologist. Ratzenhofer, the son of a clock maker, entered the army in 1859; he rose to the position of lieutenant field marshal. He served as president of the high military court of Vienna, from which position he retired in 1901. He wrote several works on military science but is best known for his contributions to political and sociological theory.

Ratzenhofer developed a monistic system whose core was his theory of interests, which he conceived as the unconscious motives and the conscious ends of behavior and the basis of all action and achievement. He contended that every individual seeks to express without hindrance his primal impulses for self-preservation and propagation; that with progressive increase in numbers and intensified struggle for existence individual interest develops into absolute hostility of each person toward his fellow men. The hostility is submerged in the recognition of the blood bond and through cooperation in labor and war, only to break out whenever these common interests are disregarded.

Ratzenhofer regarded conflict as the fundamental social process and in common with Gumplowicz saw the genesis of the state in the struggle of races. According to his evolutionary scheme all primitive social organizations were based on kinship; as population expanded territorially, racial differentiation occurred. In the resultant conflict between various races over the food supply, subjugation of one group by another led to a higher step in the social process in which the social structure no longer rested principally on blood relationship but upon the state as a system of control. There followed a differentiation of social structures based on commerce, alternating with socialization which arose from social necessity and expressed itself in voluntary submission for the sake of social interest or in forcible subjugation under an alien interest. In the course of the evolutionary development of the social structure from simple to complex the state, based on conquest, gave way to the culture state, which attempts to control conquered peoples in harmony with creative freedom by maintaining order in social affairs through compromise of opposing interests. Ratzenhofer held that struggle and war continue to consolidate the social structure and are thus sources of political power, while culture and commerce weaken the social bond; the universal extension of the socialization process tends to produce concord of interests through the increasing perfection of the social organization, but the basis of social conflict remains.

Ratzenhofer's views had wide influence, especially in the United States, where Ward and Small elaborated his theory of interests and the former also his theory of the conflict of races.

GOTTFRIED SALOMON

Important works: *Wesen und Zweck der Politik, als Theil der Sociologie und Grundlage der Staatswissenschaften*, 3 vols. (Leipsic 1893); *Die sociologische Erkenntnis* (Leipsic 1898); *Der positive Monismus und das einheitliche Princip aller Erscheinungen* (Leipsic 1899).

Consult: Small, A. W., *General Sociology* (Chicago 1905) pts. iv–v; Stein, Ludwig, *Der soziale Optimismus* (Jena 1905) ch. ix; Gramzow, Otto, *Gustav Ratzenhofer und seine Philosophie* (Berlin 1904); Gumplowicz, L., "La sociologia e Gustavo Ratzenhofer" in *Rivista italiana di sociologia*, vol. ix (1905) 269–97.

RATZINGER, GEORG (1844–99), German Catholic economist. Ratzinger, a theologian, took a keen interest and participated actively in political life, serving for several years in the Bavarian state assembly and the German Reichstag. His prize winning work, *Geschichte der kirchlichen Armenpflege*, won him his doctorate at Freiburg in 1868 (2nd ed. 1884). In 1881 he published *Die Volkswirthschaft in ihren sittlichen Grundlagen* (Freiburg i. Br.), the second edition (1895) of which contained a survey of Catholic social reform literature in Germany, Austria and Switzerland from 1862 to 1894. He was the author of a number of books and of a series of essays, dealing chiefly with social reform, which appeared in the *Historisch-politische Blätter* and in other periodicals.

Ratzinger held that the capitalist system was morally and economically deficient and that the method of production and the system of consumption which it conditioned were not rational, and he believed that the technical means of production could be made to yield a much higher social product. He was not, however, a socialist: he defended private property, insisting at the same time that it should be subordinated to social and moral principles. He considered the proletariat not so much an economic as a spiritual and moral problem which could be solved by means of education and economic reform. He advocated self-help through cooperation, which would enable the poor and economically weaker groups to resist successfully the superior power of capital and which would serve to bring capital and labor together without abolishing private property or endangering the natural order. The cooperatives, to be composed of employers and workers of the respective trades acting under state supervision, would standardize products and safeguard the quality of goods. For agriculture Ratzinger demanded credit regulation, vocational training, the standardization of grain and of other farm products and the general adoption of trademarks.

G. BRIEFS

RAU, KARL HEINRICH (1792–1870), German economist. Rau studied at the University of Erlangen, where he became professor in 1816; in 1822 he was called to the chair of economics in Heidelberg. He was a member of the first Baden chamber and was elected to the Frankfort Assembly in 1848.

Rau was not an original thinker. He owed his fame mainly to his *Lehrbuch der politischen Ökonomie* (3 vols., Heidelberg 1826–37; vol. i, 8th ed., vols. ii–iii, 5th ed., Leipsic 1862–69), which dominated the teaching of economics at German universities for almost fifty years and thus shaped the economic views of several generations of German administrators. The book combines abstract exposition of the classical principles with a fulness of illustrative factual material, thus giving a rounded account of the economic world. The exposition of "economic laws" in the first volume is followed by a second volume devoted to *Polizeiwissenschaft*, a term equivalent to the modern concept of economic policy, and by a third volume dealing with problems of public finance. This tripartite division of economics has to the present day remained the established tradition in the teaching of economics in German universities. Rau's influence was considerably weakened with the advent of the German historical school and its emphasis on the relative character of economic principles and on the ethical evaluation of economic phenomena particularly in the field of distribution of wealth. He had a more profound effect in the field of public finance; with great consistency he elaborated the principle that in determining public expenditures and sources of revenue prime consideration should be given to the effect of such fiscal measures upon the broader aspects of production and economic well being. It was Rau's work on public finance which led to Adolf Wagner's systematic treatise in 1876.

KARL PRIBRAM

Other important works: *Ansichten der Volkswirtschaft* (Leipsic 1821); *Über die Kameralwissenschaft* (Heidelberg 1825); *Über Beschränkungen der Freiheit in der Volkswirtschaftspflege* (Heidelberg 1847). For a full list, see Meitzel, C., in *Handwörterbuch der Staatswissenschaften*, vol. vi (4th ed. Jena 1925) p. 1171–72.

Consult: Roscher, Wilhelm, *Geschichte der Nationalökonomik* (Munich 1874) p. 847–60; Gerlach, Otto, "Geschichte der Finanzwissenschaft" in *Die Entwicklung der deutschen Volkswirtschaftslehre im neunzehnten Jahrhundert*, 2 vols. (Leipsic 1908) vol. ii, ch. xxxviii, p. 25–30; Meyer, Robert, *Principien der gerechten Besteuerung in der neueren Finanzwissenschaft* (Berlin 1884) p. 43–46.

RAVENSTONE, PIERCY (died *c.* 1830), English writer on economics and social reform. All that is known of Ravenstone is found in his two books, *A Few Doubts as to the Correctness of Some Opinions Generally Entertained on the Subject of Political Economy* (London 1821) and *Thoughts on the Funding System and Its Effects* (London 1824). In the latter he attacked the

"funding system" on the ground that it is impossible by borrowing to throw a real burden on to posterity, although he admitted that the taxation accompanying it consisted in breaking up large landed estates; but in sinking funds he saw only a device which enlarged the wealth and power of the financiers at the expense of the productive workers.

More widely read than most of his contemporaries, either orthodox or critical, Ravenstone's chief contribution arose from a more realistic grasp of history. He viewed social development as a dynamic process and expected political economy, by interpreting social change in the past, to offer guidance for the future. The two chief motivating forces underlying economic and social development are the growth of populations and inventions. A shrewd examination of the conditions of human fertility led Ravenstone to regard Malthus' fears as groundless, although his further contention that population progressed everywhere at the same rate went beyond the evidence he presented. An increase of population, he held, increases productivity more than proportionately in that it makes possible further division of labor, with its attendant economies, and stimulates discovery. He denied the heroic theory of inventions, regarding them as arising cumulatively out of society's practical needs and as more probable in dense than in sparse populations.

Ravenstone rejected emphatically the conception of capital as an independent creative element in economic life and regarded it merely as a form of accumulated labor unjustly appropriated by the ruling classes by virtue of their superior legal and political power, to this extent anticipating the Marxian concept of surplus value. He referred to capitalistic property as "artificial" in distinction from property acquired through the expenditure of labor, which he deemed "natural." Condemning the former as parasitic, he upheld stanchly the right to the latter as providing the basis of what appears to have been his ideal society, a community of small peasant proprietors and handicraftsmen.

PERCY FORD

Consult: Beer, M., *History of British Socialism*, 2 vols. (London 1919–21) vol. i, p. 251–58; Seligman, E. R. A., *Essays in Economics* (New York 1925) p. 98–100.

RAW MATERIALS. This term is restricted commonly to materials in a natural crude, or unwrought, state: the immediate products of agriculture, mining and forestry. In a broader sense the term is applied also to commodities which have undergone one or more manufacturing processes but are still in a relatively crude form, being the raw materials for a more advanced process. Many foodstuffs are not typically raw materials, as the characteristic of a raw material is that it must undergo a manufacturing process before being used. Coal, however, is definitely a raw material.

Raw materials may be divided into organic (vegetable products, animal and some other foods, beverages, spices, drugs, plant juices, oils, fats, leather, tanning materials, lumber, woods, fibers, dyes) and inorganic (minerals, metals). Or they may be classified as reproducible, replaceable, genetic materials which can be produced over a comparatively brief period by cultivation or breeding or through technical processes (most vegetable products); non-reproducible but in part recoverable (certain minerals and metals, most products of extractive industries); and non-reproducible and non-recoverable (abrasives, magnesite, graphite). Some materials, such as manganese and tungsten, are recoverable under certain conditions; under others, as in the manufacture of steel, they are not recoverable. Still another classification differentiates between materials of which stocks tend to accumulate (iron, copper) and those used but once (coal, oil, potash, coffee).

Some raw materials are considered "strategic," "basic" or "key" resources because they are of vital importance in the economic and political life of nations and play an important role in shaping commercial policies. For the United States raw materials may be divided into three categories. First, there are those of which there is an adequate domestic supply and in some cases an exportable surplus—reproducible raw materials (cotton, cottonseed oil) and non-reproducible materials (forest products, earths, bismuth, lead, cadmium, phosphates, metallic magnesium, molybdenum, alumina, zinc, silver, sulphur, salt, copper, petroleum, coal and iron ore). The second group consists of raw materials for which there is virtually total dependence on outside supply—reproducible raw materials (shellac, quinine, natural camphor, copra, jute, sisal, manila, silk, flax and rubber) and non-reproducible raw materials (quebracho, potash, sodium nitrate, tin ore, platinum and allied metals, nickel ore, antimony ore, cryolite, asbestos and monazite). The third comprises those not produced in sufficient quantities to satisfy domestic demand: reproducible raw materials

(citrate of lime, hides and skins, certain vegetable oils, e.g. coconut, olive, linseed and peanut oil, tobacco, hemp and wool) and non-reproducible raw materials (arsenic, manganese, chromite, tungsten, magnesite, abrasives, barites, vanadium, fluor spar, mica, quicksilver and natural graphite).

Changes take place in the character of some raw materials, largely as a result of technical and scientific progress, so that a commodity classed as a raw material at one time may be considered as a finished product at some other time and vice versa. Natural camphor and indigo were formerly classed with raw materials. Their synthetic substitutes are now considered as finished products. Coal tar, formerly a finished product, is now a raw material for numerous chemical manufactures.

The total net value of the annual material production of the world in recent years has been roughly estimated to approximate $140,000,000,000, of which foodstuffs (not all necessarily raw materials) constitute about $59,000,000,000; primary products more than $83,000,000,000; non-metallic raw materials $10,500,000,000; fuels and other sources of power $10,000,000,000; metals $3,500,000,000. The United States' share of the world total of all material production amounts to 26 percent; of its own total, foodstuffs account for 19 percent, non-metallic raw materials 26 percent, fuel and other power resources 40 percent, metals 42 percent, primary products 23 percent to 24 percent. Value added by manufacturing in American industries has averaged 28 percent in recent years.

The raw materials industries represent a large capital investment, which tends to grow with increasing demand for materials. According to an analysis by the Federal Trade Commission in 1922, American corporations represented a wealth of $102,000,000,000 (nearly one third the estimated total wealth of the United States), of which $10,100,000,000, or 9.8 percent, was owned by corporations in raw materials industries; $33,600,000,000, or 32.9 percent, by manufacturing corporations; and $27,300,000,000, or 26.7 percent, by transportation and other public utilities. To this must be added $61,454,000,000 for agriculture, nearly one half of its products being used for industrial raw materials. Fixed assets (land, buildings and equipment) ranged from 54.5 percent in manufacturing, 68.2 percent in agriculture, 84.2 percent in mining and quarrying, to 86.4 percent in transportation and other public utilities.

Prior to the industrial revolution the self-sufficient, isolated economy produced and consumed the limited number of raw materials required for food, raiment and shelter, mostly at home. An extensive raw materials market, with special trade organization, interrelated price levels and mutual non-acquaintance of producers and consumers did not exist. The handicraft artisan, limited capital and absence of division of labor characterized the economic life of the time.

In the eighteenth century a fundamental change in the economic importance of raw materials came about as a result of the industrial revolution and the spread of capitalism. Mechanical energy applied to large scale production gave rise to an enormous demand for the ever increasing number of raw materials required by the machine age. Improved methods of mining, agriculture, transportation, financing and scientific management and research made available and facilitated the acquisition and more efficient exploitation of new and continuous domestic and oversea sources of supply of saltpeter, copper, petroleum, iron, cotton and other leading raw materials. Capitalist methods of production and distribution, including the growth of modern speculation, tended to produce a world market for raw materials and problems of international scope. The significance of raw materials was reflected in such phrases as "coal and iron rule the world" and "king cotton."

The huge increase in the world demand for industrial raw materials in modern times may be illustrated by the following production data: the total world production of coal and lignite rose from approximately 207,000,000 metric tons in 1868 to 1,258,000,000 in 1932; pig iron from 18,500,000 metric tons in 1880 to 39,800,000 long tons in 1932; petroleum from 5,799,214 barrels in 1870 to 1,311,377,000 in 1932; cotton from 12,200,000 bales in 1891 to 24,000,000 in 1932; sugar from 10,106,000 short tons in 1895 to 26,821,000 in 1932. In the United States alone the total value of mineral products increased from $403,120,000 in 1881 to $4,764,800,000 in 1930; the total production of lumber from 12,755,543,000 board feet in 1869 to 36,886,032,000 in 1929; pig iron from 54,773 long tons in 1810 to 28,686,846 in 1930; cotton from 2,097,000 bales in 1866 to 13,002,000 in 1932; crude petroleum from 2,113,609 barrels in 1861 to 785,159,000 in 1932. There has been a steady and phenomenal growth in the quantities of raw materials consumed by the manufacturing

industries (Table 1). Modern large scale industry, with its great masses of fixed capital and increasing productivity of labor, requires more and more raw materials.

TABLE I

RAW MATERIALS AND VALUE PRODUCT IN MANUFACTURES, UNITED STATES, 1899–1929*
(In $1,000,000)

YEAR	RAW MATERIALS	VALUE PRODUCT
1899	2,800	7,600
1904	3,700	10,000
1909	5,200	13,700
1914	6,500	16,200
1919	14,500	39,250
1921	9,400	27,700
1923	13,200	39,050
1925	13,600	40,400
1927	13,450	41,000
1929	15,450	47,100

* Maximum figures.
Source: United States, Bureau of Foreign and Domestic Commerce, *Commerce Yearbook, 1931*, 2 vols. (1932) vol. i, p. 89.

The growing demand for industrial raw materials is closely interrelated with technical progress and its economic utilization. The process of vulcanizing rubber and the subsequent application of the internal combustion engine to the automobile had a direct bearing on the world production of crude rubber, which increased from 67,000 long tons in 1907 to 820,000 in 1930. The introduction of intensive and scientific methods of agriculture resulted in a greatly increased demand for mineral raw materials for the fertilizer industry. In the United States the value of fertilizers produced rose from $891,344 in 1860 to $177,226,967 in 1923. Particularly since the beginning of the twentieth century woodpulp has been in ever greater demand for the manufacture of paper. In the United States the domestic consumption of mechanical and chemical woodpulp increased from 1,147,000 short tons in 1899 to 8,042,000 in 1926. The wide use of artificial silk has created a growing demand for such raw materials as cotton linters, lead and various forms of cellulose. The large current consumption of canned foods resulted in increased requirement of tin. The introduction of the telegraph, telephone and radio and the expanding use of electrical appliances contributed markedly to the demand for copper, of which approximately 25,000,000 pounds are required annually in the production of new radio sets in the United States. It is estimated that more than 100,000,000 miles of copper wire are in service for telephones and more than 30,000 miles for submarine cables. The annual consumption of copper by the automobile industry averages 250,000,000 pounds.

Notable progress has been made moreover in the utilization of raw materials through technical improvements in both extraction and manufacturing. Among the outstanding earlier inventions of this type may be mentioned Eli Whitney's cotton gin in 1793 and the extraction of sugar from beets by Marggraf in 1747 and by Achard in 1809. Justus von Liebig's discovery of the importance of mineral substances as plant food led to a systematic commercial exploitation of mineral raw materials for the fertilizer industry. The Thomas and Bessemer processes revolutionized the iron and steel industry, the electrolytic refining process the copper industry and the Gill kiln and Frasch process the manufacture of commercial sulphur. The by-products coke oven and modern industrial chemistry made possible the production of important new natural and synthetic raw materials. More recently the Haber-Bosch process of extracting nitrate from the air and that invented by Bergius for extracting petroleum from coal have opened up practically unlimited new sources of essential industrial raw materials.

The growing importance of raw materials and the tendency to combination in general led to the concentration of control of raw material production in a few hands. This assumed two forms: control by corporations interested exclusively in a particular raw material and control by manufacturing corporations as a result of integration and the desire to assure a continuous supply of raw materials. Other forms (in the United States) were control of forests and mineral reserves by railroads, which secured grants of public lands from the government, and control of coal mines by railroads eager to monopolize shipments. Concentrated corporate control of available key reserves of raw materials has advanced greatly during the past fifty years in all major industrial countries. In the United States, according to the Federal Trade Commission, 8 companies in 1922 owned three quarters of the anthracite coal reserves; 6 companies controlled about one third of the total developed water power; 30 companies over a third of immediate reserves of bituminous coal; 2 companies (United States Steel Corporation and Bethlehem Steel Company) well over half of the iron ore reserves; 4 companies nearly half of the copper reserves; and 30 companies over 12 percent of the petroleum reserves. Concentration of control is increased and strengthened

through financial community of interest, through production and price agreements and through interlocking directorates.

Concentration is particularly intense in non-reproducible raw materials, like minerals and metals. The nitrate industry of Chile is controlled by a compulsory cartel in which the government participates, the Chilean Nitrate Producers' Association. Prior to the commercial manufacture of synthetic nitrate in 1913, the Chilean cartel had a world monopoly in this key raw material. Another basic raw material of the fertilizer industry, potash, the production of which prior to the World War was a natural monopoly of Germany, has been controlled by the Franco-German International Potash Cartel since 1924. The world supply of brimstone sulphur is dominated almost completely by the Sicilian sulphur syndicate and by two American concerns, the Texas Gulf Sulphur Company and the Freeport Sulphur Company, all three operating under a joint price and territorial agreement. The production of bauxite (aluminum) throughout the world is controlled by a combination of Swiss, German, French and American producers, dominated by the Aluminum Company of America. Coal and iron production in European countries is completely controlled by local cartels, some of which are united in international cartels. The Swedish Grängesberg-Trafik A.-B., in which the Swedish state participates, controls the extensive high grade iron ore deposits in Kirunavara. Of important raw materials for drugs, the Kina Bureau in Amsterdam has a monopoly of the cinchona (quinine) supply source in the Dutch East Indies.

The nickel resources of Canada are in the hands of a small number of concerns. Pulpwood supplies are dominated by great corporations in most countries. A score of large corporations in the United States, England and Belgium control the world's supply of copper, and the industry has a world cartel. This is true of all metals. The available petroleum resources of the world are to a large extent controlled by the Royal Dutch Shell concern, the Anglo-Persian Oil Company and several American concerns, especially the Standard Oil interests.

There are, however, certain raw materials (wool, cotton, hides, sugar) which do not lend themselves to this type of control but are usually subject to cartel agreements, governing prices, standards, credit terms and marketing practises. Attempts to corner the supply of certain raw materials, such as the Sécrétan copper corner of 1890 or the Leiter wheat corner of 1898, have been sporadic and short lived. The importance of control and monopoly in the raw materials industries as a whole is still largely relative. Competition, science, diminishing demand, substitutes, newly discovered resources and legal restraints have tended to check and destroy monopolistic efforts, particularly where world cartels are concerned. Despite all controls there are periodical overproduction and disastrous declines in prices.

Geographic concentration, an outstanding feature of most raw materials industries, facilitates the acquisition and control of supply. Of the important fertilizer raw materials commercially workable deposits of potash are located principally in Germany and France, natural nitrate deposits in Chile and phosphate rock is to be found in Florida and northern Africa. Of important alloys used in the steel industry manganese is localized mainly in Russia, India and Brazil; chromium in New Caledonia and Rhodesia; vanadium in Peru and the United States; antimony in China; nickel in Canada. Tin is mined mainly in the Malay Peninsula, Bolivia and the Dutch East Indies; platinum in Russia and Colombia. The anthracite coal deposits of the United States are located in a section of Pennsylvania and coking coal is localized in the Connellsville and the Birmingham areas. The coal deposits of central Europe are confined primarily to the Saar, Ruhr and Upper Silesian districts; those of Russia to the Donetz basin. Of the textile raw materials cotton is produced mostly in the cotton belt of the United States, India and Egypt; natural silk in China and Japan; jute in India; and sisal in Mexico and the Philippines. The bulk of the world's rubber supply comes from British Malaya, the Dutch East Indies and Brazil. The production of coffee is concentrated in Central and South American countries, that of copra in the Philippines and the Far East.

Geographic concentration of raw materials has a vital bearing on the problem of supply, transportation and the location of industries. With the exception of the United States most industrialized nations must depend on outside sources of supply for most of their raw material requirements. In the case of such important industrial raw materials as cotton, wool, petroleum, hides and fertilizers this necessitates long distance oversea and transcontinental shipments, so that transportation charges become a decisive factor in the cost of production of manufactured

goods as well as in the location of manufacturing industries. Some raw materials, like iron and steel, whose transportation costs are important primarily because of the relative disproportion of bulk, weight and value, tend toward concentration of manufacturing. This accounts in large measure for the localization of the iron and steel industry of the world in the United States, England and central Europe. Other raw materials, like cotton, silk, tobacco and cellulose, with relatively low transportation costs, generally favor manufacturing dispersion.

The marketing of raw materials presents certain peculiar characteristics. The great bulk of raw material arrives at its market without much of an intervening manufacturing process. It is relatively difficult to apply standards of grading to some raw materials, such as wool, but grades have been established for the principal commodities. In general the market demand for the essential raw materials is established, so that advertising is of relatively minor importance; indeed advertising is clearly wasteful in the case of products difficult to identify. Control and risk are important factors in marketing raw materials. Wide fluctuations in output and prices, due to labor, crop and climatic conditions, form a frequent disturbing factor in the coal, oil, wheat, cotton, sugar and tobacco industries. Overproduction and disastrous price declines are frequent. Efforts at stabilization have been made at different times, chiefly through joint producers' agreements to curtail production. On the largest scale this has been attempted by the copper and sugar producers of the world since 1931 (Chadbourne plan) and by the wheat producing countries under a joint agreement to restrict acreage, signed at London in August, 1933.

The financing and speculation involved in the carrying over of accumulated stocks of raw materials have given rise to difficult economic problems in connection with a number of national industries, such as coffee in Brazil, sisal in Mexico, sugar in Cuba, wheat in the United States and rubber in Malaysia and the East Indies. In recent years competitive conditions obtaining in the United States in the marketing of such raw materials as lumber, coal and petroleum, where numerous producers compete in a glutted market, have resulted in ruinous prices, dumping and various unfair trade practises. Under the Sherman Anti-Trust Act and similar laws various stabilization plans were held illegal. A new policy inaugurated under the National Industrial Recovery Act, 1933, is designed to regulate production and distribution, including raw materials, through trade associations and groups functioning in accordance with codes of fair competition.

The principal spot markets for raw materials are situated at the financial centers which were originally most closely related to the points of assembling and primary distribution. London was long the predominant market for most of the raw materials of international trade. It still is an important market for wool, cotton, metals, rubber and rice. New York has become a leading market for cotton, sugar, coffee and metals; Santos, Hamburg, New Orleans and Le Havre for coffee; Liverpool for grain and cotton; Chicago for grain. Organized exchanges for hedging and trading in futures have been established for such raw materials as grain, cotton, sugar, coffee, cacao, rubber, copper, lead and other metals.

In the course of modern industrial development increasing pressure has been exercised on the available sources of raw materials and on the search for new sources of supplies. This tendency may be ascribed in part to the fact that large scale industry, in the face of depletion of available stocks, needed an assured, unified and increasing supply of raw materials. Other factors include military, naval and merchant marine requirements of oil, coal and steel; the search for foreign investments; the pressure of population on food supply; and the endeavor of states to become economically self-sufficient. British efforts to secure oil concessions in Mesopotamia and to pipe the oil to the Palestinian coast and Japan's acquisition of raw materials in Manchuria are recent examples. The general result has been that the major industrial countries have become largely importers of raw materials and exporters of manufactured goods. Before the World War this was true of the United States, England, Germany and France. More recently a similar trend has been apparent in the foreign trade of Czechoslovakia and Japan. Other countries, principally Russia, the Balkan and the Latin American states, have been primarily exporters of raw materials and importers of manufactured goods.

The tendency to import raw materials and to export manufactured or partly manufactured goods developed in the United Kingdom long before it appeared elsewhere. It became most pronounced during the second half of the nineteenth century, when England was the workshop

of the world. In 1913 the value of raw materials imported (chiefly cotton, wool, wood, oilseeds, oil and rubber) amounted to £269,940,000, or 35.1 percent of the value of total British imports; by 1932 it had fallen to £164,462,000. The value of raw materials exported from England (approximately half of which consisted of coal) for the same years amounted to £66,173,000 and to £43,626,000 respectively. In England's export trade manufactured goods dominated. In 1913 the value of exported manufactures was £413,820,000, or 78.8 percent of the value of its total exports; and in 1932 £275,602,000, or 75 percent. England's reexport trade in raw materials is an important factor in its oversea trade; it amounted in 1913 to £63,699,000, or 58.3 percent of the value of its total reexports; and in 1928 to £66,494,000, or 55.3 percent.

Germany since the founding of the empire has rapidly become an importer of raw materials and an exporter of manufactured goods. The value of raw materials imported rose from 1,675,600,000 marks in 1872 to 6,242,300,000 marks in 1913 and to 7,243,700,000 marks in 1928; in 1931 it dropped to 3,477,900,000 marks, or 51.7 percent of the total. In 1911 raw materials imported constituted 52.7 percent of total German imports. At that time the German textile industry procured nine tenths of its total supply of raw materials from abroad. While the value of manufactured goods exported from Germany in the period 1874–77 amounted to about 37 percent of the value of its total exports, in 1907–10 it had mounted to 65 percent.

In France the annual average value of raw materials imported from 1909 to 1913 was 4,548,000,000 francs. In 1923 it amounted to 20,959,000,000 francs; in 1926 to 40,435,000,000 francs, or 67.8 percent of the value of total imports; and in 1932 to 13,231,919,000 francs, or 44.36 percent of total imports. On account of the general shrinkage in value the following figures giving the imports of raw materials in volume furnish a better picture of the steady increase in French imports of raw materials: from 1909 to 1913 they averaged 32,845,000 metric tons; and in 1931 they had risen to 46,930,000 metric tons.

In the case of England and Germany the economic crisis which set in after the World War has been aggravated by dependence upon imports of raw materials and exports of manufactured goods, partly because of increasing world industrialization and the trend toward economic national self-sufficiency. This has not been the case in France, where industrialization is less advanced and agriculture is more active.

In the United States the progress of industrialization has been accompanied by a steady increase in the imports of raw materials and a steady relative decrease in exports. In 1866–70 the average yearly value of raw material imports (excluding foodstuffs) was $48,000,000, or 11.7 percent of all imports; the value in 1929 was $1,559,000,000, or 35.4 percent of all imports. In 1866–70 the average annual value of raw material exports was $178,000,000, or 57.6 percent of all exports; the value in 1929 was $1,142,000,000, or only 22.2 percent of all exports (Table II). At the same time the value of exports of finished manufactures rose from 14.9 percent of all exports to 49.1 percent, while imports declined from 41.3 percent to 22.6 percent. Exports began to outstrip imports of raw materials in 1915, and exported manufactured goods rose above imports of this type from 1898.

TABLE II

YEARLY IMPORTS AND EXPORTS OF RAW MATERIALS, UNITED STATES, 1866–1929*

PERIOD	IMPORTS		EXPORTS	
	VALUE (In $1,000,000)	PERCENTAGE OF TOTAL IMPORTS	VALUE (In $1,000,000)	PERCENTAGE OF TOTAL EXPORTS
1866–70	48	11.7	178	57.6
1886–90	162	22.7	277	38.1
1891–95	185	23.6	295	33.7
1901–05	325	33.4	432	30.3
1911–15	598	34.9	717	30.7
1915–20	1348	40.1	1169	18.2
1921–25	1290	37.4	1187	27.5
1926	1792	40.5	1261	26.8
1927	1601	38.3	1193	25.1
1928	1467	35.9	1293	25.7
1929	1559	35.4	1142	22.2

* Exclusive of foodstuffs.

Source: United States, Bureau of Foreign and Domestic Commerce, *Statistical Abstract* (1931) p. 493–95.

A continuous flow of raw material supplies is a necessary prerequisite to large scale industry, mass production, rationalized plant equipment and efficient marketing methods. Irregular supplies of raw materials are likely to render unproductive capital investments in industries manufacturing or consuming semimanufactured and finished goods. The superior financial and organizational advantages of large capitalist producing and manufacturing concerns and of organized groups like cartels, in the acquisition of their own raw material supplies, have tended to decrease the importance of independent and

small unit entrepreneurs in raw materials industries.

This need of industrial nations for raw materials and their increasing dependence upon foreign sources of supply have made complete national self-sufficiency in this respect impossible. The distribution of many essential industrial raw materials is so uneven the world over and their occurrence is so highly localized or unevenly distributed with respect to national industrial requirements that reliance upon imports of raw materials is universal. Even those countries with the richest and most varied natural resources are dependent for certain essential raw materials upon outside supplies. The United States, for example, is obliged to import large quantities of rubber, nickel, tin, platinum, antimony, chromite, cobalt, tungsten, quicksilver, manganese, vanadium, magnesite, asbestos, potash, nitrate, iodine, quinine, jute, hemp, sisal, rattan, silk, wool, hides, coffee, tea, cacao, spices, chicle, bristles and woodpulp. The United Kingdom is wholly dependent upon oversea supplies of cotton, petroleum, aluminum, lead, arsenic, copper, zinc, fertilizers, rubber, woodpulp, tobacco, tea, spices, drugs and copra. Germany relies largely upon foreign sources for its supplies of cotton, copper, nickel, petroleum, manganese, rubber, coffee and cacao. Japan imports iron ore, wood, petroleum, copper and cotton Italy, Denmark, Sweden and Switzerland likewise lean heavily upon outside sources for various essential raw materials. Economic dependency of this type is especially burdensome in the case of countries without colonial possessions, like Germany, Czechoslovakia and Switzerland. International interdependence may be illustrated also by the fact that Germany and France control most of the world supply of potash, while Canada has a virtual monopoly of nickel and asbestos, Mexico of chicle, Brazil and the Latin American countries of coffee, Argentina of quebracho.

National insufficiency of raw materials may seriously handicap domestic industrial development and is apt to lead to loss of trade, unemployment and a lower standard of living. In Great Britain efforts to overcome some of its economic consequences have resulted in the establishment of a preferential policy within the empire since the Ottawa Conference of 1932. Elsewhere there has been a tendency to intensified rationalization of industry: avoidance of industrial waste, recovery of scrap iron, utilization of lumber, greater technological efficiency, establishment of foreign branch plants, international cartel agreements covering raw material supplies, scientific research to provide substitutes, development of new sources of domestic supply and economic penetration of foreign countries.

The total value of the raw materials imports and exports of the world in 1930 amounted to approximately $19,500,000,000 (Table III), which was 34.1 percent of the total world trade. Europe is mainly an importer of raw materials.

TABLE III

WORLD IMPORTS AND EXPORTS OF RAW MATERIALS, 1930

	IMPORTS (In $1,000,000)	PERCENTAGE OF TOTAL IMPORTS	EXPORTS (In $1,000,000)	PERCENTAGE OF TOTAL EXPORTS
Europe	6650	39.2	3140	22.6
Africa	190	14.2	480	55.7
Asia	1150	29.8	1830	46.7
America	2070	35.5	2670	40.0
Australia	120	19.5	260	43.3

Source: Adapted from Germany, Statistisches Reichsamt, *Statistisches Jahrbuch für das Deutsche Reich*, vol. li (Berlin 1932) p. 101*.

Since about the turn of the present century, but especially following the World War, interferences with the free movement of exports and imports of raw materials have played an important role in international trade. Export duties, which more generally than import taxes are associated with raw materials, and constitutionally prohibited in the United States, are used today mainly by countries which are not highly developed industrially. They are applied for purposes of revenue, in order to conserve domestic resources and to protect domestic industry. Among the more important are Chile's export tax on nitrate (1879), the Brazilian export tax on coffee (1905), an export tax on tin ore by the Federated Malay States (1903) and the British tax on rubber exports (rubber restriction act of 1922).

In the tariff laws of modern industrialized countries import duties on raw materials required by domestic industry are generally of minor importance. On competitive raw materials they may be restrictive. The policy of industrialized countries on the whole is to levy tariffs on manufactured goods but not on raw materials. Embargoes and licensing systems were applied freely during the World War for the purpose of preventing raw materials from reaching enemy countries. In the United States they were administered by the War Trade

Board. Canada since 1900 restricts the exports of pulpwood from crownlands by means of an embargo and license system. Japan prohibits exports of crude camphor for refining purposes. Discriminatory export duties in favor of the mother country have long been in common use in colonial countries. Portugal makes wide use of this policy. Other instances are the export duties on tin ore in the Federated Malay States and Nigeria and on untanned hides and skins in India in favor of British industry. More recently export and import quotas and restrictions through foreign exchange control have interfered seriously with the movement of raw materials in international trade.

These restrictive measures on the free movement of raw materials assume a more menacing aspect as an expression of commercial rivalry in the direct intervention of governments. Control of exports of raw materials by government monopolies or agencies under government control or regulation has increasingly been established in various countries. Their object has been to obtain public revenue through export taxes, to maintain or augment the profits of the producers of the raw materials and to foster and extend the domestic manufacturing industry. The outstanding examples of such monopoly are the Chilean control of sodium nitrate, the Japanese camphor monopoly, the Franco-German potash combine, the Brazilian agency for valorization and control of coffee and the British export restrictions on rubber. Acting through the Association of Producers of Chilean Nitrate, a corporation approved and participated in by the Chilean government, a heavy export tax has been imposed since 1897 on nitrate shipments, ranging generally from a third to a half of the export value; the tax has supplied a large part of the state's revenue. The association, membership in which is compulsory, fixes prices and otherwise controls output. While the industry formerly gave Chile a world monopoly of the nitrogen market, keen competition has developed in recent years with the European producers of synthetic nitrate. The association from 1920 to 1921 set prices much above the level which would probably have prevailed under competition and in some cases made profits amounting to 50 percent of the capital. The Japanese camphor control is a state monopoly, which controls the collection and sale of raw camphor; sales prices are fixed by the government. The competition of synthetic camphor has limited the power of the monopoly, which previously could shape its price policy so as to obtain large profits. The Franco-German potash syndicate, composed of the German producers who are organized in a compulsory syndicate and the French producers dominated by the French government, controls about 95 percent of the world output of oxide of potash. The average rate of earning in 1928 amounted to from 12 to 22 percent of the total investment. The Brazilian coffee control grew out of an effort to stabilize that country's chief export industry. In 1905 a policy of restricting production was initiated and a valorization scheme established. For several years a fairly high level of prices was maintained, but in 1929 a serious crisis developed in the market, resulting in demoralization of prices.

The British restriction of colonial rubber exports (Stevenson plan), established November 1, 1922, contemplated the raising of prices through limitation of production. Technically only the exportation of rubber was restricted by means of a sliding export tax. The increase of the world output of rubber was temporarily checked and prices rose from an average of 27 cents per pound to as high as 95 cents, but the scheme had to be abandoned in 1928. It resulted in large profits for rubber producers mainly at the expense of American consumers. In the cases of Brazilian coffee and British rubber control speculators took advantage of market fluctuations. Both schemes aroused much opposition and ill feeling abroad and were discontinued largely as a result of failure to control and adjust market forces.

During the present century the struggle for raw materials has assumed international proportions, and the number of claims on the world's supply of raw materials has increased greatly. Competition has been intensified by the recent rapid industrialization of countries like Japan, Italy, France, the Soviet Union, Czechoslovakia and Canada. This post-war pace of industrialization, aiming at economic national self-sufficiency, has in some cases been systematically promoted by state subsidies and similar aids.

The growing world wide demand for raw materials is reflected also in the tendency of large manufacturing corporations and large producers of raw materials to acquire control of sources of supply in foreign countries through ownership or concessions, supplementing their control of domestic sources. For example, the Anaconda Copper Mining Company has ac-

quired valuable zinc and other ore deposits in Upper Silesia and Chile, the Guggenheim interests own extensive nitrate deposits in Chile, the Bethlehem Steel Corporation owns iron ore reserves in Chile, the Aluminum Company of America controls the world's major sources of bauxite, English textile manufacturers have acquired a large acreage of cotton in the United States, American manufacturers of chewing gum control chicle resources in Guatemala and British Honduras. The Bethlehem Steel Company has reserves of iron ore in Cuba and Chile; the United States Steel Corporation owns foreign sources of manganese. The International Harvester Company obtains its supplies of sisal directly from its own foreign sources of production. The Firestone Tire Company acquired and developed large rubber holdings in Liberia. Several large newspaper publishers in the United States own pulp and paper mills in Canada. This tendency is general among monopolistic combinations in all the highly industrialized countries.

The infiltration of foreign capital into raw material countries frequently results in political disturbances and government intervention. The Mexican constitution of 1917, amplified by subsequent government decrees, reserves subsoil rights to the state. In 1920 the United States government protested against certain petroleum provisions inserted into the San Remo agreement by Great Britain and France. Inability of imperialist nations to assure national self-sufficiency in raw materials through colonial imports has still further complicated the modern struggle for raw materials, as is illustrated by recent events in Japan and the Far East.

At the present time private corporate combinations, the international cartels, control the supply of some of the world's most essential raw materials. The copper export cartel, in which are affiliated all of the leading copper producing interests of the world, controls about 95 percent of the world's output of copper. An international cartel centering around the British firm of Lever Brothers, Ltd., manufacturers of soaps and margarine, controls about 80 percent of the production of copra and whale oil. The bismuth cartel, combining British, German, French, Italian and Dutch producers, in recent years controlled about 90 percent of world output and the international zinc cartel about 97 percent. Through agreements to curtail and regulate production a measurable degree of stabilization has been achieved, although internal dissension over allotment of output and disinclination to cooperate on the part of low cost and high cost plants have resulted in making agreements of this type relatively short lived. In order to counteract such producers' combines cooperative buying organizations have been formed, especially by the cooperative wholesale societies of England, Germany and the Scandinavian countries; but they are not very successful because of the enormous economic and financial power of monopolist combinations.

The increasing aggravation of the problems involved in the international distribution and supply of raw materials became a matter of universal importance because of the effect of the overproduction of raw materials on the world depression. The enormous surplus stocks which accumulated in the post-war period and the failure to stabilize supply and demand are reflected in the chaotic conditions prevailing in the raw materials industries and markets. As a result the wartime controls and their abandonment have acquired especial significance, and renewed attention has been devoted to economic planning. The measures initiated under the United States National Industrial Recovery Act for the purpose of controlling and regulating production and distribution of basic industrial raw materials and agricultural staples are paralleled on an international scale by the recent agreement among the wheat producing countries of the world to reduce the world acreage of wheat, and by a growing number of international private agreements among producers of raw materials to control output. The probability of an increase in synthetic products and substitutes in the future gives added impetus to efforts at systematic control of the raw materials industries. Overtures with a view to international cooperative control have been made—in 1909 by President Theodore Roosevelt, more recently by the League of Nations—but they have been nullified by national self-interest and imperialist rivalry. But the problem must inevitably be met; it is intimately bound up with the future of the world.

WILLIAM F. NOTZ

See: NATURAL RESOURCES; PLANTATION WARES; LOCATION OF INDUSTRY; INTERNATIONAL TRADE; COMMERCE; COLONIAL ECONOMIC POLICY; MERCANTILISM; COLONIES; IMPERIALISM; BACKWARD COUNTRIES; CONCESSIONS; FOREIGN INVESTMENT; SELF-SUFFICIENCY, ECONOMIC; OVERPRODUCTION; PRICES; VALORIZATION; EXPORT DUTIES; CARTEL.

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RAWLINSON, SIR HENRY CRESWICKE (1810–95), English diplomat and archaeologist. Rawlinson was distinguished as an army officer and diplomat in the Middle East and as the principal decipherer of Persian and Babylonian cuneiform. In 1827 he became connected with the East India service in a military capacity, for which he was fitted both by his social background and by his education. Possessed of an uncommonly active mind, he made the best possible use of his years in India, Persia, Afghanistan and Iraq, devoting himself equally to the geographical exploration of the country, to the study of its antiquities and to his military and political duties. During five years in Persia, occupied in training the native Persian army, he became interested in the cuneiform inscriptions found in that country. He deciphered Persian cuneiform independently of Grotefend, of whose work he had no previous knowledge, and copied the great trilingual inscription of Darius at Behistun. After deciphering the Persian part he used the latter as a key to the Babylonian script, which was far more difficult to decipher since the cuneiform characters represented ideograms and not alphabetic signs. His memoirs on the two versions (the third, in the Susan language, he left for others) appeared in 1847 and 1850 and established knowledge of these important but completely forgotten ancient tongues, the clue to the reconstruction of several thousand years of ancient history, on a solid basis ("The Persian Cuneiform Inscriptions at Behistun" and "On the Inscriptions of Assyria and Babylonia" in Royal Asiatic Society, *Journal*, vols. x–xi, 1847–49, and vol. xii, 1850, p. 401–83). As a result of his later work in these fields he published his great edition of the *Cuneiform Inscriptions of Western Asia* in five folio volumes (London 1861–84). Rawlinson's brilliant mind, at its best in decipherment, lacked the patience and the scholarly training to continue with the painstaking linguistic analysis required in order that the study of cuneiform might progress beyond his beginnings. His geographical work, scattered through many volumes of learned journals, was also of very great value. In political and diplomatic life, to which he devoted most of his later years, he won many laurels; he held a prominent place in the India council and in other administrative departments. His views on the struggle between England and Russia in the Near and Middle East are presented in *England and Russia in the East* (London 1875).

W. F. ALBRIGHT

Consult: Rawlinson, George, *A Memoir of Major-General Sir Henry Creswicke Rawlinson* (London 1898); Cust, R. N., in Royal Asiatic Society, *Journal*, vol. xlvii (1895) 681–90; Goldsmid, F. J., in *Geographical Journal*, vol. v (1895) 490–97.

RAYMOND, DANIEL (1786–1849), American lawyer and writer on economics. Raymond, who was born and educated in Connecticut and practised law in Baltimore, was the author of *Thoughts on Political Economy* (Baltimore 1820; 2nd ed. as *The Elements of Political Economy*, 2 vols., 1823), the first formal treatise on political economy by an American. Offered as "an humble effort to break loose from the fetters of foreign authority," the volume was a protest against the laissez faire policy and cosmopolitanism of the classical economists. Distinguishing between individual riches and social wealth, Raymond held that the latter could best be attained through a national economy nurtured by the government. Thus he favored a protective tariff in order to permit the fullest employment of the productive capacity of the nation and to maintain a stable domestic market. His discussion of credit is marked by provincialism; he viewed banks with suspicion and opposed the issue of banknotes, alleging that the banking system generally was an instrument for the enrichment of the few at the expense of the masses. On currency he took an extreme "hard money" position: all currency must be of government issue and all paper money must represent actual deposits of the precious metals. In common with the American thought of his day Raymond held that there was no essential distinction between rent and interest on capital; likewise, opposing Malthus, he claimed that the ills of British labor were due to faulty political organization rather than the pressure of population on subsistence. Despite Raymond's long residence in Baltimore the New England influence finds expression in his chapter on slavery, which like his tract entitled *The Missouri Question* (Baltimore 1819) is a bitter denunciation of the practise on both moral and economic grounds. His economic thought is confined to the controversial questions of his time; it does not attempt to provide a general theory of value or of the distribution of income.

A. D. H. KAPLAN

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RAYMOND, HENRY JARVIS (1820–69), American editor and politician. Raymond exemplified a new theory of American journalism in the New York *Times*, which he founded September 18, 1851, and conducted until his sudden death. A penny newspaper of wide circulation, it was independent of party and avoided class appeals; it specialized in news reporting uncolored by any cause, faction or personal feeling; and in editorial policy studiously refrained from the heat, abuse and misrepresentation then common. Raymond struck the note of the *Times* when he announced in his first issue that "we do not mean to write as if we were in a passion." Avoiding the eccentricities of Greeley, the sensationalism of the elder Bennett and the vehemence of party organs he furnished the first important model for the moderate, unbiased and neutral journalism which has since become widespread. While taking many lessons from the London *Times* Raymond sought a broader, more diversified newspaper of interest to all members of the family. His success increased a capital of $100,000 to more than $1,000,000 in eighteen years and by stimulating the development of a school of imitators elevated the level of the American press.

In politics Raymond displayed the same shrewd moderation as in journalism. He was one of the founders of the Republican party at its Pittsburgh convention in 1856 and wrote its first platform. A close friend of Seward, he made the *Times* during the Civil War an invaluable supporter of the Lincoln administration, which was being assailed by radicals like Greeley. He did more than anyone else to bring Andrew Johnson forward for vice president in 1864, and as chairman of the National Executive Committee that year he managed the Lincoln-Johnson campaign. He stood behind Lincoln's moderate war aims and when Johnson became president, he made the *Times* the foremost Republican newspaper in support of Johnson's reconstruction policy, which he defended ably as representative in Congress from 1865 to 1867. Estrangement from Johnson followed. Raymond removed from the Republican Executive Committee, withdrew completely from politics and gave the last two years of his life entirely to his newspaper.

ALLAN NEVINS

Consult: Maverick, Augustus, *Henry Jarvis Raymond and the New York Press for Thirty Years* (Hartford 1870); Hudson, Frederic, *Journalism in the United States from 1690–1872* (New York 1873) ch. xxxix; Davis, Elmer, *History of the New York Times* (New York 1921) chs. i–ii; Bleyer, W. G., *Main Currents in the History of American Journalism* (Boston 1927) ch. ix.

RAYMOND DE PENNAFORT (*c.* 1180–1275), theologian and canonist. Raymond, who was a native of Catalonia, was a member of the Dominican order and its third master general (1238–40). While at Bologna, where he taught until 1219, he produced a *Summa iuris*, a treatise on canon law divided into seven parts. By order of Pope Gregory IX, who summoned him to Rome in 1230, he edited the first official collection of the *Corpus juris canonici*, the *Decretales Gregorii IX*, completed in 1234. This work, destined to remain until the twentieth century as the fundamental code of canon law, is a compilation of previous documents, especially from the period of the *Decretum* of Gratian, but represents coordination and adaptation as well. Raymond also prepared an improved edition of the constitution of the Dominican order.

His chief and most original theological work is a *Summa casuum*, or *De poenitentia et de matrimonio*, begun between 1223 and 1234, which in primitive manner was divided into only three sections: sins against God, sins against one's neighbor and various canonical matters concerned with penitence and remission of sins. The fourth section, the *Summa de matrimonio*, is a later addition (after 1234) and is nothing more than Tancred's *Summa de sponsalibus et matrimonio* adapted to the Decretals of Gregory IX. The influence of the *Summa* was considerable, not only among the preaching friars but also at the University of Paris in the thirteenth century. It was glossed by William of Rennes (Redonensis) and Jean de Fribourg, a fact which testifies to its great importance. The numerous *Summae confessorum* of the thirteenth and fourteenth centuries were inspired by it and the more extensive *Summae* of the fifteenth century still show its influence. Practical in purpose, it was addressed to confessors.

A. VAN HOVE

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RAYNAL, GUILLAUME THOMAS FRANÇOIS (1713–96), French historian. Raynal was educated in a Jesuit school and took priest's orders. Later he abandoned his religious career and devoted himself exclusively to writing. His place in history is based entirely on a single work, the *Histoire philosophique et politique des établissemens et du commerce des Européens dans les deux Indes* (first edition without name of author, 4 vols., Amsterdam 1770; definitive edition, 10 vols., Geneva 1780). This compendious and declamatory historical work, in which Raynal had the assistance of numerous collaborators including Diderot, had a phenomenal circulation in France despite the prohibitions launched against it by the government and was translated into most of the European languages (English translation by J. O. Justamond, 3rd ed. 5 vols., London 1777). It is important today not from the point of view of historiography—as a book of history it suffers from a lack of first hand information and reliable documentation—but as a "best seller" which both expressed and influenced the minds of its contemporaries.

The *Histoire des Indes* served for its contemporaries as a sort of colonial encyclopaedia, catering to their taste for exoticism and political economy. In the latter respect it may be said to have expressed the mean level of economic opinion of the day. It was bitterly opposed to mercantilism, championed moderate physiocratic doctrines but was in no way original in the ideas it presented. It served also as a work of propaganda which helped to make way for the cataclysm of the French Revolution. Starting from an attack upon the colonial regime of the European countries, it went on to combat both monarchy and ecclesiastical despotism. The opinions, often contradictory, of Montesquieu, Voltaire, Rousseau, Helvétius and Holbach are lumped together to show the ravages of the despotisms of church and state. These despotisms violate liberty, the first of the natural rights of man and one which may be deduced either in the name of God or in that of the natural social order. In the application of his doctrine to France Raynal argued that since the absolute monarchy was consecrated by the Catholic

church, which proclaimed it as of divine right, the conquest of liberty was predicated upon the destruction of Catholicism and of all other doctrines which admit a supernatural order. The irreligious and anticlerical spirit of the *Histoire des Indes* had a direct influence in inspiring the sectarian policy of the French Revolution, which Raynal, incidentally, was one of the first to denounce in a celebrated *Adresse* written to the Assembly on May 31, 1791 (English translation, London 1791). In this manifesto he showed himself quite disconcerted over the fact that the sovereign people was revealing itself in the name of the great liberal principles an accomplished tyrant, terrorizing its own members through the organ of its representatives.

ANATOLE FEUGÈRE

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RAYON. *See* TEXTILE INDUSTRY; SILK INDUSTRY.

REAL ESTATE, if defined as land and the improvements upon it, constitutes nearly half the entire wealth of the United States. The term is ordinarily restricted, however, to urban land and its improvements, and the major portion of the following discussion will center about urban land development and transactions. Real estate as a business comprises the activity of those persons who engage directly or indirectly in the development, merchandising or management of this commodity. Predominantly a personal service business, it affords a field of activity for an ever shifting group of men and women whose income in the United States alone certainly exceeds several billions of dollars annually. According to the 1930 census over 240,000 persons in the United States earned their livelihoods in transactions in real estate.

The real estate business became a reality only when property rights in land and its improvements became clearly defined and subject to inheritance, sale, lease and other forms of transfer. In so far as the real estate business has any primitive origins, they are connected with the transfer of title. Not only were all early forms of transfer of title cumbersome, but in many periods transfers other than by conquest were virtually impossible. While transfer of real estate still remains complicated, alienation (the right to transfer) has been greatly facilitated. Primogeniture and entail have lost their importance, and the principle of free alienation is so distinctly a part of the modern property system that contracts or laws in its restraint are consistently condemned as contrary to the public interest. With increasing ease of transfer and with greater variety in the uses of land there developed an organized market for real estate; and as the number, character and value of the units became more varied, an ever larger number of middlemen began to find employment in the real estate business.

While the real estate business is essentially a modern activity, its Greek and Roman antecedents are not without interest. In Greece the city was almost the exclusive property owner, but private agencies were established to manage properties, collect rents, plan and erect buildings and carry out similar tasks. The rent collector, however, performed a function different from that of the present real estate operator, whose major role is to convince prospective purchasers that real estate values are about to rise or that real estate is a desirable or useful investment. The Roman property system probably represented the first opportunity for real estate business activities at all similar to those of modern times. Private property and individual initiative were part of the Roman philosophy. Investments in lands and buildings were held in high regard. A rather complicated legal system with respect to land titles required the services of men with legal training for the transfer of land, and all these factors combined to initiate a system of real estate sales promotion.

Further development in this direction came only with the decline of the feudal system and the profound changes in economic life generally and in the uses of land in particular resulting from the industrial revolution. Urban living tended to sever people's attachment to the land. As money incomes increased, real estate in the rapidly growing cities was found to be a logical place for the investment of surplus funds. A prosperous man might own several buildings, but he held them primarily as investments and had little time to devote to finding tenants, collecting rents, financing and repair. As sales and trades became more frequent, people from all

walks of life found opportunity to engage in such work. Legal training was necessary for those responsible for the technicalities of transfer, but with this exception no qualifications were expected or required of operators in this field. However, in England the barristers and in other countries the notaries were the prominent figures in real estate transactions. The problems of describing and measuring the land soon became associated with its transfer, and the surveyor also became active in this connection. In fact today many participants in English real estate transactions are spoken of as surveyors, and the oldest leading professional society in the business is known as the Chartered Surveyors' Institution.

The colonization of North America created opportunities for frequent land sales and vigorous settlement activities. While the initial allotments of territory were not the result of sales or promotional efforts, land sales and speculation grew more and more important as the country developed. The settling and selling of land in the United States were stimulated by growth of population and by European demands for foodstuffs and raw materials and were further encouraged by constantly rising land values. The latter created a real estate market activity characterized by frequent speculative excesses. The depression of 1837 was essentially a reaction from hectic land speculation in which real estate boomers in top hats and frock coats had sold land of all descriptions, completely bogging an immature and inadequate banking system with real estate paper. All of the elements necessary for a vigorous real estate business were early present, especially in the northern and middle western sections of the country. Holdings were comparatively small, and ownership by the user was the rule. In the south, where the plantation system prevailed, opportunities for real estate activity were restricted to a few cities. The "real estate man" in early American history was usually a northerner. It should be remembered, particularly in connection with homestead laws and other governmental land policies, that "go west" movements, while a part of national policy, were to a substantial extent the result of private enterprise, of land agents and their organized propaganda about the golden opportunities of the west. Individual states and later the railroads joined in land booming, in their efforts to dispose of their large subsidies from the several government agencies. As a result the frontier moved quickly across the continent, accompanied by almost successive waves of rising land values and real estate activity.

The modern real estate business in the United States is carried on under a variety of forms of business organization. On the one hand, thousands of individuals conduct such business without office organization or capital. At the other extreme are individuals and organizations with elaborate business quarters and large sales and clerical forces, often including several hundred persons. As in other enterprises there has been a trend toward specialization of functions, although the single handed broker or the small partnership has not hesitated to carry on any phase of real estate activity in which ingenuity or effort could make a commission or profit. The nature of the business is best indicated by an analysis of the different types of activity it involves, but it must be remembered that while scattered individuals or firms confine themselves exclusively to one type of activity, it is more common for individuals and organizations to perform several functions.

Earlier activities were concerned almost exclusively with brokerage and land development. And at the present time most persons in the real estate business are brokers or brokers' employees. The primary concept behind such activities is that of agency for a fee or commission. Transactions ranging from the sale of valuable business properties to the sale of homes and vacant sites are included under the category of general brokers' business. Indeed the varieties of brokerage activity almost defy classification. Even here a degree of specialization exists: certain brokers give their principal attention to long term leases; some to industrial property where peculiar problems of building construction or railroad facilities are involved; others to a limited downtown central business district; and still others to small residences, apartment properties, and even location and leasing of chain store units. Brokerage is the predominant activity and the only so-called specialized function in which almost every person engaged in the real estate business pretends to participate. There has been much discussion as to the extent to which dealings in the real estate market have been augmented and stabilized and a beneficial transfer of property has been developed as the result of brokers' activities. While undoubtedly substantial services have been rendered, there is no question but that the charges per unit of transaction are very considerable. An odd prac-

tise prevails in the United States, where it is the seller who pays the commission and theoretically is represented by the broker. In fact, however, the broker is essentially a salesman, a go-between without special interest in either party, seeking only to arrange a sale.

Of more recent importance as a type of real estate activity is property management. Steel construction and the elevator have encouraged concentration of residential as well as business accommodations within a small area. The need for management of office buildings, apartment houses, hotels and various types of rented business property has resulted in the development of specialists qualified to rent and manage this kind of real estate. For such specialization technical knowledge and ability are more important than the sales capacities so fundamental in brokerage. As a result the training and capacities of persons engaged in property management are probably superior to those of other groups in the real estate business. Property management activities are also better adapted to large organizations, which are less subject to the vicissitudes of varying business conditions. It is probable that an increasing proportion of the individuals engaged in the real estate business will concentrate in this field as the industry becomes more mature.

A third type of real estate activity is that of the builder. While the bulk of the construction of large properties is in the hands of specialized construction firms and under architectural supervision, a very substantial amount of the building activities of the United States is carried on by persons considered to be in the real estate business, often spoken of as operative builders. In larger cities they build, sell and operate apartment properties. Much home building is also carried on in connection with the real estate business, and many large real estate firms, particularly those engaged in land development, have building departments. Many single family dwellings, often in operations involving tens or hundreds of homes, have been built by persons in the real estate business, although as a rule the economies possible in large scale production have not been realized. With some outstanding exceptions builders from within the ranks of the real estate business have not been associated with programs for better or lower cost housing or community planning. In the main they have operated within the general standards of building ordinances and must take the chief responsibility for row houses and many of the jerry built structures of the country.

An interesting phase of specialization, growing out of a combination of brokerage and building, has been the construction and sale of co-operative apartments in a number of the larger cities of the country, particularly New York and Chicago. In these buildings the property is held in the name of a corporation, while the apartment occupant virtually owns the space he occupies under a long term lease through stock ownership in the corporation proportionate to the equity value of his apartment.

Another major type of activity is that of subdividing or purchasing acreage tracts of land, usually on the fringes of cities, cutting them into lots suitable for home sites and selling these lots with or without such improvements as streets, sidewalks, sewers, water and other utilities. For such activities subdividers have been praised, on the one hand, as pioneers and city builders and denounced, on the other, as land scalpers and exploiters of uninformed people. Undoubtedly considerable subdivision activity has been predatory, based only upon seemingly plausible arguments about land value increment to come from a hypothetical city growth and ultimate utilization of the land. In the sale of subdivision property some of the least commendable sales activities in the United States have been employed. "Chump chariots," "bird dogs," "pitch men" and a galaxy of high pressure sales tactics have been used. Properties have been sold as city lots while even the farm fences remained standing. In contrast to such activities are projects that include development of the land and preparation of real home sites which are immediately usable and whose value is established. To an increasing extent subdividers are combining home building with development work, saving purchasers the risks and inconveniences attendant upon individual home planning and construction.

Nevertheless, some of the outstanding investment tragedies suffered by individuals in the United States have occurred in the vicinity of large cities, where the subdivider (the modern version of the old land boomer) has laid out lots in home sites far beyond the needs of the city for decades to come. There is no phase of the real estate business where the results of unbridled acquisitiveness are so permanent, for it is in the planning and sale of individual home sites that the almost final pattern of housing and community building is determined. Although subdivision development is a large capital operation requiring an unusual combination of creative,

planning, architectural and sales capacities as well as financial strength and operators on a subdivision development basis are therefore not numerous, subdividers' operations have generally not covered sufficiently large areas for the voluntary development of adequate and coordinated street layouts, lot sizes and other items essential to community planning. Here more than in any other phase of real estate activity there should be coordination with city and regional programs and a vigorous regulation of activities from a physical and an economic point of view.

Since 1900 there has been a rapid development of property valuation as a specialized branch of real estate activity in the United States. In the past brokers almost without exception felt themselves qualified to earn appraisers' commissions, but appraisal is clearly the work of a specialist. Although the standards of efficiency attained in rating and valuation work in England have not yet been reached in the United States, the results of this type of specialization should be very significant in the development of sound building and land purchase policies and in the placing of real estate investment on a less speculative and haphazard basis. Many students of land values and real estate investment are convinced that in the past, with notable exceptions, investments in real estate have produced much lower yields than is generally supposed. Considerable attention has been given to real estate appraisal in some universities as well as in the real estate trade associations.

Real estate financing presents another problem. Many individuals and organizations in the real estate business negotiate mortgage loans. In some cases the mortgages are made and sold to private investors among the clientele of the real estate or mortgage broker; on other occasions the mortgages are negotiated on behalf of some large institutional lender often located outside the community. The more recent tendency in the placing of mortgage loans has been to eliminate the commissions and participation of men in the general real estate business. Community financing institutions have found such services to be merely an added cost to the borrower. In the case of smaller mortgages the virtual monopoly of the field by real estate interests has resulted in short term loans, which increase the frequency of renewal commissions, rather than long term amortized loans suitable to the needs of the borrower. The need for some other type of real estate financing is one which has not yet been met adequately in the United States. Before 1929 large unit financing handled through real estate organizations was tending more and more to take the form of the sale of real estate bonds. But this tendency has come to be discredited because of the inflated appraisals on which the loans were based and the resultant receiverships and bond depreciation.

Most individuals and firms in the real estate business participate in a variety of collateral activities. For example, practically without exception insurance is written by real estate brokers. In contrast to English custom real estate is bought and sold for quick turnover by persons and firms otherwise engaged as agents or brokers. Some persons and groups sell vacant land on a speculative basis through what is termed syndicate participation. Some act as administrators or executors of estates which consist largely of real property. Most real estate offices act as amateur law firms in connection with contracts, deeds, mortgages, notary services and the like. Others serve small community home financing institutions, such as building and loan associations and mortgage companies.

In the past the bulk of the real estate business in the United States was sustained by interest in speculative gains, by residential development and by other situations resulting from the growth and shift of population and a long, continued upward trend in the price level. These conditions and many of the business opportunities growing out of them are perhaps phenomena of the past, and it is likely that non-speculative transfers and intelligent utilization and management of real estate will come to form the bulk of the business.

Up to the present moreover the real estate business has been distinctly episodic. Since it requires little capital, the numbers engaged in it have multiplied rapidly in prosperity periods; and since the income is dependent upon commissions and transfers rather than on week to week or month to month services, a major exodus has taken place in depression periods. It is estimated that the number of persons engaged in the business either full or part time at the beginning of 1933 was approximately one half the number participating in 1927. The volume of sales clearing through general brokers' offices and sales of subdivision property probably has a wider swing in the transitions from prosperity to depression and back to prosperity than is true of general business activity.

Impatience with the promotional and speculative activities of the real estate industry is increasing. While it may be argued that Berlin and Chicago in the 1890's and Los Angeles and other cities more recently were examples in part of the pioneering and vision of the real estate man, the public has paid pretty dearly for this phase of private initiative and individualism. Growing recognition of the public interest and the need for public control over building and land development as well as over the personnel may be expected to result in decreased emphasis on qualities of salesmanship and more on essential business judgment, training and capacity, while the adoption of national housing and planning policies will stabilize the conditions under which the industry must operate.

Specialization not only offers opportunities for developing technique, but it encourages the more successful men in a business to establish standards of practise and ethics which will bring public approbation and protection for themselves against border line or substandard conduct. There has already been a groping for semi-professional status among the members of the real estate business in the United States. But it is in England that the business has reached greatest maturity. Its position is maintained through education and apprenticeship and the establishment of ethical standards by professional societies. The English professional real estate societies stand out as models for the rest of the world to follow. There are four principal societies: the Chartered Surveyors' Institution, the Auctioneers' and Estate Agents' Institute of the United Kingdom, the Land Agents' Society and the Incorporated Society of Auctioneers and Landed Property Agents. The oldest and most advanced is the Chartered Surveyors' Institution, which was granted a royal charter in 1881; in the same year the examination system for admission to membership was introduced. Out of the more than 20,000 candidates who presented themselves for the professional examinations between 1881 and 1930 about 12,500 were successful. Moreover the institution disciplines its members and expels those who do not live up to requirements. In 1933 there were approximately 8000 members. The Auctioneers' and Estate Agents' Institute, with a membership of over 6000 in 1928, ranks next in importance. Since 1921 it has also had compulsory examinations for membership. While voluntary sale of real estate by auction has never been popular in the United States, it is carried on extensively in England and to a lesser degree in some of the other European countries, notably France, where it is felt that auction of property, after advertisement by a reputable firm, will bring the highest possible price. The institute has its headquarters in London, where a palatial building houses the staff and library. Branch offices are located in the various cities, where they can deal more effectively with matters of local interest. The institute provides a mart which may be used upon payment of a fee by members who have lived up to rules pertaining to the advertising of the property to be sold. All transactions are recorded and are open to inspection by all subscribers. The other two societies are organized and work along much the same lines. All encourage professional education in the universities, sponsor helpful legislation and through membership restrictions maintain a high standard, which results in a very definite benefit to the public.

In the United States the National Association of Real Estate Boards has made substantial efforts to improve the standards of conduct in the real estate business. The term realtor is owned by the association and may be used only by members. Membership and use of the trade name are conditioned upon agreement to abide by the rules and code of ethics of the organization. The control here exercised is largely voluntary on the part of the individual, although some of the constituent boards have maintained very high standards of business conduct and responsibility. The national organization has encouraged education and the extension of public licensing as a supplement to its own self-imposed standards.

In Europe the real estate business is in general less well organized than in England or even in the United States. In most European countries the transfer of real property is less frequent and the procedure more cumbersome. The notary public is a much more important personage than in English speaking countries; he is often appointed by the government and is the agent through whom the bulk of real estate transactions is made. Most countries have laws requiring a public record of documents affecting the transfer of real estate. In France the law stipulates that all property sales shall be published in official journals and that no sale can be consummated until at least forty days after first publication. The notary prepares the deed, registers the sale and attends to all legal matters in connection with the transfer. There are a

considerable number of persons who conduct rental and brokerage businesses; many sales moreover are made, as in England, through public auction, and real estate men rather than notaries usually advertise and conduct such sales. But the high cost of transfer and relatively stable land values lessen the number of sales and trades as compared with the United States. In Switzerland property seldom changes hands. Transfers when made are cumbersome and require expert legal talents. In another country a purchaser must hold a property approximately twenty years before he can receive a final document evidencing ownership.

In the United States public control of the real estate business has tended to concentrate on regulating the conduct of the persons in the business through license laws. More than half the states have provided by statute for real estate licenses: real estate brokers and salesmen in their employ must have licenses before they may accept commissions to act as agents in real estate transactions. This type of control therefore covers only the agency aspects. In some states a license is not granted unless the applicant has passed a more or less difficult examination designed to test his technical knowledge or competence; but in most states licenses are granted virtually to all who apply, provided they pay the required fee, usually ten dollars or less per year. Universally, however, the laws stipulate that the licensing authority may revoke or refuse to renew licenses, if upon a proper showing it is demonstrated that the licensee has violated certain standards. While establishing certain minimum standards of conduct and thereby eliminating the most vicious procedures, such public control cannot hope to improve practises above those already common to a substantial majority of the business. It may be expected that as general business standards are raised through education and directed effort of the trade associations, those of public regulation will follow. But major dependence in this type of control must rest upon voluntary action.

Land planning and restrictions on land utilization exert a different form of control on the real estate business. One of the results of such activity is the stabilization of land values as well as of land uses and thereby the elimination, to a certain extent, of speculative possibilities. The more far sighted members of the real estate business have welcomed such measures, recognizing their own dependence in the long run on satisfaction of the public interest. The earliest efforts in this direction were the zoning laws, which sought to eliminate conflicts of real estate uses in adjacent areas and required approval before recordation of subdivision plats. More recently community and regional plans have come into prominence and in a few places into operation. Programs for public housing and long time planning of land utilization point the way to possible future developments.

MORTON BODFISH

See: LAND SPECULATION; BOOM; LAND TRANSFER; HOUSING; SLUMS; SUBURBS; GARDEN CITIES; HOME OWNERSHIP; URBANIZATION; LAND MORTGAGE CREDIT, section on URBAN; BUILDING AND LOAN ASSOCIATIONS; PROPERTY TAX; SPECIAL ASSESSMENTS; BUILDING REGULATIONS; ZONING; CITY AND TOWN PLANNING; REGIONAL PLANNING.

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REAL ESTATE TAXATION. *See* PROPERTY TAX; GENERAL PROPERTY TAX.

REALISM. The original intention of the term realism is to assert the existence of real things as opposed to the products of the mind, which, in so far as they are fancies and imaginations, are considered not to be real things. It is, however, a word which has been used with a considerable variety of meanings.

The term is first applied in philosophy to Plato's theory of forms. Socrates is credited with the doctrine that universals possess a more real

existence than physical things. What Socrates chiefly had in mind, it seems, was mathematical concepts, such as number and triangularity, and moral concepts, such as justice and virtue. This view is the basis of Plato's celebrated theory of forms, or ideas. The question which the theory is primarily designed to answer is: Why do things come to exhibit qualities which they had not before or to lose qualities which they had? The answer is that they exhibit or lose such qualities because of the presence in or absence from them of certain non-material forms. For example, a thing becomes beautiful because the form of beauty is present in it; it ceases to be beautiful because the form is withdrawn from it.

The forms were conceived by Plato to constitute the real world, a world of immaterial logical entities, permanent, perfect and changeless, standing in immutable relations to one another. The forms are not only not thoughts in a mind but they are independent of any mind, human or divine. For this reason the use of the word ideas to denote them is highly misleading. For this reason also Plato's doctrine may be said to constitute the earliest form of what is known as conceptual realism. Conceptual realism not only makes the negative assertions common to all forms of realism, that reality is not exclusively minds or a mind, is not thoughts in minds or a mind and is not dependent for its existence upon being thought about by minds or a mind, but positively asserts that reality includes certain immaterial entities, sometimes called universals, such as humanity, whiteness, triangularity, justice and so on.

It is this second positive assertion which constitutes the distinguishing tenet of scholastic realism. Scholastic realism, of which the most prominent exponent was William of Champeaux (*c.* 1070–1121), maintains, following Plato, the independent reality of essences, potentialities, principles, causes, which are conceived not as ways of representing facts or as the properties of things, but as independent agencies which are responsible for the occurrence of the phenomena they are invoked to explain. Because a stone fell to the earth when dropped, realist philosophers were inclined to say that it possessed a "principle of gravity" which caused it to seek the earth's center; the fact that quinine prevents a cold would be explained as due to its possession of a "cold-forbidding essence," which would be thought of as a form with which the material of quinine had combined. The doctrines of scholastic realism were criticized by the nominalists, who maintained that universals, essences or forms were nothing but the general names by means of which we denote the common qualities possessed by different objects. There were therefore in the nominalist view no such independent entities as "whiteness" or agencies such as "cause," "whiteness" being simply the common quality of cream and snow, "cause" a relation between events.

With the decline of scholastic philosophy at the close of the Middle Ages the center of philosophical interest shifted. There began the vogue of idealism, first subjective and subsequently objective; and, if we except the work of the Scottish philosopher Thomas Reid (1710–96), who maintained a realist theory of knowledge in order to urge the claims of common sense, idealism may be said to have held the philosophical field practically unchallenged until the end of the nineteenth century. Thus it is not until comparatively recent times that realism reappears in a new guise as a specifically modern theory. The starting point of the realist revival is to be found in two articles which G. E. Moore contributed to *Mind* at the beginning of the twentieth century ("The Nature of Judgment" and "The Refutation of Idealism" in *Mind*, n.s., vol. viii, 1899, p. 176–93, and vol. xii, 1903, p. 433–53); the first deals with the theory of perception, the second with that of concepts. These two theories, which constitute the two main strands of modern realism, may be most conveniently considered separately. Common to both is acceptance of the maxim enunciated by the Austrian philosopher Meinong (1853–1920): "That there cannot be an act of knowing without something to know, or more generally that there cannot be an act of judging, even an act of apprehending at all, without something to judge, something to apprehend, is one of the most self-evident propositions yielded by a quite elementary consideration of these processes."

The application of this maxim to the problem of perception has resulted in a number of theories which have little in common except their affirmation of the independent existence of the perceived object. As soon as the questions are raised, "What sort of object is the object perceived?" and "What is the nature of the mental activity by which it is known?," wide divergencies of view are apparent. Perhaps the best known of the various views is that which asserts that the objects known in immediate

sensory experience are sense data, or sensa. This view has been put forward at different times in England by G. E. Moore, Bertrand Russell, P. T. Nunn, C. D. Broad and others and in the United States by the contributors to *The New Realism*. Sense data are defined by Bertrand Russell as "the things that are immediately known in sensation: such things as colour, sound, smell, hardnesses, roughnesses and so on."

The view of the external world as consisting of independent entities (sense data) which are revealed to the mind of the perceiver exactly as they are has afforded a philosophical background which is in the main congenial to the natural sciences. If the part played by the knowing mind in our knowledge of the external world is merely revelatory, it follows that problems of epistemology may be ignored by the scientist. "Out there" in space is a directly revealed world of external fact; all that the scientist has to do is to explore it. Realism has borrowed in its turn from the natural sciences certain mental habits. In the first place, it has adopted from science the method of tackling its problems singly. It is not the case, as idealists have supposed, that it is necessary to know the whole truth about everything in order to be able to assert some true propositions in regard to particular problems. Refusing therefore with one or two exceptions, such as Professor Alexander, to commit themselves to all-embracing metaphysical systems—many realists indeed have denied the possibility of such systems in the old sense—realists have isolated their problems and tried by careful logical analysis to find out exactly what could and what could not truly be said on particular issues.

In recent years, partly on account of the epistemological difficulties which realism has experienced in defining the relation of sense data to physical objects, partly on account of the changing trends of physics, the alliance between science and realism has tended to break down. Not only is the relation of sense data to physical objects obscure, but sense data are completely foreign to the world affirmed by modern physics. Moreover the world of modern physics is not directly perceived; hence it is difficult to avoid the conclusion that it is somehow constructed from the world which is perceived. As a result there is a new insistence on the activity of the mind in scientific thought. This has led to a wide acceptance of idealist views by contemporary physicists, who have not hesitated to acclaim the activity of the mind in constructing not only the scientific but the familiar world. Thus Kant has taken the place of the realists as the philosopher most congenial to modern physics.

In its application to ethics and aesthetics modern realism has taken the form of a conceptual realism, not unlike the Platonic theory of forms. In *Principia Ethica* G. E. Moore contended that goodness is an ultimate and objective subsisting entity which cannot be further analyzed but is intuitively perceived; he also made the same claim for the subsistent truth. The result is a utilitarian ethic, so far as means are concerned, a right action being defined as one that has the best actual consequences on the whole; and an intuitionist conclusion in regard to ends, the best consequences being defined as those which contain the greatest quantity of such ultimate goods as virtue, truth, beauty, which are intuitively perceived to be valuable. An analogous doctrine has been suggested in aesthetics by Roger Fry and developed by Clive Bell and others. Bell in his book *Art* contends that "significant form" is the distinguishing characteristic of a work of art. It is, he holds, in virtue of their possession of significant form that we experience aesthetic emotion in contemplating such works. The doctrine implies (although Bell does not explicitly draw the implication) the metaphysical conception of an absolute and objective beauty, whose presence in the object confers significance upon it.

It is largely through its alliance with the scientific outlook—an alliance which, as has been said, continued until the rise of the new physics and which indeed is still operative on the cultural levels of thought—that philosophical realism has had any direct bearing upon the social sciences. It has formed part of the general reaction from objective idealism, which has led to the decline of the Hegelian view of the state and has contributed to the growth of political pluralism, which involves the affirmation of the independent integrity and real rights of bodies, such as corporations and trade unions. Just as realism affirms the reality of things apart from minds and of parts independently of wholes, so political pluralism affirms the reality and the rights of bodies within the state independently of the state.

C. E. M. JOAD

See: PHILOSOPHY; SCIENCE; LOGIC; SCHOLASTICISM; RATIONALISM; MATERIALISM; IDEALISM; NATURALISM; PLURALISM; PRAGMATISM.

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REASON OF STATE is one of the more important of the concepts which have contributed to the building up of a rationale of the absolute state. First widely used in the sixteenth and seventeenth centuries to rationalize the ruthless employment of political power, it was taken over into the theories of nineteenth century nationalism and imperialism and has a current importance with the ascendancy of new dictatorships and new absolutisms.

The concept is the historical root for the fundamental category of purposive or objective rationality in political behavior. Political behavior is objectively rational (Max Weber's *Zweckrational*) when it is adapted to creating, preserving or expanding a configuration of social relationships in terms of power; subjectively rational behavior, on the other hand, is rational in terms of ideas or values. To be sure, actual behavior will rarely be objectively rational unless there is a conviction that the object to be attained is valuable. There is nevertheless an important difference between a study of ideas, values or norms and one of the means employed in their realization.

Machiavelli, who is often—but incorrectly—regarded as the originator of the concept of reason of state, affords in his writings a striking confirmation of this distinction as well as an indication of its limitations. For his ideas not only revolve around the problem of the necessary conditions of successful political action but tend to confirm his (subjectively rational) faith that the state, or organized political community, is the highest of all goods, because it is the condition of all good life. This faith he shares with classical antiquity, with Plato, Aristotle and Cicero. Built as it was upon the three ideas of pagan virtue, or manliness, *fortuna* and *necessità*, it made a rationally coherent whole in the mind of Machiavelli and in those of his contemporaries who had lost faith in the teachings of Christ as interpreted by the church. To those who had not thus lost faith it was shocking heresy. But some of the latter, like Botero, attempted to salvage the "truth" contained in Machiavelli's passionately detached analysis regarding the conditions of successful political action. So far reaching was its influence that strictly anti-Machiavellian writers, like the Calvinist Johannes Althusius, became deeply concerned with these problems. Meinecke, in his magistral volume on reason of state, while protesting that "the rich content of the idea of reason of state cannot be enclosed within the narrow limits of a definition," indicated what is commonly understood by the term: it is the principle of political action, the law of motion of the state. It furnishes the guiding principle for the statesman in fulfilling his function of maintaining and strengthening the commonwealth, according to Meinecke an organic configuration whose full strength is maintained only if it can somehow continue to grow.

It is evident that the specific content of the concept at any particular time must be affected by the nature of the state or government involved. Machiavelli and his followers, Hobbes, for instance, were inclined to look upon government as a mechanical system applied to human beings molded according to unalterable natural laws. Others, like Bodin and Althusius, who clearly perceived the inapplicability of Machiavelli's generalizations to local conditions as they knew them, attempted to analyze regional or national variations affecting not only individuals but the system of rule to which they might successfully be subjected. As against such internal variations Richelieu and Pufendorf stressed the variety of external conditions which make certain actions rational for one government and irrational for another. Such differentiation is indeed not entirely lacking in Machiavelli and Botero, who were concerned, for example, with differences between the policy of large and small states. But it is only with the increasing nationalism of the eighteenth and nineteenth centuries that reason of state comes to be conceived as strictly limited to one national state and its peculiar genius. The pinnacle of this

trend, with its implied abandonment of valid generalizations, is reached with Hegel and the historical school for which he provided the impetus. Curiously enough Marx' use of Hegelian dialectics provided the most effective challenge to this individualizing trend. The broad generalizations of the *Communist Manifesto* forced those interested in combating its political implications to seek more accurate generalizations about the conditions of successful political action. In this endeavor they were met by those whom the random generalizations of Rousseau's political gospel, as applied in the French Revolution and its Napoleonic aftermath, had aroused from their dogmatic slumber. There resulted during the nineteenth and twentieth centuries a rising tide of more or less serious inquiry into objectively rational political behavior, which crystallized into modern political science.

In spite of its importance in European literature the concept of reason of state has played a negligible role in English and American political theory. This is largely because the concept of the state as a corporate entity above other social groupings has never become established in Anglo-American thought. On the other hand, the policies of both countries provide many illustrations of that subordination of other ends to the maintenance and expansion of the state which are the essence of the concept. The phrase manifest destiny embodies a less scholarly appreciation of reason of state which uses individuals as mere agents in the "inevitable" forward thrust of political power.

More objectively viewed, these principles of political action become raw material for the science of politics. Whether or not such inquiry can be divorced from a belief or faith in the state as the highest good depends upon whether its conclusions are presented in definitive terms or as conditional hypotheses. Perhaps the greatest risk in such inquiry is that of becoming absorbed in the state or the church or the trade union or any other concrete configuration of power, and thus transforming a study of the conditions of successful political action into a social philosophy claiming ultimate value for such action.

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See: POWER, POLITICAL; STATE; ABSOLUTISM; STATESMANSHIP; OPPORTUNISM; NATIONALISM; POLITICAL SCIENCE.

Consult: Meinecke, Friedrich, *Die Idee der Staatsräson in der neueren Geschichte* (3rd ed. Munich 1929), and review by C. J. Friedrich in *American Political Science Review*, vol. xxv (1931) 1064–69; Ferrari, Giuseppe, *Histoire de la raison d'état* (Paris 1860), with bibliography p. 427–56; Montesquiou, Léon de, *La raison d'état* (Paris 1902); Barthélemy Saint-Hilaire, Jules, "Raison d'état" in *Dictionnaire général de la politique*, ed. by M. Block, 2 vols. (new ed. Paris 1873–74) vol. ii, p. 765–66; Troeltsch, Ernst, *Der Historismus und seine Probleme*, Gesammelte Schriften, vol. iii (Tübingen 1922).

REBELLION is frequently used in a broad sense almost interchangeably with such terms as insurrection and revolution. Statutes and courts of law do not generally distinguish a specific crime of rebellion but punish all uprisings as forms of treason. Such indiscriminate usage, however, fails to recognize significant variations in the causes and motivation of uprisings. It therefore seems desirable to employ the term rebellion in its narrower sense to denote an uprising of more or less significant proportions intended to effect territorial autonomy or independence but not complete overthrow of the central government.

This was its meaning in the Roman Empire, where the word *rebellare* was used to refer to the renewal of war by peoples which had been subdued. Rome conquered a world but failed to find a political system which would reconcile the traditions of a city-state with the military exigencies of holding down conquered provinces and defending far flung frontiers. The fall of the Roman Empire might be described as a series of rebellions in the provinces brought about in varying degrees by the ineradicable faults of military despotism, the collapse of the administrative and financial machine as a result of underlying economic causes as yet undetermined, the pressure of the barbarians outside and within the frontier and the very traditions of Rome which created within the provinces a tradition of their own. Before Augustus the provinces were regarded as the estates of the Roman people (*praedia populi romani*). They were ruthlessly exploited by governors, who had absolute power for one year. A system of money lending and tax farming developed with the connivance of the Senate; many punitive expeditions were little more than debt collecting affairs. The emperors proved incompetent not only in governing the empire but also in defending it. Neither the reforms of Diocletian, the division of the empire into east and west nor Constantine's acceptance of Christianity could arrest the forces of disintegration. As pressure on the frontier grew, self-protection drove some of the provinces to organize into independent kingdoms. Finally the empire split up in the west

into separate kingdoms under the leaders of revolting or immigrating troops: the Visigoths in Gaul and Spain, the Vandals in Africa and the Ostrogoths in Italy. What little is known of the administrative and military structures of the empires which preceded Rome suggests the same problems of rebellious vassal states and revolting troops (*see* EMPIRE).

China like Rome illustrates one of the fundamental patterns of rebellion—the collapse of a military and bureaucratic imperial machine under the pressure of internal corruption and the impact of unexpected forces on the frontier. The conditions which had secured the acceptance of thirty dynasties in China were destroyed by the impact of Europe in the nineteenth century. The leader of the Taiping Rebellion of 1853, Tien-Wang, received from an American missionary a version of the doctrine of the Trinity in which he found a place for himself; his rebellion, aiming at the control of the entire empire, succeeded in ruling over the southern portion of the empire for eleven years and was subdued only with the assistance of western troops and guns under General Gordon. As the central government at Peking was weakened by the influx of western ideas, it was inevitable that the economic differences of regions whose centers were far apart should take on a political form. A China in contact with western ideas can be controlled only from Nanking, in the valley of the Yangtze, where the two civilizations meet. Attempts to maintain such control from Peking have proved unavailing. The Chinese empire has become a loose federation of quasi-autonomous provinces, governed by military *tuchuns* giving only a nominal allegiance to the central government. Some sections have become practically independent, among them areas under governments which are termed communist. The communist rebellions in China are peasant revolts rather than uprisings of an urban proletariat such as are contemplated by theoretical communism, but these elemental attempts to escape from an oppressive economic and military system have been seized upon and given form by political missionaries imbued with the communist ideal.

The reformation and the growth of nationality led to a confused pattern of rebellions by reason of the fact that religious beliefs did not coincide with national or dynastic boundaries. The growing power of the commercial classes challenged the arbitrary claims of kings, while the conflict of religious doctrines raised within each unit of government in Europe acute problems as to the nature of obedience. These conditions gave to western thought Machiavelli in Italy, Bodin in France and Hobbes in England; they caused the disintegration of Italy, the revolt of the Netherlands, the *Fronde* in France and the Thirty Years' War in Germany.

A new pattern of rebellion was produced by the relation, which began with the discovery of America, between the Old World and the New. The problem raised was more difficult and subtle than that of Rome and its provinces. Communications were less effective by sea than they had been by Roman road. There was not one empire but many: Spain, Portugal, France, Holland and England. Commerce and the beginnings of science made solution by military power, bureaucracy or the apotheosis of an emperor alike impossible. The rebellion of 1776 which created the United States testified to the failure to combine representation at the center with self-government at the periphery of a commercial empire. The colonial assemblies overcame the arbitrary power of the local executives in the persons of royal governors only to find themselves face to face with the sovereignty of Parliament. The compromises of constitutional monarchy were not adaptable to the conflicting economic interests of so diverse an empire. Since then the United States and the British Commonwealth of Nations have each attempted solutions of the same problem (*see* IMPERIAL UNITY). Incidents in the experiments have been the American Civil War, the Canadian rebellion of 1837 which led to the Durham report, the Irish rebellion of 1916 and the establishment of the Irish Free State.

In the empire of Spain the theory of colonial administration for three hundred years was that of centralized control by the government in Spain. The Creoles and Indians were practically disregarded in the governmental structure, which was in the main administered by a bureaucracy sent out from Spain but possessed of considerable independent control by virtue of the great distance from the home country. There were bloody Indian uprisings, such as that of Tupac Amaru (1780–83), which blindly sought by destruction of white property and lives to drive back the frontier and retrieve the land from white control. The rebellions which ultimately, in the first quarter of the nineteenth century, established the independence of the Spanish colonies in the New World were, however, almost entirely the work of the Creoles dissatisfied with their subordinate social and

economic position and with the economic subservience of the colonies to Spain under the dominant colonial system.

The clash of economic interests which found its expression in the wars of independence was revealed also in rebellions attributable in a measure to the question of slavery. The American Civil War may be considered an attempt by a section of the country which had its basis in an agrarian slave economy to secede from a nation which was becoming increasingly dominated by a manufacturing free labor economy. In French Haiti the planters' unwillingness to abide by the action of the revolutionary National Assembly in France in abolishing slavery led to the slave uprising which succeeded in setting up a black Haitian republic under Toussaint L'Ouverture.

The most important cause of rebellion during the nineteenth and twentieth centuries, however, has been the rise of nationalism and the principle of national self-determination. Under their powerful impulse formerly independent units attempted to free themselves from subservience to other political units and to reestablish their independence. A long array of nationalist rebellions characterizes the period since the French Revolution. Many of these were successful, such as that of Greece in 1829, of Belgium in 1830 and of Bulgaria in 1878; others, such as the Polish rebellions of 1830–31 and 1863 and the Italian rebellion of 1831, failed, at least for the time being. In the case of Italy a series of rebellions reestablished small independent units, which were ultimately unified into a new national state. The successful rebellions were not always carried through by the rebel state itself; often intervention by one or more of the great powers decided the outcome of the rebellion.

Mention might be made of the role of imperialist aspirations in the fostering of rebellions. This appears perhaps only as a strong undercurrent in the rebellion which in 1836 converted Texas from a state of Mexico into the independent "Lone Star State," to be incorporated into the United States nine years later. It is much more obvious in the uprising in Colombia in 1903, which quickly, under the helpful eye of the United States, created an independent Panama and paved the way for the construction of the Panama Canal. In the case of the setting up of the puppet state of Manchukuo in 1932, the hand of Japan was so obvious that no attempt was made by the central Chinese government to contest the claim of independence.

In the empires of the ancient world before Rome moral justification for rebellion could be found in the claim that the terms of submission had been violated. Priests or soothsayers could no doubt find imperfections in the ceremonies of submission whenever successful revolt seemed possible. Under feudalism the relation of ruler and ruled was based on the idea of a reciprocal contract. There was a right of *diffidatio*, or of formal renunciation by a vassal of his allegiance to his lord, and of rebellion. The development of nationality in western Europe and the long tradition of unity, temporal and spiritual, that was the legacy of Rome and Christianity necessitated a justification for rebellion in the later Middle Ages and in the sixteenth century which was the beginning of the modern theories of the state and the nature of individual rights.

The justification for rebellion did not stop at the case for secession but went on to question the nature of communities among men. The very forces—the development of industry and commerce—which brought different communities into such close contact that they could not but face the question of the causes of their difference were found to be themselves a great factor in those causes. It had long been realized that behind the legalized rebellion of barons against an arbitrary king there was another rebellion, the "base and abject routs" of boys and beggars described by Shakespeare (*Henry IV*: Pt. 2, Act IV, Sc. 1). The economic interpretation of history marshaled the "base and abject routs" scattered through history into an advancing army. The proletariat soon loomed as large in political speculation as had the state of nature and the social contract. For the industrial revolution, by accelerating economic change, revealed the influence of that change on the fate of nations. With that increased rate of change the theory and practise of rebellion began to pass into the theory and practise of social revolution.

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See: INSURRECTION; REVOLUTION AND COUNTER-REVOLUTION; MUTINY; SEDITION; TREASON; BELLIGERENCY; CIVIL WAR; OBEDIENCE, POLITICAL; MARTIAL LAW; DE FACTO GOVERNMENT; NATIONALISM; MINORITIES, NATIONAL; EMPIRE.

Consult: Headlam, Cecil, "The Constitutional Struggle with the American Colonies, 1765–1776," and "The American Revolution and British Politics, 1776–1783," and Atkinson, C. T., "The War of the American Revolution, 1775–1782" in *Cambridge History of the British Empire*, vol. i (Cambridge, Eng. 1929) chs. xxii (ii), xxv and xxiv; Beard, Charles A. and Mary,

The Rise of American Civilization, 2 vols. (new ed. New York 1933) vol. i, chs. vi–vii, xiii, and vol. ii, chs. xvii–xviii; Kirkpatrick, F. A., "The Establishment of Independence in Spanish America," and Edmundson, George, "Brazil and Portugal" in *Cambridge Modern History*, vol. x (Cambridge, Eng. 1907) chs. ix–x; Chapman, C. E., *Colonial Hispanic America* (New York 1933) chs. xii–xvii; Hayes, C. J. H., *Essays on Nationalism* (New York 1926) ch. v; Great Britain, Royal Commission on Rebellion in Ireland, *Report*, Cd. 8279 (1916); Curtis, Lionel, *The Capital Question of China* (London 1932) chs. vii, ix.

RECALL. The recall is a political device designed to enable the electorate, through a special election, to replace a public official before the normal expiration of his term of office. It differs from removal by judicial process, impeachment or executive action in that the decision emanates directly from the electorate, thus, in theory at least, affording a more effective popular control. The recall, which seems to have originated in certain Swiss cantons, appeared in America in the Articles of Confederation and was discussed in the Constitutional Convention. Nevertheless, its present use in the United States, where it has been of greatest significance, is the result of an entirely independent political movement.

Originally introduced in the Los Angeles charter of 1903, the recall, with the initiative and the referendum, soon rose to prominence in the program of the "progressive movement," which reached its height in Theodore Roosevelt's campaign for the presidency in 1912. Its spread was accelerated by the nation wide attention it attracted when it was successfully invoked to remove a conniving politician from the Los Angeles city council shortly after the provision had been introduced. It has been adopted in somewhat varying forms to apply to state officers in twelve states and to public officials in well over a thousand local governmental agencies. In addition to the constitutional provisions a number of states have statutory provisions applying the recall to local officers. Such provisions are common in legislation regarding the commission and commission-manager forms of government. The movement for its extension reached a halt in 1920, but there has been no concerted effort toward the abandonment of the recall and not infrequently it is still included in new municipal charters.

Five different types of recall have been instituted in the United States: the recall of elective officials other than judges, the recall of appointive officials, the recall of judges, the advisory recall of federal officials and the recall of judicial decisions. The last, particularly as applied to decisions holding statutes unconstitutional, is more aptly classed as a form of referendum (*see* INITIATIVE AND REFERENDUM).

The only type which has been used extensively is the recall of elective officials other than judges. Lending itself easily to political controversy, it became one of the chief issues during the progressive period. Its opponents charged that the device would be abused for personal, partisan and factional ends, that it would destroy official independence and that it violated the American form of representative government. Its advocates looked upon it as a means of freeing the officeholder from dependence upon bosses and special interests, of giving the public continuous control of all officials and of making those officials constantly responsive to public will. As a result, they felt, it would increase the interest of the citizens in their government and would, at the same time, permit the necessary concentration of authority and responsibility and lengthening of terms of office. They believed that it would not be necessary to employ the recall very frequently; its mere presence as a "gun behind the door" would be sufficient in most cases.

The recall of appointive officials has been adopted only in Kansas and in a small number of local governmental units. Many of the exponents of the recall principle have opposed its application to administrative officers on the ground that it requires of the electorate a technical knowledge which the electorate generally does not possess.

The proposal to permit the recall of judges precipitated the most violent conflict of opinion. It was assailed on the ground that it nullified the independence of the judiciary and was bitterly opposed by most judges and by those who saw in it a threat to the privileges of property. Its defenders based their argument not upon the ability of the electorate to pass upon the correctness of technical legal decisions but upon the people's right to control certain acts of the judiciary which were termed essentially political rather than judicial. Such, they claimed, were the acts of judges in declaring laws unconstitutional on grounds which to the progressives represented blind adherence to outworn economic, political and social dogmas. Since in most states the judges secured their office through election, they were susceptible to the same influences as other elective officials and should be subjected likewise to continuous popular control. Despite

the terrific battle which raged about it the judicial recall appears to have been used not more than a half dozen times, in Arizona, California and Oregon. In practically all of these cases its use was based not upon specific technical judicial decisions but upon dissatisfaction with the performance of certain administrative duties and the lax application of certain criminal laws.

Two states have attempted indirectly to apply the "advisory" recall to certain federal officials, who are not directly subject to state law. In Arizona candidates for Congress are given an opportunity in advance of the election to agree to abide by a vote for their removal. That state provides further that the people may vote to advise the resignation of a federal judge having jurisdiction within the state and may at the same time recommend a successor. North Dakota by an amendment which was adopted in 1920 also attempted to apply the recall to congressmen.

Recall procedure in the United States, although subject to considerable variation, involves the securing of a valid, or "sufficient," petition which must state the charges against the official, the holding of an election to determine whether the official shall be removed and the choice of a successor. Most commonly the voters are called upon to vote for or against recall and separately, but on the same ballot, to select a possible successor. A second arrangement provides that the incumbent shall on the filing of a valid recall petition become a candidate to succeed himself in competition with other candidates; a third limits the election to the question of removal from office, with provision, should the recall succeed, for filling the vacancy by the usual method or by a second election. Certain safeguards for the benefit of the official are usually provided. Recall petitions may be prohibited for a certain period of grace at the beginning of the term or for a second time during a single term. The official is usually permitted to place on the ballot or the petition a formal statement in his defense. A few states refund the cost of the campaign to the official where the move for recall is defeated in the election.

The predictions of the originators of the recall that it would be used sparingly have been borne out. In only two instances has it been successfully employed against officials elected by an entire state: in 1921 against Governor Lynn J. Frazier of North Dakota, the attorney general and the commissioner of agriculture and labor; and in 1922 against two members of the Public Service Commission of Oregon. It has been applied occasionally to state legislators and to judges of county courts. Its principal application, however, has been to elective officials in local governmental units. An extensive investigation in California, where it has apparently been employed more widely than in any other state, showed that from 1903 to 1928 a total of 208 recall petitions were filed, involving 434 officials, and 155 elections were held, of which 72 were successful in removing a total of 130 officials. It is of some significance that the number has tended to increase in recent years. From this limited investigation and others it is estimated that throughout the United States as many as 400 recall elections have been held, involving the removal of perhaps 300 officials, or an average of 10 each year.

Any adequate discussion of the causes of recalls would involve consideration of the underlying motives, impulses and frictions which influence the functioning of all democratic government. Officials have been removed for such trivial causes as the use of profanity in a public meeting and on such serious charges as connivance in the letting of public contracts. Recalls have been sponsored variously by political reformers, disgruntled taxpayers, opposing political factions, underworld interests, moral crusaders and even rival paving companies seeking exclusive business privileges. In the formal statements of the grounds for recall the most frequent charge has been "general incompetency and inefficiency," and an almost equally popular avowed charge has been "wastefulness and extravagance in the expenditure of public funds"; but these perfunctory declarations often fail to disclose the real motivating forces behind the recall movement.

The disquieting problems brought to light in the operation of the recall are mainly those generally related to the operation of democratic government. Unnecessary political turmoil has sometimes been aroused, needless election expenses have been incurred, and competent officials have been seriously embarrassed by short-sighted criticism and self-seeking factionalism. There is a growing tendency, however, for the recall to correct its own weaknesses; in those areas in which it has been too lightly applied sentiment has developed against its employment except as a last resort.

The recall has been invoked effectively in several instances to remove officials whose con-

duct was so subject to suspicion as to undermine public confidence in their integrity and services, while there was no possibility of legally proving official turpitude or malfeasance. It has found its most satisfactory application, however, in permitting the removal of elected officials who have arbitrarily run counter to the wishes of the electorate.

The most constructive and significant advantages of the recall are too intangible for more than general appraisal. It has permitted lengthening of the terms of office and shortening of the ballots without incurring the risk of the establishment of arbitrary bureaucracies. It has established the principle of responsibility and responsiveness to the extent that the public is capable of understanding it and of benefiting thereby. Finally, it has helped to maintain public interest and confidence, because the public knows that it possesses a potential weapon for controlling the government.

Outside the United States recall provisions have been marked by two outstanding characteristics. Aside from the Union of Soviet Socialist Republics, where the constitutions of the constituent republics provide that representatives to the soviet may be recalled by their constituencies at any time, European constitutions generally provide for the recall of the entire legislative body rather than of individual legislators. The first recall provisions in Swiss cantons were of this type, and even now this form exists in some cantons which do not provide for the recall of the executive. There is no record of any use of the recall in Switzerland. At least twelve German *Länder* provide for recall of the Landtag and nine for recall of municipal councils. The former provisions have been invoked eight times, and although no Landtag has actually been dissolved by a recall election, three have resigned with such elections impending. Wells lists twenty attempts to recall municipal councils, at least four of which succeeded. The second feature of the recall outside the United States is the provision for its application to the president; such a clause is found in the Weimar constitution, in the Austrian constitutional revision of 1929 and in the Latvian constitution. In all of these instances the recall of the president has been automatically and inversely connected with the recall of the lower house of the national assembly. In no case have these recall provisions been invoked. The National Socialist dictatorship has completely vitiated any significance which the recall may have possessed in Germany, the only European country in which it has actually been used.

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See: INITIATIVE AND REFERENDUM; DEMOCRACY; MUNICIPAL GOVERNMENT; IMPEACHMENT.

Consult: Bird, F. L., and Ryan, F. M., *The Recall of Public Officers* (New York 1930), with extensive bibliography; Hauriou, André, "Le droit de révocation populaire" in *Revue politique et parlementaire*, vol. cxx (1924) 63–75; Battelli, Maurice, *Les institutions de démocratie directe en droit suisse et comparé moderne* (Paris 1932); Zurcher, A. J., *The Experiment with Democracy in Central Europe* (New York 1933) p. 107–12; Wells, R. H., *German Cities* (Princeton 1932) p. 97–102.

RECEIVERSHIP. In Anglo-American law a receiver is defined as an indifferent person between the parties who is appointed as a ministerial officer of a court to collect and hold rents, profits or proceeds of land or personal property and to distribute them to the party or parties finally found to be entitled to them. Receivership is an ancient device worked out by the Court of Chancery in England when it was ecclesiastical in personnel. Its function was to provide for such purposes as carrying on the estate of a dead man or administering the property of an infant, except in cases where the receiver was a mere stakeholder, holding a fund or piece of property until interests were adjudicated. The old institution is still occasionally invoked for these modest ends, as where a mortgage is foreclosed and during foreclosure a receiver is appointed to collect rents and hold them; or where a creditor asks that a receiver be appointed to realize assets of his debtor; or where a receiver is appointed pending dissolution of a partnership. But the major significance of receiverships today lies in the field of enterprises which are embarrassed financially. In reality receivers, particularly in the United States, have become operators of large business enterprises including industrial corporations and such major public utilities as railroads.

The importance of receivership in the United States may be gauged from the fact that at various times nearly 25 percent of the entire railroad system of the country has been in receivership, the receivers becoming virtually operators of this large fraction of the transportation system. Since 1870 there have been over one thousand railroad receiverships. The institution of receivership has been greatly extended in times of depression or shortly after. To the receiverships of railroads and large industrial enterprises must now be added large real estate

ventures. From January 1, 1917, to December 1, 1923, the United States District Court for the Southern District of New York, which is the leading eastern forum for equity receiverships, appointed receivers for 233 corporations with nominal assets above $750,000,000.

There are two types of receivership in the United States: bankruptcy and equity receiverships. A receiver may be appointed in bankruptcy pending the appointment of a trustee. Not infrequently the person appointed by the court as receiver is later chosen by the creditors to act as trustee in bankruptcy, virtually continuing the same function. The bankruptcy act apparently contemplates the appointment of a receiver as an exceptional procedure, but the practise has grown nevertheless to great proportions. Bankruptcy, however, is best adapted to the purpose of effecting liquidation, while the equity receivership is invoked when the objective is reorganization. This is facilitated by the fact that the American test of bankruptcy is not the inability to meet maturing obligations but an excess of liabilities over assets. The equity receivership is thus suited to the situation of a concern in temporary financial difficulties and has become the favorite form of receivership. It was the only resort in the case of railroads, which were debarred from the benefits of bankruptcy proceedings.

The operating receivership in equity may be of either state or federal origin, but in large enterprises the federal court is the usual forum. The federal equity receivership is usually a "consent" receivership. Because of the diversity of citizenship of bondholders, creditors and corporation entry into the federal courts is easy. In a formal sense the procedure is collusive. Receiverships have been sustained which have been instituted on the bill of the insolvent corporation itself or upon the bill of a simple judgment creditor. The operating consent receivership is the towering exception to the normal rule that apart from statute an insecured creditor who has no judgment is not entitled to the appointment of a receiver. The consent receivership, which was regarded as revolutionary when first employed but now hardly excites comment, has been traced back to the Wabash receivership which arose in 1884. The consent receivership was finally directly sustained by the Supreme Court in 1908, when it passed upon the validity of the equity receivership of the New York City transit lines (*Re* Metropolitan Railway Receivership, 208 U.S. 90).

The historical origin of the institution of receivership has embarrassed its further development. Receivers are supposed to be "indifferent"; yet the practise of securing a "friendly receiver," an individual chosen by the corporation which flees to an equity court or bankruptcy court for protection against its creditors, has too often resulted in causing the receiver to be an individual who is expected to carry out the wishes of a dominant group of stockholders or creditors, as the case may be. Since the appointment of receivers is one of the important bits of patronage which a court can dispense, not infrequently a co-receiver is appointed, sometimes a friend of the judge or a political ally.

A receiver succeeds to all of the rights of the corporation or estate for which he is appointed; his first task is to ascertain claims against the property; he may pay certain claims as preferred under highly technical rules; he may be called upon to segregate the income, in case any part of the property is mortgaged, so as to assure to the mortgagee the income arising from the mortgaged property; he may bring suits for mismanagement against previous officers; and while he is in possession, as a general rule, no claims may be brought against the property except through him, and they may not be enforced except by a specific order of the court. Contempt procedure is available for the protection of the property in the hands of a receiver. Before the labor injunction was fully developed it was invoked in two instances to curb strikes against railroads in receivership.

The primary duty of the receiver is of course to manage the property and safeguard the funds. The management of the property can be and often is manipulated in such a direction as to give emphasis to the claims of one or another group of contending creditors or stockholders seeking ultimate domination of the properties. Particularly where a railroad goes into receivership and the friendly receiver is the former president of the railroad, there is a tendency for him so to handle affairs as to safeguard the stockholding interests as against the creditors; although of course any combination is possible. Courts in such cases have taken the position that they were neutral adjudicators in the ensuing struggle to determine which class of claimants should come out best on reorganization; and receivers in theory take the same attitude. In practise some judges have insisted that the receiver should take a real

part in making sure that the reorganization plan is fair and that the properties are maintained in a state permitting a fair reorganization; but this view is still regarded as progressive and has not been accepted by many courts.

Where, as is usually the case with railroads and frequently so with large corporations, the enterprise cannot be sold or liquidated or, if liquidated, shrinks enormously in value, the property virtually must stay in receivership until a plan of reorganization has been worked out. Reorganization involves scaling down the debts, perhaps wiping out the junior interests, putting the enterprise in condition to command additional working capital and then turning it back to some or all of its former owners and creditors. This is effected by the receiver through a foreclosure sale to the creditors or mortgage bondholders, who in turn resell the property to a new corporation, taking in payment securities of that corporation and distributing them according to the prearranged plan of reorganization. In this case the process of receivership may last for a long time.

Because of this, where the enterprise is vital to the public, as in the case of a railroad, the receiver has certain unusual powers. He may, for instance, issue, with the approval of the court, "receiver certificates" in return for borrowings, which are first liens on the property even ahead of mortgage obligations; but in theory these are limited to cases where, without such borrowings, the public interest would suffer. In any case he has the right to hire counsel and, with the approval of the court, to hire and discharge employees necessary for the safeguarding of the property and the carrying on of the enterprise.

Receiverships have been attacked as being unduly costly. Unquestionably there has been a legitimate basis for complaint in this regard, particularly where the receiver is either an operating man attached to the property, giving his primary loyalty to some group within the embarrassed concern, or where he is purely a patronage employee, who merely collects his fees and relies on the former operating staff to run the concern. There have been, however, instances of conspicuously able receivers; and the complaint of undue expense is perhaps more properly leveled at the attorneys in the case, who quite frequently assent to very large claims for fees on the part of receivers and their attorneys, feeling that thereby the receiver will make no objection to their own claims for fees. In this respect receiverships do not differ from other cases in which claims are assessed against property and there is no one present effectively to assert the desire for economy—a situation like that which exists when a trust estate or an estate under a will is finally settled.

A factor which has added materially to the cost and cumbersomeness of reorganization under receivership procedure is the necessity of appointing ancillary receivers when the receivership property lies in several jurisdictions. Even a federal receiver may ordinarily sue only in the district where he has been appointed. The rule was laid down in an early case [Booth *v.* Clark, 58 U.S. 322 (1854)]. In the case of railroad receiverships its effects have been mitigated by a provision of the federal judicial code which provides that where land or other property of a fixed character extends as a unit into different districts within the same state or different states within the same federal circuit, the jurisdiction of the federal court shall be extended accordingly. A plan has been sponsored to expand the principle so as to make it apply to the whole country and to all types of receivership.

Another factor in the cost of receivership which has been the subject of much comment is the necessity for the foreclosure sale as a step in reorganization. The foreclosure is usually initiated by the trustee for the mortgage bondholder, whereupon the receiver offers the property for sale. But in fact the sale is a mere form of reorganization, for there are normally no purchasers for the properties of an insolvent railroad or large industrial corporation except the old security holders. Cash is necessary only for the purpose of paying off security holders who do not assent to the plan of reorganization and for the expenses of administration. The expense of foreclosure would be less of a consideration if thereby the court could finally dispose of the equities. But dissenting minority interests remain the bane of any reorganization; the court's normal means of curbing them is to fix a low upset price, i.e. the minimum price at which it will confirm a sale. A low upset price naturally operates to force a recalcitrant minority into line. Despite the decree of sale, however, reorganizations are not even free from the danger of subsequent attack, for in the much discussed Boyd Case a simple contract creditor was able to prevail on equitable grounds against a reorganization of many years

standing [Northern Pacific Ry. *v.* Boyd, 228 U.S. 482 (1913)].

There are available some instructive figures as to both the duration and cost of railroad receiverships. The more than 600 receiverships between 1870 and 1894 lasted between two and three years. But the 222 receiverships between 1894 and 1931 of roads operating more than 100 miles approximated an average duration of three and one half, and those of roads operating more than 1000 miles had a duration in excess of four years. There are now pending about 50 receiverships (over 30 were begun after the close of 1929), and these have been pending for an average period of approximately five years. The duration of receiverships has thus been steadily increasing.

The cost of these railroad receiverships is very great. The expense of reorganization of the Wabash (1911–16) is reported as $3,449,500; that of the Pere Marquette (1912–17) as $2,679,000; that of the Western Pacific (1915–16) as $2,000,000. A record cost was reached in the reorganization of the Chicago, Milwaukee and St. Paul, the expense of which was over $5,000,000. In this case the attempt of the Interstate Commerce Commission to control reorganization expenses was invalidated by the United States Supreme Court [United States *v.* Chicago, Milwaukee, St. Paul and Pacific Railroad Co., 282 U.S. 311 (1931)]. In the Transportation Act of 1920 the commission had been given a share of power in railroad reorganization by a provision requiring its approval of the issue of railroad securities. It is not absolutely clear from the Supreme Court's opinion whether it held merely that the commission had acted *ultra vires* or more seriously that Congress could not confer upon the commission the authority to fix reorganization expenses.

Some of those who urge the reform of existing receivership procedure look to English example. In England the extension of managing receiverships of corporate enterprises has been slow. A distinction between a receiver and a manager is still maintained and the courts have shown themselves loath to embark upon managerial functions. The general rule is that a manager may not be appointed in the case of "statutory" undertakings. It took a special statute to enable the courts to appoint a manager for a railroad (Railway Companies Act, 1867, sect. 4, made perpetual by the act 38 & 39 Vict. c. 31), and the suit can be brought only by a judgment creditor. Although it is now settled that a manager will be appointed over the undertaking of an ordinary limited company on the application of mortgagees or debenture holders whose securities include the goodwill, the development is comparatively recent, for the power was denied in Makins *v.* Percy Ibotson & Sons, [1 Ch. 133 (1891)]. Moreover the manager may be appointed for a brief period only, and a special application must be made to the court if it is necessary to continue the appointment. Where the liquidation of a limited company is desired a special "winding up" procedure exists. Where a company is only temporarily in straits there is available under a so-called Arrangements Act a reorganization procedure which enables the court without any necessity for a judicial sale to approve a plan of reorganization to which the consent of a three-fourths majority in amount of the various classes of creditors has been obtained.

A similar plan of reorganization by decree upon the agreement of a stated majority of classes in interest has been urged for adoption in the United States. There are indeed some who urge that courts of equity already have the power despite American constitutional limitations to effect such reorganization, and a few courts have actually ventured to dispense with the meaningless formality of sale. The most notable case is Phipps *v.* Chicago, R. I. & P. Ry. Co. [284 Fed. 945 (1922)], a decision of the Circuit Court of Appeals for the Eighth Circuit, which, however, the Supreme Court was prevented from reviewing.

A new era in railroad reorganization may date from the amendment of the Bankruptcy Act of March 3, 1933, which for the first time has made a bankruptcy procedure available to railroads. The act seeks to eliminate most of the evils of the equity receivership. It dispenses with ancillary receiverships and judicial sales and provides that a plan of reorganization when confirmed shall bind all security holders of each class of which two thirds in amount shall have accepted its terms. The scrutiny of the reorganization plan is entrusted to the federal district judge before whom the proceedings have been commenced and to the Interstate Commerce Commission. The act thus contemplates the collaboration of court and commission, but the plan must in the first instance be formulated and approved by the commission. The new procedure has been criticized on several grounds: for the duplication of function on the part of court and commission; for the extremely liberal

right to be heard which it gives to dissenting interests; for the retention of the upset price device when the majority agreement required by the act cannot be achieved; and for its inconclusive provision with respect to the fixing of reorganization expenses by the commission. Experience with the act has of course been too brief to permit a judgment of its operation.

Certain modern commentators had long insisted that the institution of receivership was outgrown. They favored a government bureau acting as liquidator or operator as the case might be. In the case of railroad reorganization the administrative ideal has only been partly realized. In the case of other enterprises the problem still remains unsolved. The choice of an efficient legal technique is important, but it must not be forgotten that the problem is conditioned also by the nature of American economic organization.

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See: BANKRUPTCY; CORPORATION FINANCE; CORPORATION; EQUITY.

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RECEPTION. When the term reception is used without further qualification, it usually refers to the reception of the Roman law in mediaeval Europe. The theoretical reception of the Roman law is sometimes distinguished from the practical reception. The former represents its intellectual assimilation, while the latter implies its actual application in legal practise. Again the particular is sometimes also differentiated from the general reception of the Roman law. The former refers to the infiltration of specific rules of Roman law, while the latter designates its adoption as a whole as the basis of the jurisprudence of a particular country.

The gradual assimilation of Roman legal ideas by the Germanic peoples who came into contact with the superior Roman civilization is readily understandable and is already evidenced in the

various *leges barbarorum*. The revival of the scientific study of the Roman law did not come until the time of the Italian glossators, who flourished in the twelfth century. But it is not necessary to accept the so-called continuity theory of Stintzing and Fitting that a direct line of legal scholarship may be traced from Justinian to Irnerius in order to understand the survival of the Roman law, which like Roman civilization as a whole never "collapsed" entirely. A debased Roman law continued to be applied in practise in Italy, even if it was not the subject of learned development and treatment, although schools of both Lombard and Roman law seem to have existed before the school of Bologna. The Roman law was known first in the form of the Theodosian code, and then in the form of the codification of Justinian.

In other countries the persistence of the Roman law was aided by many factors: the political ascendancy of Rome; the inherent excellence of the Roman law; its role in the formation of the canon law; its Latinity, which made it the natural preference of the learned; and, finally, the regime of the personality of laws, which everywhere entitled Latins to be judged by their own law. The absence of strong national feeling facilitated the acceptance of the claim of the Roman law to authority. In the Middle Ages the Roman law was even regarded as *ratio scripta*, or written reason. With the revival of learning its influence was greatly extended.

Thus it is not surprising that the reception of what was more or less Roman law should have taken place almost throughout western Europe. The Scandinavian countries alone remained relatively immune. Even in northern France, the region of unwritten law, the supposedly Germanic *coutumes* were greatly adulterated with Roman law. Not even England escaped its influence. As Zulueta has put it, England really had a glossator in Vacarius and a post-glossator in Bracton. Maitland in his celebrated essay *English Law and the Renaissance* suggested that English law in the sixteenth century was in danger of being displaced by Roman law. In any event England like France received Roman law in homeopathic doses, which made possible its assimilation as an organic part of the native legal system.

A general reception of the Roman law, however, took place in only a few countries, notably Italy and Germany. The Roman law was received in Germany *in complexu* as late as the fifteenth century. Probably because of this fact and the degree of completeness of the break with previous development represented by the reception, the phenomenon has been the subject of almost endless speculation and controversy and has become virtually a test of party regularity. Romanists have tended to accept the reception as a matter of course, while Germanists have tended to regard it as nothing short of a miracle. It is almost forgotten that the law books of Justinian were received only as they had been reworked by the Bartolists, who had already adapted them to the needs of mediaeval Italy. Indeed the rule was *quod non agnoscit glossa non agnoscit forum*. The Roman law moreover was received, at least at first, only as a general subsidiary, or common, law. Where statutes were passed in derogation of it or where contrary customs could be proved, they prevailed.

Economic, political and religious causes for the reception of the Roman law in Germany have been listed by many historians. According to the economic argument, with the growth of commerce and the development of a money economy a more highly developed legal system such as the Roman law became imperative. This theory involves two difficulties. In the first place, it is based upon the assumption that the native law was inadequate to meet the new needs of the German towns. In the second place, it is not in accordance with the facts, for it was in the towns that there was least dissatisfaction with the native law. The law of the important commercial city of Lübeck, for instance, remained comparatively unromanized. Moreover the heyday of the German commercial cities preceded the reception. Politically the reception is supposed to have been facilitated by the absolutistic claims of the princes. The Digest contained such bits of precious doctrine as *princeps legibus solutus* and *quod principi placuit, legis habet vigorem*, which seem to have been of obvious serviceability in strengthening the hands of the princes. But there is no particular evidence that the jurists were pressed into service for this purpose, and German absolutism at any rate did not flower until well toward the seventeenth century. The scraps from the Digest were no doubt valuable as window dressing, but they had to become known before they could be invoked. As for the Reformation itself, it had no immediate connection with the reception. In the triad of Renaissance, Reformation, Reception the last came earliest. The law against the church had already developed in the era of the hegemony of the church. At any rate the jurists, who by the

fifteenth century were almost always *doctores utriusque juris*, doctors of canon as well as of civil law, took sides and could quote the Scriptures as well as the pagan Digest for their purposes. The same had been true earlier in Italy, where jurists could be found in the camps of both the Guelphs and the Ghibellines.

According to the most orthodox theory, the decisive cause of the reception lay neither in these external causes nor in the inner condition of the Germanic law but in the prevailing political system. The absence of a strong central power made it impossible to establish a strong central court to administer a unified legal system or a legislative organ to help in its creation. The disunity in German law in turn discouraged its scientific cultivation. Those Germans in the fifteenth century who wished to study jurisprudence had to turn to the Italian schools, and there the study of jurisprudence meant the study of the Roman law. The acceptance of the Roman law was made to seem natural by the so-called theory of continuous empire. It was generally held indeed in the mediaeval world that all political theory emanated from the old Roman Empire. The Carolingians after their conquest of the Lombards had regarded themselves as Roman emperors, and later the title became attached to the German crown. When an imperial court, the Reichskammergericht, was established in 1495, it was commanded to determine causes according to the common law of the empire, which meant the *Corpus juris civilis*. The reception was completed in the local codes of the fifteenth and the sixteenth century, in which the doctors of the civil law took an active part.

This view of the reception is borne out by English legal history. It was the existence of the King's Court in England that created a national common law and a national jurisprudence, which flourished in the Inns of Court. To a lesser degree this was true in France with its *parlements* and in Germany itself, in Saxony, where the native law had found literary statement in the celebrated *Sachsenspiegel*. Yet it is difficult to escape the impression that the historians are attempting to make a process appear inevitable which to some extent at least involved elements of accident, will and choice.

There has been a tendency in Germany to regard the reception as catastrophic. No doubt Germanic legal ideas were submerged and the Roman ideas which replaced them were often imperfectly absorbed and improperly understood. But the importance of the *Volksgeist* in shaping a nation's law has been exaggerated. The peasants who said *Die Juristen sind böse Christen* had in mind the *doctores utriusque juris*, but the reason for this dislike could hardly have been that the latter were familiar with Roman law. Popular suspicion of jurists of all persuasions has been all but universal. It was a widespread belief some decades ago that the reception was one of the important causes of the Peasants' War, but more recent historians have exploded the legend. There is no good evidence that the jurists of the period of the reception did not distinguish the peasants' tenurial rights from the more absolute forms of ownership of the Roman law; but even if this had been true, the Roman law would have been no more than an excuse for dispossessing them. As a matter of fact the discontent of the peasants was due to unfavorable economic conditions; for instance, the fall of agricultural prices.

Next to the German the most celebrated general reception in the history of western law is the reception of the English common law in the United States. Here there were after the revolution both legislative organs and general courts, even if at first there was an almost negligible number of law schools. Yet common law was received despite the fact that there had been during the revolutionary period a general suspicion of English law and the lawyers. French influence after the revolution was so considerable that it has even been pretended that if books of the civil law had been available in adequate translation the Roman law would have had another wonderful conquest. But the issue was never really in doubt. English law was a part of English culture which the colonists could not do without even after the hegemony of the mother country was ended. Emotionally at least there was "a continuance empire." The late colonists drew upon English law as needed, adapting it to American conditions. Mechanically the most important factor in the reception was the fact that the books of the common law were written in the English language. Yet even so it was not always understood. It need merely be recalled how Coke's doctrine of the supremacy of law became American constitutionalism. Moreover as a result of the leaning upon English precedent native reforms were often delayed, and when secured were sometimes perverted. There was indeed nothing wrong in the looking to English example. But in this form of comparative law there was only one standard of comparison.

The general study of the role of the process of reception in the development of legal systems has yet to be pursued. The concept of reception has been applied increasingly to other bodies of law than the Roman. Thus there has been traced the influence of cuneiform law upon the law of the Bible. The Roman law itself probably borrowed from more ancient systems. There is a legend of an embassy to Greece in connection with the compilation of the Twelve Tables. Mitteis has shown that the Roman Empire had to recognize the popular local law of the east, which in the post-classical period not only borrowed from the Roman law but before long repaid the debt. While Riccobono accounts for the changes represented by Justinian law by a process of internal development, Collinet argues that they had a Hellenistic origin. In the mediaeval period German town laws as well as the laws of the Italian cities were copied by the Slavs, who also borrowed extensively from the canon of the Eastern church. In modern times there has been in many civil law countries an almost literal reception, first of the French and then of the German civil codes, and institutions of the common law have influenced the public law of many western countries. Such a common law institution as the jury has become virtually a world institution. Outside the orbit of western law there was a reception of ancient Chinese law in old Japan, and now both of these oriental countries have borrowed from the French and German civil codes.

The controversies over legal reception are strongly reminiscent of the diffusionist controversy in anthropology. In the spread of legal as of other ideas there must be considered the possibility not only of diffusion but of parallel development. But the problem should not be posed in the alternative. As always in the development of a culture both diffusion and parallel development must be taken into account. Given contact in a historical period, diffusion cannot be doubted, particularly since law in mature civilizations is the product of scientific cultivation.

In the encounter of two bodies of law the more highly developed has the better chance of victory. It has an immediate advantage in the superior excellence of its rules. Thus it has been said of the Roman law that it prevailed *non ratione imperii sed imperio rationis*. The scientific cultivation of a body of law is perhaps an even greater advantage in the struggle for survival. "Taught law," as has aptly been said of the common law, "is tough law." Perhaps a third and most important factor is the tie of political allegiance. It is not necessary to accept the view of the analytical school that law is only the creature of the state to concede the ultimate connection between the fortunes of a legal system and state power. The political might of Rome and England supplied the prestige which made all but inevitable the great careers of their legal systems.

Apparently the type of law most suitable for reception is in the field of private law. The highly developed Roman law of obligations almost completely displaced that of the Germanic law. The reception of criminal law seems to be much less intensive. The Roman criminal law was in large part quickly set aside by imperial legislation, and in the United States common law crimes were at once abolished. Here political factors are too pressing and powerful. Specific institutions of public law are even less likely to be received. It is political theory rather than public law that makes headway.

It seems remarkable at first sight that even private law institutions should be so adaptable. The pagan Digest apparently suited Christian Europe well enough, and the monarchic common law received a welcome in democratic America. Perhaps part of the answer is that Europe really never was Christianized—it has been said that the first and last Christian died on the Cross—and that the effects of the democratic revolution in the United States were moderated by the fathers of the constitution. But part of the answer is also that the sociological basis of private law has been exaggerated. The primary function of a system of private law is to provide fundamental forms for business enterprise, and its excellence lies after all in the state of its technical development.

Above all the reception of legal ideas has been aided by the tendency of certain systems or branches of law to develop upon an international basis. The strength of the Roman law lay precisely in the fact that it had absorbed so many elements of the laws of other peoples that it was particularly suited to become a world law. In mediaeval Europe the feudal law was a common law and the canon law was a universal law. Always maritime and commercial law have passed across national frontiers. Today an international assimilation of private law is being actively promoted by a science of comparative law. As a result of this and as an outcome of the process of fusion which has been proceeding for

centuries a system of western law may be said to have arisen.

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See: LAW; COMPARATIVE LAW; ROMAN LAW; COMMON LAW; CIVIL LAW; CODIFICATION; GERMAN CIVIL CODE; DIFFUSIONISM.

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RECIDIVISM. The problem of recidivism, or relapse into crime, looms very large in modern penology. In the United States from 1926 to 1930 recidivism of male prisoners in state and federal prisons and reformatories increased from 45.1 percent to 55.5 percent and of female prisoners from 31.8 percent to 32.7 percent. In England in 1931 the percentage of recidivism was 69 for males and 72 for females. In Germany in 1927, 1929 and 1930 the percentages for both males and females were 29.2, 35.55 and 38.23 respectively. In France in 1926, 35.7 percent of convicted criminals were recidivists. In Italy in the same year the percentage was 72. In the Soviet Union in 1930 it was 61. In Norway and Denmark it was 47 in 1928 and in Sweden in the same year 38.6.

Thus a large proportion of the inmates of penal institutions in most countries are "repeaters," persons who have been committed to a penal institution after having served one or more terms. While available data do not warrant very definite conclusions, it appears that larceny and the related offenses, burglary and robbery, in the order named, are the most frequent recidivistic crimes. Women on the whole are much less recidivistic than men.

For the entire United States the largest male group of recidivists in 1929–30 ranged from 18 to 24 years of age and the next largest group from 25 to 34. In New York state in 1931 the median age group for adult recidivists was 25 (27 for first offenders) and for youthful recidivists 19 years (20 for first offenders). Of the youths sentenced to imprisonment in England in 1931 those 19 and 20 years old had the greatest number of previous convictions. In Germany the largest recidivistic group falls between 30 and 40, the second largest between 25 and 30 and the third largest between 21 and 25 years of age.

The American reformatories, which were originally established to provide special facilities for reforming youthful first offenders, evidently fail of their purpose. In 1929 and 1930 only 14.9 percent of the males committed to reformatories in the United States were reported as having no previous known sentence to any penal institution. In 1931 in the New York State Reformatory in Elmira, to which may be sent any youth between the ages of 16 and 25 who "has not theretofore been convicted of a crime punishable by imprisonment in a state prison," 78.6 percent of the inmates had previous criminal records.

Moreover the statistics are probably an understatement of the extent of recidivism. There are a considerable number of prisoners concerning whom no definite report as to previous commitments can be obtained. Payment of fine, suspended sentence or probation for a previous conviction imposed in place of an institutional sentence may not be entered on the record of prior commitments. Furthermore, at least in the United States, where central identification

bureaus have been established only recently, the information, furnished by the inmates, is probably not altogether reliable. Again, many crimes are not reported, or if reported the offenders are not apprehended.

There are also many factors which limit the comparative value of statistics on recidivism. Among the most important are differences in the criminal law as well as in the procedural codes of the various countries. Thus, for example, liquor law violations in the United States and drunkenness in England account for much recidivism. Again, one country may make extensive use of probation while another may impose fines in most cases. In 1930, for example, two out of every three convictions in Germany's criminal courts were disposed of by money fines. In one country fines may be paid in instalments, in other countries commitment to a penal institution follows the non-payment of a fine. In countries where probation or fines or other non-institutional types of sentence are employed recidivism, which is always based upon commitments to penal institutions, would appear to be less prevalent than in countries where the first offense resulted in imprisonment. Moreover in the absence of knowledge of the difference in the ratios of crimes committed to crimes reported and to criminals apprehended and convicted, the significance of recidivism remains unknown.

Since Lombroso's inauguration of the study of criminal anthropology some progress has been made in the identification of recidivistic types. The work of the "crimino-biological" laboratories in Italy, Austria, Germany, Belgium, Portugal, Spain and the Soviet Union has been of particular importance in this connection. The conclusions of Kretschmer, who maintains that body build is correlated with psychic dispositions and psychoneuroses, although based upon his study of insane Swabian peasants, have been applied to recidivists. The Deutsche Forschungsanstalt für Psychiatrie, which, among other projects, is engaged under the direction of Rüdin and Viernstein in a most extensive inquiry into the relations between psychiatry and criminology, has made an attempt by means of the Kraepelinean system to ascertain the degree of inheritance of psychic anomalies in the families of recidivists in order to determine which criminals should be permanently segregated and which could be rehabilitated.

While on the continent the tendency to seek for the roots of recidivism in hereditary "traits" is becoming pronounced, in the United States under the influence of "functional" psychology environmental rather than hereditary factors are increasingly stressed in the attempt to account for careers of crime. The work of the various European investigators may be criticized on the ground that the possible effects of sociological factors on the lives of the criminals studied have not been adequately eliminated. Furthermore the initial assumptions used in the investigations, namely, the Kraepelinean schematizations or the Kretschmer body types, may be invalid.

Unfortunately little is known about general crime causation and less about the causes of recidivism. While the latter are to be sought for in the causative factors making for crime generally, there may be special factors which enter into recidivistic careers.

Conceivably the administration of penal institutions and the type of offender in the institution play their part in confirming criminal habits. In New York state during 1931 of 3415 men sentenced to correctional institutions 2703, or 80 percent, had known criminal records. These 2703 men had been arrested at least 10,766 times, an average of over 3 previous arrests for each man. In 1929, 79.7 percent of the population of the Massachusetts State Prison at Charlestown were recidivists. Approximately one fifth of the prison population had between 5 and 9 convictions. Of the 2703 individuals 1786 had been previously confined in institutions. Just what effect these inmates had on the other 20 percent and upon one another is not known. The large percentage of adult state prisons which possess records of each inmate's commitments in juvenile correctional institutions reveals that the institutional treatment did not check careers of crime and may have been one of the factors in their continuation.

Inefficiency or corruption in the administration of criminal law may encourage further criminal acts. The lack of integrated aftercare to adjust the discharged prisoner to society upon his release, especially in times of widespread unemployment, undoubtedly contributes to the persistence of property offenses.

While there is no unanimity on the classification of criminal types, students agree upon three general classes of recidivists. There are, first, the pathological cases, the definitely insane and mentally defective; second, the "habitual criminals," the mentally weaker and suggestible, emotionally unstable characters who drift into crime because they are unable to cope with the

difficulties of life; and, third, the "professional" group, the relatively strong characters who deliberately choose a life of crime. Among these groups of recidivists a great number, perhaps the majority, specialize (special recidivism) in a particular offense, such as smuggling, burglary, larceny, arson, robbery, counterfeiting or forgery. On the other hand, many recidivists turn from one type of offense to another (general recidivism).

In the application of the criminal law recidivism has long been recognized as an aggravating circumstance. In the Roman law and in the mediaeval German law a second offense led to an increase of the penalty in the case of certain enumerated offenses, especially theft. The Italian criminalists recognized recidivism (*consuetudo delinquendi*, *iteratio delicti*) as a general aggravating circumstance; this doctrine was applied subject to exceptions in the German common law and under most of the German codes of the nineteenth century.

During the Middle Ages a second offense was often ground for extreme punishment, even if the crime itself was not serious. In England a statute enacted in 1535 in the reign of Henry VIII (27 Henry VIII, c. 25) provided that for a second offense of vagabondage "the upper part of the gristle of his right ear" should be lopped off, and for a third offense hanging was inflicted. Recidivism, however, could have only a limited application when most offenses were visited with capital punishment.

The *Code Napoléon* sanctioned capital punishment in the case of recidivists who had committed a crime punishable by penal servitude for life. In 1854 France enacted a law whereby criminals sentenced to penal servitude for terms of eight years and more were, upon expiration of their term, forced to reside for life in the colony of New Caledonia. In 1885 another law decreed internment for life in a colonial possession even in the case of the less serious offenses whenever the number of previous convictions exceeded a fixed minimum varying with the type of offense. In France between 1886 and 1900 no fewer than 15,837 habitual criminals were banished for life.

The present German imperial code, despite the predominant tendency of the earlier regional codes, recognizes recidivism as a ground for increased severity only for such crimes as theft, robbery, receiving stolen goods and fraud. Moreover a statute of limitations runs against cognizance of the repetition of the offense. The Italian Penal Code of 1889 increased the severity of sentence only in cases of special recidivism; this is no longer true under the new code of 1931, but the punishment is still severer in the case of special recidivism. England's Habitual Criminals Act of 1869 (32 & 33 Vict., c. 99) and Prevention of Crime Act of 1871 (34 & 35 Vict., c. 112) gave the police more extended powers of supervision over discharged prisoners. The present English Prevention of Crime Act, 1908 (8 Edw. VII, c. 59), gives the courts power to impose a sentence of preventive detention of from five to ten years, in addition to the ordinary penalty, whenever it is shown that the defendant has been convicted and sentenced to penal servitude three times since the age of 16.

An almost unparalleled degree of severity has been adopted toward recidivists in the United States in recent years. Some states had long had statutes applicable to habitual criminals. The Baumes law of New York state, enacted in 1926, was distinguished, however, by its mechanical cruelty. An earlier New York statute of 1907 had given power to the courts to sentence to life imprisonment any person convicted of 4 felonies. The Baumes law now made the sentence mandatory; the courts were given absolutely no discretion. In the case of a second offense of felony, aimed especially at burglary and robbery in the first degrees, it was also made mandatory for the court to impose not less than the longest term prescribed upon a first conviction. In 1932 as a result of widespread protest against the hardships of the law the mandatory provisions were revoked. The example of the Baumes law has been followed with variations in Oregon, California, New Jersey, North and South Dakota, Kansas and Vermont.

Since the middle of the nineteenth century recidivism has increased in almost all countries. Although its extent has generally been regarded as a measure of the failure of penological methods and viewed with growing alarm, there have been a few optimists who have taken it as an indication of an ingrown criminality in a steadily narrowing criminal class. Thus Garofalo, one of the leading positivists, remarks that it is precisely in the most civilized countries that the largest amount of recidivism exists.

The classical penologists who have applied their premises to the full logical extent have been forced into a position which makes it impossible for them to consent to really effective measures for dealing with recidivists. To be sure, the classical penologist believes that the gravity of an offense should be met by a pro-

portionate severity of punishment, but this severity must necessarily be confined to the individual offense. Once the penalty has been paid the offense has been discharged and must not be reckoned against the offender. Moral responsibility cannot be applied upon a cumulative basis. The positivists, on the other hand, who have achieved a reputation for leniency by virtue of their recommendation of the individualization of punishment, show themselves to be much more realistic in their attitude toward repeated offenders. Regarding punishment merely as a matter of social defense, they can logically urge the greatest severity toward repeaters. Since the criterion which determines the application of measures of social defense is no longer the kind of crime committed but the type of social menace manifested, the professional, habitual and pathological types of recidivists are dealt with as especially dangerous.

As the review of the provisions of the criminal codes has already made apparent, the measure of social defense which has received primary support in legislation is the term of preventive detention. The discharge of the recidivist from the institution of prevention should depend upon whether social dangerousness has ceased to exist. Penal transportation is still practised in France, although opinion against it is crystallizing. On the continent there has been much discussion concerning the sterilization of recidivists, but little advance in this direction has been made. Compulsory sterilization for recidivistic sexual offenders has been introduced in Germany. In the United States California has enacted a series of sterilization laws since 1909, which provide for compulsory sterilization of certain types of recidivists and moral degenerates; but only seven vasectomies have been performed in the California state prisons. Similar laws have been enacted in many other states, but most of them have been held unconstitutional. Recently, however, the United States Supreme Court has declared such laws constitutional. Without a knowledge of the factors causing recidivism, treatment of prisoners, even when directed toward their rehabilitation, must remain a matter of trial and error.

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See: PENAL INSTITUTIONS; IMPRISONMENT; PROBATION AND PAROLE; COMMUTATION OF SENTENCE; INDETERMINATE SENTENCE; IDENTIFICATION; CRIMINAL STATISTICS; PUNISHMENT; CAPITAL PUNISHMENT; TRANSPORTATION OF CRIMINALS; CRIMINOLOGY; CRIME.

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RECIPROCITY *See* COMMERCIAL TREATIES.

RECLAMATION. In nearly every country of the globe reclamation of land has been a major factor in the advance of civilization. Although widely divergent in processes, standards and results it has everywhere had in view increase in land resources and therefore enlargement of the opportunities for the people to gain a livelihood from the soil. In every country it has

been recognized as promoting the state or national welfare.

Perhaps the best technical definition of reclamation is that it consists of "the operations and process of bringing to a high grade of usefulness in crop production lands which at the inception of the undertaking are either in an unproductive state or are of inferior or limited capacity to produce." Projected to its full meaning this definition would include establishment on the land of "a full complement of adequate farm homes and well-planned farmsteads, with the ownership on a secure financial and economic basis." This represents the most advanced aim of reclamation in the modern world and in some countries is being carried through, from construction of the necessary works to organized development or settlement of the land, by the agency undertaking the reclamation. In New South Wales, Australia, for example, the Murrumbidgee irrigation project included not only a storage dam, a movable diversion weir, a main canal, branch canals, subsidiary distributing channels, bridges, checks, regulators and the like but also the laying out of towns and villages and a complete system of roadways. In addition, provision was made for a general surface drainage system.

More generally, however, reclamation is considered as comprehending only the actual land improvement or the construction of the physical works required to make the land productive. In such cases the various subsequent steps in the process, such as obtaining, financing and advising settlers and developing cropping programs, may be unrelatedly carried out and motivated by perhaps different purposes. The benefits of reclamation may be state or country wide or merely local or individual.

Reclamation may involve merely the improvement of lands requiring some degree of melioration to make them fully useful. The lands may be too wet for satisfactory cultivation and therefore, prior to reclamation, of marginal or submarginal utility or even entirely waste. In such cases the chief need is for drainage. Large areas in humid countries have been subjected to this type of reclamation, notably in England, Germany, France and Italy; similar projects have been carried out in the upper Mississippi valley and the Great Lakes regions of the United States. Another category would cover reclamation of swamps, which before improvement have practically no human value. Examples can be found throughout the world. Still another category is made up of the clearing of cut over lands, as in portions of the south, the northern lake states and the Pacific northwest of the United States. Then there is reclamation by drainage, washing and soil correction, singly or in combination, of the vast alkali areas distributed throughout the arid and semi-arid portions of the earth. Finally, one of the most impressive kinds of reclamation involving unwatering is the recovery on an extensive scale of lands from the sea, as in the fens of eastern England and the Zuider Zee of Holland.

While available data do not warrant an approximation of the world area in the above categories already reclaimed, they indicate that it is very large; in the United States over 70,000,000 acres have been reclaimed by drainage alone. Furthermore there are still extensive areas which require reclamation by some form of unwatering, and the economic and social effect of making these lands valuable for agriculture would be far reaching. It is, however, in irrigation, which now extends to some 200,000,000 acres throughout the world, that reclamation as an economic and social institution is most fully exemplified. This is largely because of the wider and more complex human relationships involved in irrigation and because the problems connected with the ownership, distribution and use of water far transcend those concerned with the construction of physical works. For any specific reclamation by irrigation rights to water must be acquired and defended in the courts where public administration fails to provide security; rules and regulations insuring equitable apportionment and prompt delivery of the water must be set up and enforced; there must be management capable of forestalling or adjusting differences with or between water users; there must be effective cooperation between landowners.

In the modern world, as was the case in earlier times, governments are concerned with reclamation on an extensive scale. Financial aid ranges from bearing the entire cost of comprehensive works of reclamation to subsidizing individuals by meeting part of the cost of land improvement. Government participation in reclamation is not confined, however, to direct financial aid. Even where governments do not extend such assistance they are concerned with investigating opportunities for and the best means of carrying out reclamation, with the framing and administration of reclamation laws, with land settlement projects, with the types and practises of agriculture to be adopted and

finally with the social and cultural factors of reclamation. Principles of ownership of water have to be established and laws enacted which carry these principles into effect. No more difficult legislative and judicial problems have confronted the governments and legal tribunals of the world than the framing and interpretation of laws to govern the acquisition and administration of water rights—state, interstate and international. In countries of recurring droughts and famines and teeming populations, such as India and China, no graver responsibility has been forced upon those charged with state affairs than the creation of opportunities for living through reclamation of waste lands and increasing the available water supply for irrigation. In such cases the measure of government aid required is the number of persons dependent upon the products of the reclaimed land.

More generally, however, the reclamation problems of governments relate to the normal development of resources. The impelling motive is thus more likely to be one of the following: building up of the national position in the matter of agricultural production; provision of land for an increasing population; assistance to private landowners or cultivators to carry out needed improvements; breaking up of large landed estates in the interest of closer settlement; strengthening and sometimes rehabitation of community reclamation enterprises; opening up of unused public lands for settlement; pushing out of the frontier, particularly in newer countries. Claims in justification of government aid are sometimes based on the principle that part of the wealth resulting from exploitation of the nation's natural resources lying in areas susceptible of reclamation should in all justice be devoted to the material upbuilding of those areas.

In the United States the Bureau of Reclamation of the Department of the Interior builds and in some cases operates federal reclamation projects in the seventeen western states, the entire cost being repayable by the water users, without interest, now usually within forty years. Generally only the larger and costlier projects which cannot be financed except through government aid are undertaken by public authority. From the passage of the Reclamation Act of 1902 to the end of the fiscal year 1930–31 the Bureau of Reclamation has spent for surveys, construction, operation and maintenance $263,400,000 in the development of thirty-four projects. In 1930 the area irrigated with water from government works was 2,790,856 acres. The greatest of these schemes is the Boulder Canyon project on the Colorado River, begun in 1930 and to be built at a cost of $165,000,000. The waters of the reservoir will reach in excess of 1,000,000 acres of irrigable land.

In Canada dominion assistance covers only research, supervision and settlement. Through the National Commission of Irrigation the government of Mexico has built a number of irrigation projects and others are under consideration; payments for reclaimed land do not always entirely reimburse the government for its investment. In France government grants are made to farmers' societies and to commercial irrigation companies, generally up to one third of the cost; and in some cases the government has guaranteed interest on the bonds of the commercial companies. Subsidies are also granted for drainage and protective works, and substantial sums are appropriated for research. In Italy the government either builds the more important reclamation works or guarantees the financing programs of associations or consortia of landowners. In order to stimulate activities of the latter type in 1928 a royal decree authorized the formation of the Association of Land Improvement and Irrigation Consortia and this body proceeded to make arrangements with the larger credit and thrift organizations for a credit of 5,000,000,000 lire. The sum was to be made available in ten equal annual instalments. In the past the Italian government has also made large expenditures in acquiring and extending irrigation projects initiated under private auspices, notably in the valley of the Po. In Egypt with a few exceptions all dams, barrages and main canals are built at government expense and are under government control. In India all important irrigation works are planned, constructed and maintained by the government and financed with provincial or imperial funds. The income goes entirely to the government and some of the works return a large profit. Works to protect districts from crop failure and famine are not intended to be financially remunerative, while loans are made to private landowners and cultivators for land improvements. In Australia the states in which irrigation is important devote much attention to construction of irrigation works and closer settlement. In Victoria and New South Wales, which have the largest irrigated areas, important works are built at state expense, the cost being repaid over long periods at low rates of interest. In several countries taxes are remitted on recla-

mation works or on land reclaimed by individuals. These examples of government aid, while by no means complete, illustrate the nature of the procedure.

Important as is the part of governments in reclamation, private commercial companies, communities operating through irrigation, drainage or reclamation districts and cooperative associations and individuals, all are concerned with it to a large extent. In the older countries the cooperative community associations are numerous and of long standing and many have been developed to a high degree of efficiency. In the United States the district form is most important. The district (partaking of the characteristics of a public or quasi-municipal corporation) nearly always has the authority to finance through bonds as well as the right to levy assessments or taxes. In the United States cooperative irrigation companies are usually those whose capital has been subscribed in cash or labor by the shareholders. The so-called mutual irrigation company generally originates as a subsidiary of a land development company and in time passes over to control of the land buyers. On some of the United States government reclamation projects water users' associations represent the landowners when dealing with the government and eventually take over maintenance and operation. Commercial irrigation companies furnishing water for irrigation were at one time an important factor in the United States but are decreasingly relied upon. An additional type of private irrigation enterprise in the United States is the Carey Act project, under which private capital constructs irrigation works on public lands ceded to the states by the federal government.

	1930	1920	Change (in percentage)
Individual and partnership	6,410,581	6,848,807	−6.4
Cooperative	6,271,334	6,581,400	−4.7
Irrigation district	3,452,275	1,822,887	89.4
Carey Act	86,772	523,929	−83.4
Commercial	1,230,763	1,822,001	−32.4
United States Indian Service	331,840	284,551	16.6
United States Bureau of Reclamation*	1,485,028	1,254,569	18.4
Others	278,951	53,572	420.6
Total	19,547,544	19,191,716	1.9

* Does not include other lands partly served by government works. The outside areas thus partly served in 1929 totaled 1,234,230 acres; in 1919, 900,000 acres.

Source: United States, Department of Commerce, Bureau of the Census, Fifteenth Census of the United States, 1930, *Irrigation, Summary for the United States, 1929 and 1930* (1932) p. 5.

The accompanying table indicates the extent in acres of irrigated areas in the nineteen irrigation states of the United States (Arizona, Arkansas, California, Colorado, Idaho, Kansas, Louisiana, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming) served by the various types of agencies above mentioned.

Economic feasibility is one of the fundamental considerations in reclamation, especially as costs have mounted. While large numbers of projects have been highly or moderately successful, both financially and agriculturally, losses have been incurred in all types and in all countries. Delayed settlement of the reclaimed land has been the most frequent cause of difficulty in such countries as the United States, Australia and the Union of South Africa. Other causes of distress or loss include excessive costs, unsound financing, conflicts over water rights, engineering mistakes, poor soil or changing market conditions for the crops grown. Losses resulting in abandonment of works are rare.

In recent years in the United States, most notably in the great Boulder Canyon project, economic feasibility has been dependent frequently upon the supplemental income from hydroelectric power generated as a by-product. On the other hand, some reclamation projects from which the combined income from agriculture and hydroelectric power is not likely to be sufficient to return the capital investment are being seriously contemplated in the United States. This involves the question as to how much of their equitable share of the cost will be borne by the industries or non-agricultural interests which will be directly or indirectly benefited by the reclamation; or, as an alternative, if the works are to be built, whether increased government subsidies, which mean some redistribution of wealth, are to be provided. This is perhaps one of the most important of the social aspects of modern reclamation, especially in countries like the United States, where the desire for development rather than the land and food needs of the population is the main motive for reclamation.

Because of its effect in extending the usable land resources and as a result of its influence on the movement and distribution of populations, on the growth of industry and commerce in the arid and semi-arid regions, on the food supply and on the general material and human welfare of many countries reclamation will al-

ways stand out as a basic activity of the governments and peoples of the world, and the best statesmanship will always be demanded for the solution of its problems. As has been shown, these problems, especially in reclamation by irrigation, go far beyond the building of physical works. While individual work will continue in importance, it has been shown through centuries of experience in older countries as well as shorter experience in the Americas, Australia and the Union of South Africa that the great tasks of reclamation can be accomplished only through the cooperation of a large number of people, requiring in many instances substantial participation by governments. Reclamation then may be expected increasingly to take on the aspects of a national public question, especially when the chief argument advanced in its favor is not addition to the food supply but the encouragement of community building.

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See: IRRIGATION; FLOODS AND FLOOD CONTROL; LAND SETTLEMENT; AGRICULTURE, GOVERNMENT SERVICES FOR; CONSERVATION; COMPACTS, INTERSTATE; WATER LAW.

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RECLUS, JACQUES ÉLISÉE (1830–1905), French geographer and anarchist. Originally trained for the Protestant ministry, Reclus soon turned to the study of geography and affiliated himself with the revolutionary movement. He was exiled after the coup d'état of 1851 but in 1857 returned to France, where he remained until he was again banished after the fall of the Paris Commune in 1871. He lived for many years in Switzerland, later in close association with Kropotkin. From 1894 to 1905 he served as professor of comparative geography at the Université Nouvelle in Brussels, where he established a geographical institute.

Reclus' geographical work, written in the tradition of Ritter and Humboldt, is centered in his comprehensive works *La terre* (2 vols., Paris 1867–69; tr. by B. B. Woodward, New York 1871), *Nouvelle géographie universelle* (19 vols., Paris 1876–94; tr. and ed. by E. Ravenstein and A. H. Keane, London 1878–94) and *L'homme et la terre* (6 vols., Paris 1905–08; new ed. by Paul Reclus, G. Goujon and others, 3 vols., 1931), which describe physical milieu and phenomena, the distribution of mankind and the history of human institutions and their interrelations. He worked with his brother Élie, who is best known for his *Les primitifs, études d'ethnologie comparée* (Paris 1885; English translation, London 1891).

As early as 1851 Reclus concluded that anarchy, or the absence of government, was *la plus haute expression de l'ordre*. His anarchistic views found their fullest expression in *L'évolution, la révolution et l'idéal anarchique* (Paris 1897). He believed that human progress develops higher forms of freedom and solidarity, voluntary cooperation and free or communist-anarchist types of distribution; to initiate the coming anarchy resolute and courageeus elimination of such

obstacles as authority and obedience, monopoly and misery, is imperative. He was a militant member of Bakunin's secret international brotherhood and of other anarchist and republican groups, but was never a party man or a fanatic. A person of engaging charm and one who always preserved his own independence in the controversies of the diverse anarchist schools, Reclus exercised wide influence in anarchist circles throughout the world.

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RECOGNITION, INTERNATIONAL. Recognition, "the assurance given to a new state that it will be permitted to hold its place or rank, in the character of an independent political organism, in the society of nations" (Moore, J. B., *Digest of International Law*, vol. i, p. 72), is a recent concept in international law. If the principles of independence and equality of states formed an early theoretical basis for the doctrine of recognition, the identification of sovereignty and personality prevented its appearance until a later date. From this identification arose the theory of legitimacy, which was principally responsible for the lack of a doctrine of recognition. This theory is seen first as one which upheld the hereditary right of a dynasty against any rival claimants. Transformed later into a theory which posited the better right of monarchic government as compared with other forms, it became eventually an assertion of the legitimacy of the existing government. It is in this latter sense that it appears "as a counter-theory to the doctrine of recognition." It was not until the concept of sovereignty was divorced from personality, until the idea of popular sovereignty had made some headway, that there was any need or justification for recognition. Today legitimacy has been reincarnated in the form of the better legal right of the existing government and stands in conflict with defactoism, which insists that a break in the legal order may be healed by "the normative power of facts and the transformance into political reality of abstract legal principles." But in both cases there is a necessary emphasis upon the de facto existence of the government, the legitimist contending that an immutable legal character has been bestowed upon the de facto regime and the defactoist maintaining that a new set of facts over a period of time bestows a truly legal character upon the new political organism. In short, the line of demarcation between defactoism and legitimacy must in the final analysis be a relative one.

Although recognition does not bring into existence a new state and although a state possesses the attributes of sovereignty independently of recognition, the state is assured of exercising these attributes only after recognition. Recognition may be either tacit or express and either conditional or unconditional. It is absolute and irrevocable, although the recognized state may refuse to accept it. To be definitively effective recognition must be granted by a government which is itself recognized. No state is legally bound to accord recognition, although there may be a moral obligation to do so. Recognition may be granted by a state acting alone or by a group of states acting in unison. Examples of the latter are the recognition of certain Balkan states in 1878 and of Belgium in 1831. While there are no absolute rules governing the recognition of new states, the new political community must at least possess the essential characteristics of a state. Premature recognition, granted while a bona fide contest between a parent state and belligerent insurgents is still in progress, constitutes an act of intervention, which may possibly lead to war. As the term is used here, the recognition of belligerency and insurgency is excluded from consideration (*see* BELLIGERENCY; INSURRECTION).

In international law states have a continuing personality which is not affected by changes in their governments. The duties of the state are not altered by internal political changes, which represent breaches in constitutional law alone and not breaks in the "legal continuity of international relationships." For this reason the recognition of a new state may be considered as an act of deep legal significance, whereas the recognition of a new government may be regarded as a question of policy. In both cases, however, it is the political organism of the state with which the recognizing powers must deal, and the same methods of recognition are applicable.

The methods of according recognition are varied. It may be granted by a formal declaration in a separate and independent document or by carrying on such negotiations or entering into

such relations as exist only between independent states. Diplomatic intercourse and treaty negotiations may be conducted in such a way as to result in recognition. The dispatch of an accredited representative, the reception of accredited diplomatic agents or the issuance of an exequatur to a consul would have this effect. However, the mere conclusion of a treaty between the recognized and the recognizing state or the signing of a collective treaty between the recognized state and the recognizing states does not necessarily mean complete recognition. Two governments, one of which does not desire to recognize the other, could nevertheless regulate certain matters by treaty. And after the conclusion of a multipartite treaty it need not be said that each of the signatory governments recognizes each other government except for the purposes for which the treaty was concluded. The United States, by adhering to the Paris Peace Pact of 1928 along with Russia, did not recognize the Union of Soviet Socialist Republics except for the one purpose involved. It follows that mere admission to an international congress would not constitute a general recognition. Further the holding of certain kinds of intercourse with a foreign government, as with the agents of a revolutionary body, does not necessarily signify the according of recognition. The nature of the act, the circumstances and the intention of the recognizing state must all be considered.

The recognition of a new state or government is generally regarded as an act of the executive. Although it has been asserted from time to time in the United States that a concurrent power of recognition or a voice in the granting of recognition is vested in Congress (see Resolution of the Committee on Foreign Affairs of the House on Dec. 15, 1864), the power of the president has been exercised, as it could be, in an almost exclusive fashion. Some of the methods of according recognition are completely in his control, and the extent to which Congress or the Senate plays a part depends in the last analysis upon the methods employed and considerations of expediency.

To Thomas Jefferson, the first secretary of state in the United States, may be attributed the institution of the concept of recognition in international law. If his theories of popular sovereignty and the right of revolution formed a necessary predicate for the inception of recognition, the fact that Jefferson was in a position to give his ideas practical application makes him a significant figure in the origin of the recognition concept. As early as 1792 political changes in France necessitated the formulation of an American policy; and Gouverneur Morris, minister of the United States to France, was accordingly instructed that "it accords with our principles to acknowledge any government to be rightful which is formed by the will of the nation substantially declared." Later pronouncements were phrased in similar language, and their application has given rise to the view that Jefferson's was a policy of pure defactoism; indeed, with the exception of two periods in American history, it has been traditional to characterize the entire American policy as being one of de facto recognition. The two exceptional periods were from 1861 to 1869 and from the inauguration of Woodrow Wilson in 1913 almost to the present time. During these years the United States is said to have reverted to the principles of legitimacy and by the positing of certain requirements to have reapplied the old doctrine through an insistence upon "constitutional government." Even if the tenuous line which divides defactoism and legitimacy be ignored, it cannot be held that the recognition policy of the United States has ever been characterized by the application of principles of pure defactoism. It has been rather a policy marked by an insistence upon the popular support of the government in the state, a support or approval which has been satisfactorily evidenced at times by mere de facto control and at other times, when special reasons presented themselves, by the requirement of more formal evidence, such as is afforded by plebiscites or constitutional conventions. Consequently the insistence upon the present and the future stability of the government to be recognized as one of the criteria for granting recognition was from the beginning and has remained incidental to the requirement of popular sanction. A demand for popular acquiescence might have been expected from a government of revolutionary origins, presumably based upon the "consent of the governed" and possessing a missionary zeal to further the establishment of republican governments in a period when they were the exception rather than the rule. Secretary Stimson's reestablishment of the "sensible practice of our forefathers" represented then no fundamental break with the policies of his predecessors.

The second of the criteria for according recognition which find expression in communications from the Department of State is the ability and willingness to fulfil international obliga-

tions. Although probably implied from the beginning, this requirement did not find formal announcement until the annual message of President Hayes on December 3, 1877. As the interests of the United States in foreign states have expanded, greater and greater emphasis has been placed upon the second of these criteria. At the same time the "international obligations" have been colored by American self-interest and since 1900 have offered ample opportunities for the fulfilment of conditions or the granting of privileges as prerequisites for recognition. In 1904 recognition was secured by the Morales regime in Santo Domingo at the price of acquiescence in all of the engagements previously entered into between the Dominican Republic and the American legation. Recognition of the Obregón government in Mexico was delayed from November, 1921, to August 31, 1923, because Obregón refused to sign a treaty drafted by the State Department and containing stipulations for the safeguarding of "American property rights in Mexico." Hasty recognition of new states and governments, as in the case of Panama in 1903, has been a factor in their preservation; and the non-recognition of de facto governments, as in the case of Huerta in Mexico in 1913–14, has been a factor in their downfall. When so exercised the power of recognition comes to have a constitutive form which, at least in the case of Latin American states, has a vital effect upon their political vagaries.

Two recent cases of the failure to recognize new states or new governments are those involving the Union of Soviet Socialist Republics and Manchukuo. President Wilson's refusal to recognize the Soviet government was not altered during the administrations of Presidents Harding, Coolidge or Hoover. Secretary Hughes' insistence in 1923 that the United States would not recognize the Soviet government until it "acknowledged its liability for the debts contracted by previous governments of Russia," agreed "to make restitution to American citizens whose property was confiscated" and "ceased its revolutionary activity in the United States" represented the reasons officially given, and subsequently repeated, for its failure to act. After the inauguration of President Roosevelt in 1933, however, this policy was reversed, and the United States followed the precedents set previously by all of the world powers in recognizing the Soviet Union.

The formal declaration of independence from China of Manchuria and Inner Mongolia on February 18, 1932, followed a public statement by Secretary Stimson on January 7 to the effect that the United States "does not intend to recognize any situation, treaty or agreement which may be brought about by means contrary to the covenants and obligations of the Pact of Paris of August 27, 1928, to which treaty both China and Japan, as well as the United States, are parties." The formal request on March 14 of the new state of Manchukuo for recognition was ignored by the United States. The assertion in the report of the Lytton Commission that the recognition of the new regime in Manchukuo would not be "compatible with the fundamental principle of existing international obligations" is apparently accepted by the Department of State of the United States.

Such concerted international action in refusing to recognize a new state is hailed in some quarters as a new instrument of international law. Professor Quincy Wright has declared that if these principles "were really made effective, international law would be revolutionized. Violence and war would cease to have value in advancing the legal position of states." Critics of this so-called doctrine of non-recognition assert, however, that mere refusal of recognition is unlikely to accomplish its ends and may result in positive harm by encouraging China to attempt to recover her lost territory by force and by generally weakening confidence in the preventive value of peace machinery.

Within recent years some efforts have been made to standardize the rules governing recognition. The International Commission of American Jurists, which met at Rio de Janeiro in 1927, recommended that recognition be granted only when certain stipulated conditions had been met. In the future, however, little uniformity of action may be expected in the matter of according recognition, even should there be an acceptance of general principles.

TAYLOR COLE

See: STATE SUCCESSION; DE FACTO GOVERNMENT; REVOLUTION AND COUNTER-REVOLUTION; RUSSIAN REVOLUTION; SANCTION, INTERNATIONAL; BELLIGERENCY; CIVIL WAR; INSURRECTION.

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RECONSTRUCTION. Shortly before his death Abraham Lincoln inaugurated a program for the speedy restoration of the southern states; this program was based upon the belief that leniency and fair treatment of the defeated foe would most effectively reestablish "the proper practical relations" of the union and secure to the Negro the rights necessary to his development. Under this policy any seceded state or portion of a state was to resume its place in the union whenever one tenth of the voters who were eligible in 1860 and who had taken the oath of loyalty should set up a government; by April, 1865, such governments were functioning in Tennessee, Louisiana and Arkansas, while a loyal rump group had been recognized in Virginia. In his organization of these governments, in the Hampton Roads Conference, in his second inaugural and in a carefully prepared speech made three days before his assassination Lincoln gave abundant evidence of his desire for the prompt reconstitution of the seceded states.

Andrew Johnson has been unjustly blamed for the failure of the moderate program of restoration. The Radical Republicans attacked his policy by calumniating him, and so successful were they that only a caricature of him has been handed down to posterity. The fact is that Johnson had more than average abilities, high devotion to duty and to the union, perseverance, industry, integrity, indomitable courage, and an almost religious faith in democracy and the good judgment of the masses. In a day when passions ran high he had the understanding and calm judgment to formulate and pursue unwaveringly a southern policy that posterity generally regards as wise. His greatest weakness was the fact that he was an outsider who did not understand northern opinion. He did not hold the reins of power in the dominant party; indeed he was not even a member. Aligned against him were all the men in the Republican ranks who had attacked Lincoln bitterly, even during the war. Lincoln would have had great advantages of personality and experience that Johnson lacked, but it must not be forgotten that the same forces which ruined Johnson might have destroyed Lincoln, had he lived.

In pursuit of the principles laid down by Lincoln, Johnson on May 29, 1865, announced his program in two proclamations. The first granted amnesty with restoration of property, except slaves, to all but fourteen excepted classes of former Confederates, conditional upon their taking an oath of future loyalty. To individuals excepted from amnesty he issued pardons freely when they were asked. In the second proclamation, soon followed by others for various states, he appointed a provisional governor for North Carolina and turned over to those of the voters of 1860 who had taken the oath full power to reestablish a loyal government and normal relations in the union. Johnson refused to permit unpardoned rebels to vote or to hold office. He made three positive demands: repeal of the secession ordinances, ratification of the Thirteenth Amendment, and repudiation of rebel debts, Confederate and state. He urged the states to protect the civil rights of Negroes and would have favored limited Negro suffrage, but refused to impose these measures upon states against their will. His provisional governors were wisely chosen and he himself worked tirelessly and patiently under extraordinary difficulties to restore the southern states and to insure their future loyalty.

Southern society was chaotic. The whole social and economic order had collapsed. A war for which many of its leaders had been eager had left the South impoverished and exhausted, with its means of production destroyed. In this condition it had to make social and economic adjustment to a new order. It was torn by dissension between its moderate leaders, who wished to accept defeat and emancipation and adjust themselves as speedily as possible to existing conditions, and extremists, who, unwilling to face the consequences of defeat, sought to restore the old order in defiance of northern opinion and grim reality. Many states elected their old leaders to office, often before they were pardoned. This was human and un-

derstandable but patently unwise. Extremists opposed repeal of secession ordinances already nullified by the inexorable verdict of war. They objected to repudiating their Confederate debts. They enacted "Black Codes" which looked like reenslavement of Negroes. These codes, like many other impolitic acts, resulted in part from stubborn effort to restore the status quo ante, in part from an honest effort to work out a modus vivendi under extremely trying and unaccustomed conditions of life amidst newly freed Negroes unused to freedom. But southern actions put a powerful weapon into the hands of northern enemies of restoration.

Northern opinion itself was divided. The large but discredited minority which had opposed the war now sought to restore the South at once and on almost any terms. Many War Democrats and Lincoln Republicans also favored magnanimity and speedy restoration, but on Johnson's terms. On the other hand, a Radical minority were determined to keep the South out of the union or under military control until, through white disfranchisement and Negro suffrage, it could be "remade on a northern model" and permanent rule of the nation by the Radical faction could be assured. When Lincoln died, a great majority of northerners favored his and Johnson's policy. The Radical leaders, realizing that they were in a hopeless minority even in their own section, sought delay while they "educated" the people to extreme measures; and so successful were they that between April, 1865, and November, 1866, they were able to win over a group of adherents large enough to give them two-thirds control of a Congress from which southerners were forcibly excluded. This change of popular heart was accomplished by a campaign of misrepresentation and vituperation which blinded the public to the vital problems confronting the nation.

Indeed behind the smoke screen of Radical rodomontade were concealed issues whose solution would determine the fate of the United States for decades to come. The first of these was whether southerners could be trusted to return to participation in the union. While many northerners honestly believed that the former slaveholders were inherently wicked and that allowing them to regain political power would destroy the union, the Radical Republicans were more realistic. They opposed restoration of an unreconstructed South largely because they realized that it made probable a combination of southerners with northern Conservative Republicans for the purpose of breaking the Radical control over Congress. The much discussed question of the dangers attending southern restoration was in reality therefore only a political device designed to keep the Radicals in power. The same was true of the Negro question. Men like Charles Sumner were sincerely interested in the Negro's welfare and determined to protect him against reenslavement; for the most part, however, Radical politicians felt concern over the Negro because he would vote Republican. Radical leaders were determined from the first to stay in office by giving the Negro the ballot, but too much opposition to Negro equality existed in the North to permit this to become an avowed issue of the congressional campaign of 1866.

The Fourteenth Amendment contained four distinct measures incorporated by the Radicals into one. Section one protected the civil rights of Negroes. Section two provided that if the Negroes were not allowed to vote, southern representation should be reduced according to the proportion of Negroes to the total population. Section three disqualified from holding public office all persons who, having held any civil or military office, however petty, under the United States or under any state, had then violated the oath of allegiance required for that office by voluntarily supporting the Confederacy. Congress alone by a two-thirds vote had the power to remove such disability. Section four repudiated the Confederate and guaranteed the federal debt.

The punitive section of the amendment was calculated to leave the South leaderless in the most trying period of its history; it was inevitable that its inclusion should make the whole amendment intolerable to southerners as well as to Johnson Conservatives in the North who might have accepted the other sections. The Radicals, however, refused to allow the different measures in the amendment to be presented separately; they were thus able to claim that Conservatives who objected only to the punitive clause were opposed to the more moderate portions. Bondholders, for instance, were convinced that the repudiation of the federal debt could be prevented only by the election of Radicals. By introducing a bill guaranteeing restoration upon ratification the Radicals led moderates to believe that the amendment embodied their definitive terms to the South, while, by failing to pass the bill, they left the door open to complete subjuga-

tion of the southern states when they had obtained a two-thirds control of Congress. Thus the Fourteenth Amendment played an important but purposely confused part in the Radical victory.

Economic questions, which really were at the heart of the Radical attack on the South, were kept in the background. The real danger from "the return of rebels to power" was not the overthrow of the union but the ousting of the new industrial forces from control in Washington by a renewed combination of southern planters and western farmers. Significant economic policies of the day still to be determined in permanent form were the questions of congressional extravagance, the incidence of taxation, contraction or inflation of the currency, the payment of federal bonds in gold or depreciated greenbacks, the role of the new national banks and the government's attitude toward the monopoly practises and corrupt methods of big business and toward the spoliation of the public lands for private gain. Of particular importance was the tariff question. High tariff men had been in a hopeless minority before the war. After the southerners withdrew from the union, they were able to obtain tariffs high enough not only to offset huge war taxes on industry but to afford additional protection against foreign goods as well. Then, by keeping southern representatives out of Congress and winning western farmers with a wool tariff, the protectionists were able to retain the war duties after the war taxes which they offset had been repealed. These were the economic issues upon which Radicals did not dare permit the "unreconstructed" South to pass judgment. Indeed northern opposition to the position of the Radicals was so keen that these questions were persistently excluded from political discussion. For years all criticism of the Radical program—which meant governmental support of big business—was effectively silenced by appeals to mob hysteria, such as the "waving of the bloody shirt" or the invoking of the sectional loyalties.

Radical leaders outgeneraled Johnson superbly. The president saw that the Radicals were determined from the beginning to proceed to extreme measures. Believing that to yield or to compromise on any point would mean ultimate defeat, Johnson refused to approve important matters concerning the South until southern states were permitted to participate in their enactment. This explains his opposition to bills which ordinarily he would have accepted; it explains also his refusal to advise the South to ratify the Fourteenth Amendment. But Johnson committed an unfortunate blunder when he failed to oust all the Radical officeholders, with the result that the Radicals were able to wield the great patronage power against him. He erred further in permitting the Radicals to confuse and conceal the really important issues of the day, for his own position on these, particularly the economic ones, would have obtained majority support even in the North. The moderate third party movement, which could have swept the North, failed because the Philadelphia Convention of 1866 did not create a new party with party machinery and candidates; Conservative Republican voters in November, 1866, were therefore faced in most cases with the dilemma of choosing between Radical and Copperhead candidates. In spite of all this the Radical victory in 1866 in many states was won by only a slight majority. By no stretch of the imagination, then, could it be construed as a verdict in favor of Radical reconstruction. It was this election, however, which gave the Radicals the two-thirds majority in Congress which permitted them to carry out their southern policies unopposed.

The momentous Reconstruction Act, embodying the Radical program, was passed on March 2, 1867. It divided the former Confederate states (save Tennessee, which had ratified the Fourteenth Amendment and been readmitted into the union) into five military districts, where martial law was to prevail. It established provisional state governments, which could be abolished or changed at the will of the federal government. It ordered the election of delegates to constitutional conventions, with all adult males participating, regardless of color, except the southern leaders disqualified from officeholding by the Fourteenth Amendment. Upon the framing of constitutions which included provision for Negro suffrage and upon the ratification of the Fourteenth Amendment and the approval of the new constitutions by Congress, the seceded states would be ready for readmission; but no person could be elected to Congress who could not take the "ironclad oath" that he had never fought or held office under the Confederacy or in any way supported it. By 1868 five states, besides Tennessee, had been readmitted after meeting these onerous terms.

As late as the presidential campaign of 1868 the Republicans had not dared to include Negro suffrage for the North in the party platform. But

soon after their victory in the election they passed the Fifteenth Amendment, which provided that the right to vote should not be denied "on account of race, color, or previous condition of servitude." The amendment was ratified by March, 1870, but like the Fourteenth could not have been ratified at all except by forced rule of the South. As southerners became more and more restive under Radical rule, Congress enacted more extreme measures during 1870–72: laws to enforce the Fourteenth and Fifteenth Amendments; to protect Negroes against infringements of rights by individuals as well as by states; to grant jurisdiction to the federal courts in cases involving racial equality; to provide federal supervision of elections; to empower the use of military force to protect Negroes; to legalize suspending the writ of habeas corpus; and to penalize heavily the activities of the Ku Klux Klan. Just before they lost control of the House in March, 1875, the Republicans enacted a new civil rights law.

But the end was near. The excesses of the rule of carpetbaggers, "scalawags" and Negroes, most of the last as yet unfitted for public office, threatened to complete the ruin of the South. The old governing class of the tidewater and the small farmers of the up-country areas, whose relations had traditionally been hostile, now joined hands to combat the common foes, the enfranchised Negroes and their northern carpetbagger friends. Nor could a military dictatorship be maintained permanently over a whole people; and, as soon as northern troops were withdrawn, southern whites, by open disregard of laws and the constitution, by intimidation of the Negroes and mob violence, took power back into their own hands. Northerners too had grown tired of trying to rule the South by force. They became eager to decide the vital economic issues which reconstruction politicians had evaded. It therefore became increasingly difficult to mobilize public opinion in support of the drastic measures necessary to keep the South Republican. In 1871 the "ironclad oath" was repealed; in 1872 Congress granted a general amnesty; and in 1877 President Hayes removed the last of the federal troops from the South. With northern support gone, the Republican-Negro governments were captured by the whites and for fifty years the South continued solidly Democratic.

Constitutional questions bulked large in the discussions over reconstruction. The southern states had justified their withdrawal from the union by the theory that the constitution was a compact between sovereign states, which any state could abrogate when it ceased to serve the purposes for which it had been drawn up. The North justified its going to war to force unwilling southerners to stay in the union by the theory that the United States was an indestructible union of states no longer sovereign, from which no state could secede since every citizen of every state was also a citizen of the United States and owed supreme allegiance thereto. With the war ended, Johnson sought to restore the seceded states on the basis of the indestructible union theory; but this no longer served the purposes of the Radicals. Some of them now espoused a "conquered province" doctrine which denied southerners all rights save those the victors wished to grant; others reconciled their 1861 claims that states could not secede with their 1865 desire to deny them statehood by insisting that the southern states through rebellion had lost their status as commonwealths and had reverted to a territorial condition. Southerners, on the other hand, argued vigorously for the unimpaired rights of states. Actually, constitutional arguments were merely rationalizations of the economic and political desires which determined the respective programs. It was not constitutional precedent therefore but force of arms which led the Supreme Court to rule in Texas *v.* White [74 U. S. 700 (1869)] that the ratification of the constitution in 1788 had solemnized an indestructible union and that Congress had the power to approve or reject the governments of the southern states.

In discussions of constitutional precedents to support or deny the right of secession or the territorial status of southern states, the attempt of Radicals to overthrow the traditional form of American government has often been overlooked. The Radicals actually sought to concentrate power in the national government by substituting close centralization for the existing federal system and by transforming the states into mere administrative subdivisions. In place of the federal checks and balances they wished to set up a parliamentary system with executive, courts and the constitution itself subordinate to an omnipotent Congress. For three years President Johnson was kept helpless not only by the fact of a two-thirds majority which could always override vetoes but by specific legislation which took administrative power out of his hands, even to the extent of forbidding him to dismiss his own appointees without congressional consent.

Had the Radicals succeeded in removing Johnson, the president would have become a puppet in the hands of Congress; indeed the Supreme Court might easily have been the next victim. As it was, the court was for years cowed into avoiding decisions which would offend Congress. While *ex parte* Milligan [71 U. S. 2 (1866)] did declare military tribunals unlawful even in war time when the civil courts were functioning, this decision was not handed down until the Civil War had been safely over for two years. When the constitutionality of radical reconstruction was brought before it, the court dodged the issue; and in Georgia *v.* Stanton [73 U. S. 50 (1867)] and Mississippi *v.* Johnson [71 U. S. 475 (1867)] it found reasons for refusing to assume jurisdiction. In Texas *v.* White in 1869 it merely registered the result of the war and the will of the Radicals. It was not until public opinion had turned and the Radicals had lost control of Congress that the Supreme Court dared place its stamp of unconstitutionality upon Radical reconstruction in United States *v.* Cruikshank [92 U. S. 542 (1876)], United States *v.* Reese [92 U. S. 214 (1876)], the Civil Rights Cases [109 U. S. 3 (1883)] and United States *v.* Harris [106 U. S. 629 (1882)].

Reconstruction bequeathed an important heritage to the South. Here it brought years of suffering, the decline of the old aristocracy, the rise to political power of the white masses from the up country and the social and economic revolution which has created the "new South." Slavery was destroyed, but reconstruction did not solve, indeed it actually complicated, the social and economic problems of ignorance, inefficiency and racial differences that had existed under slavery. In spite of the presence of the easily circumvented post-Civil War constitutional amendments reconstruction left the southern Negro without adequate protection of his newly acquired civil rights, virtually without the ballot, socially inferior, economically exploited, and with scant means of improving himself or his status. From reconstruction the nation inherited a "solid South." To the South this has meant that its attitude toward national problems has been completely dominated by the necessity of maintaining a united front against the Negro; to the Democratic party it has meant the presence of a bloc of conservative votes great enough to prevent the party from becoming a truly liberal organization; to the nation it has meant political derangement caused by the inability of various groups in the south to join similar groups in other sections against common opponents.

Reconstruction also left an important heritage to the North. The Fourteenth Amendment, presumably passed to protect the Negro, has been utilized by the Supreme Court to prevent the enactment of social legislation opposed by property interests and the public regulation of business practises. Also by a clever use of popular shibboleths northern industrialists, working through their allies, the leaders of the Republican party, succeeded in focusing national attention for almost a dozen years on the single question of reconstruction, while by preventing the union of the South and West, they were able to overpower the agrarian forces, the really dominant class in the country. In 1865 the new industrial forces would have been easily outvoted. But during the long years of reconstruction a new economic and social order was being nurtured to maturity by tariffs and other governmental favors and special privileges. By the time reconstruction ended and the South and West were permitted to combine politically once more, modern industrialism was too strong to be controlled. The age of big business had dawned. Radical reconstruction did not cause industrialization, but these years of undisturbed business control of the government molded its course.

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See: NEGRO PROBLEM; KU KLUX KLAN.

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RECORDS, HISTORICAL. According to the English Public Record Act of 1838 records include "all rolls, records, writs, books, proceedings, decrees, bills, warrants, accounts, papers, and documents whatsoever of a public nature." Some archivists, like Hilary Jenkinson, find even this definition too general and all inclusive and would restrict the term to certain types of legally authenticated documents. While this position deserves recognition, there does seem abundant justification for the use of the term in its wider acceptance as including all forms of data, whether written or unwritten, that may be employed as sources for the reconstruction of the life and activity of man in the past. In this sense it will be employed in the present discussion.

The concept of historical records will thus be as broad as any particular definition of history. On this question there is no concensus of opinion. In general the dominant interests of any age will condition the scope and content which will then be given to the history of past ages, and this in turn will determine the type of materials to be employed as historical sources. In an age when history is looked upon as a branch of literature the historian may be almost solely dependent upon literary records; that is, annals and chronicles. This view was long prevalent prior to the eighteenth century, and for some generations thereafter dependence upon the written record still remained predominant.

The industrial and political revolutions of the seventeenth and eighteenth centuries challenged the dominant position of the ruling class and increased interest in social and institutional history. This was further intensified by the development of new sciences in the nineteenth century which opened the eyes of historians to new types of materials for the study of man's past, of which for the most part they had hitherto been unconscious. Among these archaeology has made the most interesting contributions; but ethnography, anthropogeography, philology and iconography have also greatly enriched the concept of history. In 1837 Thomsen, a Danish scholar, gave great impetus to the scientific study of archaeology; he set out to make a careful collection and classification of tools, weapons, artifacts with a wide variety of uses and physical remains of primitive man and to relate them to the geological strata in which they were embedded and to the flora and fauna with which they were found. Already a generation earlier the scientific study of pre-Greek civilizations in the Nile and Tigris-Euphrates valleys had been initiated. Since that time there has been gathered, classified, studied and interpreted an ever growing body of such materials from all over the world; while they are incomplete because the written record is lacking, they have been of immense value to the historian, assisting him to reconstruct the outlines of man's past extending back hundreds of thousands of years and thus enabling him to secure a better perspective on the few thousand years for which written records exist.

The more obvious types of historical records fall roughly into two main classes, written and unwritten. Among the latter are the physical remains, both human—hair, bones, and the like—and geographical—records of the earth's crust, its climate, topography, flora and fauna, soil character, waterways, mountain barriers, plains, deserts and woodlands; in short, all those geographical agencies which operate as conditioning factors in the life of man and as such must be given due consideration in the treatment of any historical question.

Material remains, archaeological and monumental, are probably the most important of the unwritten records by virtue of their abundance and also, in primitive or early classical civilizations, because of the scarcity or entire lack of other contemporary records. Among these are to be mentioned: clothing, tools and weapons; coins, medals, seals, heraldic devices; objects of art and luxury, including jewelry, carvings in wood and enamel and sculptures in stone; metal work in all its variety and intricacy, glass and

textiles of various sorts; burial mounds, menhirs and dolmens, temples or shrines; theaters, colosseums and triumphal arches; town halls, castles and the humbler dwellings of burgher and peasant. The value of this type of material for the reconstruction of the life of primitive man is now fully recognized, but historians are not always alive to its significance for a period for which written records have become relatively abundant. Rostovtzeff has emphasized its worth as an aid in interpreting life in the classical period of Greece and Rome; Alfons Dopsch in his *Wirtschaftliche und soziale Grundlagen der europäischen Kulturentwicklung* (2 vols., Vienna 1918–20) has illustrated its use in reconstructing economic life in Europe in the early Middle Ages; and within the last few years historians of art, by relating their materials to other types of historical sources, have contributed greatly to contemporary knowledge, particularly of the Middle Ages. There is more history in a Gothic cathedral than in many tomes of written records.

On the border line between unwritten and written records are the linguistic and the ethnic records. At the opening of the last quarter of the nineteenth century the philologists claimed to hold the key to the explanation of virtually all history. Further study has modified these extreme views considerably, but the record of language can by no means be ignored. Especially in the scientific study of place names much light is being thrown upon obscure pages of history. A careful study of surnames in certain periods of the Middle Ages may reveal much of the development of industry in a given region; while phrases, proverbs, names of common things of everyday use, may provide a clue to the cultural affinities of a people and thus to their history. Such evidence must be used with caution, since nothing is more easily adapted and adopted than language, but in the hands of a carefully trained philologist it may be of great historical value. Much the same is true of myth, legend, folklore, ballad, epic, anecdote and tradition. There was a time when these were discarded as useless for historical purposes, but if scientifically studied and sifted they may yield valuable data, especially where they are controlled by other types of sources. This has been strikingly evidenced, for example, in the substantiation of Greek myths by excavations at Troy and Crete.

With the rapid development of photographic and cinematographic processes, graphic, pictorial and sound records are steadily becoming more significant. Graphic and pictorial records, such as charts, maps and portraits, have long been utilized as important sources by the historian; but the perfecting of the camera and the combination of photography and sound reproduction have introduced an entirely new element. It is necessary only to mention the still and motion pictures taken during the operations of the World War and the so-called "record of events" daily exhibited upon cinema screens to indicate the tremendous significance of this type of record for the student of contemporary history.

As the concept of history expands and the political preoccupations of historians give way to interest in cultural aspects of man's past, these various types of record take on new meaning and significance. But after due consideration is given them, the chief reliance of the historian must still be upon the written record.

These written records are of many kinds. They may be graven on stone, pressed in clay or written on papyrus, parchment or paper. They may employ pictorial characters, symbols or alphabet, requiring tools of different sorts in their writing and demanding various skills, such as epigraphy, papyrology, palaeography and diplomatic, in their deciphering and interpretation. It must suffice here merely to name some of the more important. First come inscriptions, of which valuable and convenient collections have been made from classical times—the *Corpus inscriptionum graecarum* (Berlin 1873–) and the *Corpus inscriptionum latinarum* (Berlin 1863–) —and of which perhaps the two most notable examples are the Behistun rock and the Rosetta stone, although their importance is by no means limited to the classical and preclassical age. Second come annals, chronicles and histories, the first consisting of brief jottings year by year, the second at its worst barely distinguishable from the annals and at its best shading into the histories. Third, poems and songs, epic, lyric or didactic, historical or imaginative, may be of great historical value. Fourth, there are documents of an official or quasi-official character, by which the narrative sources mentioned above must be supplemented and corrected; these include laws, decrees, all types of legally authenticated papers, municipal, manorial or corporation records, tax and rent rolls, census and other statistical materials; court records and notarial registers. There was great dependence upon this type of record during the latter half of the nineteenth century especially, and they must always

be employed to afford the framework for any historical synthesis. It is now realized, however, that even legally authenticated documents may be tendential and either wilfully or negligently erroneous. Historians are coming more and more to realize that they need to be vivified by a more vital type of record. Fifth, letters, diaries and memoirs constitute a group of materials ranging all the way from semi-official papers to the untrustworthy and hazy recollections of old age; the former two may be of extreme value as reflecting the day by day impressions of men in significant positions in political or civil life of events in which they may have been chief actors. Sixth, newspapers, periodicals and pamphlets also afford living records of the trends of thought and opinion regarding matters of timely interest.

In a broad view of history the historian is thrown into close association with and often dependence upon associated disciplines or sciences, both for the collection and for the interpretation of data of which he must make use. Traditionally there have been enumerated certain techniques, or "sciences," "auxiliary" to history: epigraphy, or the deciphering of inscriptions; palaeography, or the science of old handwriting; diplomatic, the science of the analysis and interpretation of documents, involving knowledge of the different methods of reckoning time, of the formulae employed by various chancelleries at different periods and of the conventions used in the authentication of documents; numismatics, sphragistics and heraldry. While knowledge of these techniques is indispensable in the handling of certain types of historical records, the relation of the historian to workers in allied fields is of even greater significance. His dependence upon the geographer, the geologist, the archaeologist and the philologist for the gathering and interpretation of certain types of sources has already been commented upon. But no less close are his contacts with the sociologist, the anthropologist, the social psychologist, the economist and the statistician. The more he is concerned with man as a social being, the closer are these lines of contact drawn; and, despite the efforts of those who would attempt clearly to define the methods and objectives of each and thus to differentiate between them, it seems clear that the drift is toward a synthesis of the so-called social sciences. The contribution of the historian would then be in the method of approach and the perspective which the discipline of his subject matter imposes upon him, and from which students in allied fields might well profit.

No discussion of historical records would be complete without some reference to the work of scholars in collecting and editing sources. A beginning in this direction was made, even before the invention of printing, in the *Specula*, most notable of which was that of Vincent of Beauvais in the thirteenth century. Very soon after printing became established, the collecting and editing of records began on a large scale. Much of this work was done hastily and uncritically, with little or no attempt to collate manuscripts, to discover the best manuscript of a given work or to furnish adequate apparatus in introduction or notes. Such were the *Monarchia Sancti Romani Imperii* of Melchior Goldast (3 vols., Hanover and Frankfort 1611–14) and the *Maxima bibliotheca veterum patrum* of Margarinus de La Bigne (8 vols., Paris 1575; enlarged ed., 27 vols., Lyons 1677). Most notable in the early work of editing texts was that of the Congregation of Benedictines of St. Maur and of the Jesuits under the leadership of Jean Bolland. From the former, commencing with the early seventeenth century, has proceeded a number of important collections of sources and critical studies. Jean Mabillon's *De re diplomatica* (Paris 1681), which initiated the scientific study of palaeography and diplomatic, is indicative of the critical scholarship which went into their work. Best known of their collections of sources is the *Rerum gallicarum et francicarum scriptores*, or *Recueil des historiens des Gaules et de la France*. The plan of this work was conceived by André du Chesne in the seventeenth century, but he died when it was only begun. In the following century it was taken up by the Benedictines and under the editorship of Dom Martin Bouquet the first eight volumes of the *Recueil* appeared (1738–52). After Dom Bouquet's death his colleagues took over the work and several additional volumes were published. Following 1796 publication was continued under the auspices of the Académie des Inscriptions et Belles Lettres and the work was completed (1904) in twenty-four volumes, comprising a valuable collection of narrative sources together with some sampling of official documents in the later volumes. The great accomplishment of the Bollandist fathers has been the collecting, sifting and editing of the lives of the saints, *Acta sanctorum*, the first volume of which was published by Bolland in Antwerp in 1643; this work is still in process of publication. These

must serve as illustrations of what is best in the editorial work of ecclesiastical foundations. Obviously much of it, especially in the early volumes, is far from perfect. But the men who worked upon it were gradually perfecting techniques by which their successors and those engaged in similar enterprises have greatly profited.

Another class of publication comprises the great national collections, born largely of the desire to emphasize the importance of national history and to enhance the nation in popular esteem. Such is the *Monumenta Germaniae historica*, begun in 1826 by G. H. Pertz and still not completed, which attempts to collect the sources for German history from 500 A.D. to 1500. Much of the critical work in this series is admirable; some has needed to be redone in the light of new knowledge or new manuscripts. On the whole, however, it serves as a model for this type of collection. England in *Rerum britannicarum medii aevi scriptores*, or *Chronicles and Memorials of Great Britain and Ireland* (1858–1911), published under the auspices of the master of the Rolls; France in the *Collection de documents inédits sur l'histoire de France* (1835–), published under the auspices of the Minister of Public Instruction; Spain in *Colección de documentos inéditos para la historia de España* (1842–95); and Italy in *Rerum italicarum scriptores* (1723–51), now in process of reissue in an enlarged edition, have similar series. The Italian collection is notable as the first undertaking of its kind and also because it represents the work of a single editor, L. A. Muratori.

There are also important collections of materials for local history, such as that of the Surtees Society (*Publications*, vols. i–cxlvii, Durham 1835–1932); of special types of documents, such as the publications of the Pipe Roll Society (*Publications*, vols. i–xlvii, London 1884–1932) or the Selden Society (*Publications*, vols. i–l, London 1888–1930); of town or industrial records; and, of recent date, great collections of materials on contemporary diplomacy designed to substantiate the position of one or another of the participants in the World War, best illustrated perhaps by *Die grosse Politik* (40 vols., Berlin 1922–27).

With possible rare exceptions none of the collections of materials can be more than selections from the mass of historical data. Much of this has been collected with a special end in view, and all of it reflects either consciously or unconsciously the point of view of the editor or editors who made the selections or of the group under whose auspices a given collection has been published. They are conditioned also by the quality of the workmanship which has gone into the collecting and collating of manuscripts and the preparation of the text. The personal equation will always remain, but with progress in technique, especially through the training of competent scholars by such an institution as the École des Chartes, the accuracy of the text and the quality of the critical apparatus have also greatly improved. The *Corpus scriptorum ecclesiasticorum latinorum*, for example, is a model of careful and scholarly editing.

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See: HISTORY AND HISTORIOGRAPHY; PREHISTORY; ARCHAEOLOGY; ARCHIVES; GOVERNMENT PUBLICATIONS; SACRED BOOKS; WRITING; LANGUAGE.

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RECREATION. The recognition of recreation as a social problem is largely the result of forces set in motion by industrial developments. Public entertainment of the spectacle type—elaborate pageants, athletic contests, chariot races and gladiatorial combats—fostered by governments in classic times partly as a means of allaying social unrest, languished during the Middle Ages, chiefly because of the disapproval of the Christian church and also because of social cleavages under which formal recreation became for the most part an upper class prerogative. The coming of industrialization with its concentration of population in urban centers brought recreation into new focus. The benefits of shorter working hours made possible by the introduction of the machine were offset by the high degree of fatigue resulting from mechanized, routinized occupations that inhibited not only physical activity but the exercise of creative capacity, which had

been possible to some extent under the craft system. It was this situation which drew attention to the importance of recreation as a community need and led to the development of the two major aspects of the recreation problem in its modern sense: commercial recreation and organized community recreation, or what might be called the recreation movement.

Commercial recreation owes its rise to the laissez faire system of the nineteenth century, which, in England and the United States, apart from sporadic philanthropic efforts failed to make necessary provision for the increased leisure of large sections of the population. The consequent assumption by private and commercial interests of the provision of recreation for financial profit rapidly developed into a large scale business enterprise, which at the present time represents millions of dollars in investment and in annual receipts. The description of commercial recreations as those in which a fee is charged is not altogether accurate, for not infrequently small fees are charged for public recreation facilities in order to pay for maintenance. A more accurate designation of commercial recreations would be those not provided and operated by publicly financed or philanthropic agencies but run primarily for profit. In addition to the traditional amusement enterprises commonly classed as commercial—the theater, including vaudeville and burlesque shows, motion pictures, billiard and pool rooms, street carnivals and amusement parks, dance halls, cabarets, night clubs and road houses—recent years have witnessed the development of swimming pools, summer camps, golf courses, tennis courts and skating rinks, all operated for financial gain. The commercialization of the public demand for recreation is further exemplified by professional baseball and football and by certain other sports, such as prize fighting and horse racing.

While recreation in general is to some extent correlated with the economic level of a population, this relationship applies particularly to commercial recreation. In the United States during the prosperous years following the World War commercial recreation in variety and extent probably surpassed that of any other country. Quantitatively commercial amusements are the most popular resource for the leisure time of the American people. In most cities where recreational surveys have been made it has been shown that with regard to volume of service commercial amusements are far more important than those which are privately endowed or publicly supported. Only scattered statistics exist, however, as to the total expenditures for commercial recreation. This is partly because of the varied and intricate character of commercial amusement enterprises and partly because no centralized method exists for reporting amounts paid for admission to places of amusement except in the case of those subject to taxation. In 1923–24, when federal taxes levied on practically all commercial amusements during the World War were still in effect, the total amount paid by the public of the United States for admission to places subject to this tax was more than $768,000,000. Since all commercial amusements charging an admission of 10 cents or more were included, this figure probably covers moving picture and other theaters, concerts given for financial profit, baseball and football games, dance halls and amusement parks. On the basis of 85,000,000 admissions per week at an average admission price of 30 cents the amount spent in 1930 by the American public on motion picture entertainment has been estimated to be $1,326,000,000. Computed from the federal tax paid by dance halls, cabarets, roof gardens and night clubs, the money spent on this type of commercial amusement for the year ending in June, 1930, amounted to approximately $23,725,000. Another form of commercial entertainment which forged to the front during the 1920's is the radio. In 1930 the total retail sales of radios and radio parts reached $500,951,000, apart from an estimated $45,000,000 paid to broadcasting stations by advertisers. Pool, billiards and bowling have declined in recent years, but in 1920 the number of tables and alleys was 278,216. The attendance for a single day at the Coney Island amusement park in New York City is often 800,000. An estimate of the annual expenditures for a restricted group of commercial recreations in the United States for the decade ending 1930 was attempted by the President's Research Committee on Social Trends. The total arrived at was $2,214,725,000, a figure probably far below the actual amount spent, inasmuch as there are numerous forms of commercial amusement for which no satisfactory estimates of expenditures can be made.

The unwholesome character of certain types of commercial recreation, their alliance with organized crime and vice, and their tendency to contribute to juvenile delinquency, have caused widespread popular agitation, which has resulted in varying forms of governmental regulation. The basis of such regulation is usually a sys-

tem of licensing and inspection, which in addition to restricting admissions, applies to physical conditions, including sanitation, ventilation, fire hazards and safety of buildings, and to the type of offering and the general conduct of the enterprise. In most communities this control is exercised through local municipal ordinances, although in some states there are laws governing amusements and public exhibitions. Occasionally a government goes even further than supervision and makes an effort to suppress commercial amusements which violate the social code or are considered a menace to public morals. Prohibitive legislation of this type has been applied to gaming devices, to gambling in connection with legitimate amusements and to dance halls or resorts fostering vice. Within recent years commercial interests have begun to exercise a voluntary control, endeavoring to improve the character of their enterprises as a means of courting public favor and attracting patronage. In many cities, for example, associations of managers or owners of dance halls and pool rooms have taken steps to set up standards and to bring pressure to bear within the trade to insure conformity to these standards. Motion picture producers are undertaking to exercise similar control nationally.

Growing realization of the importance of wholesome recreation led in the twentieth century to the development in the United States of organized community recreation as a public responsibility. Somewhat earlier, in an effort to mitigate the evils resulting from urban congestion, humanitarian and social reformers had sponsored the children's playground, the first type of organized recreation. During this same period the function of public parks, hitherto largely aesthetic, was widened to include provision for sports, games and other forms of outdoor recreation. Out of these scattered beginnings arose a concerted community effort to provide recreational facilities for all classes and ages. Private and philanthropic agencies were the first promoters of recreation, and such organizations as the Young Men's Christian Association, the Young Women's Christian Association, social settlements, women's clubs and parent-teacher organizations as well as industrial and labor groups lent their support to the movement and urged its development by governmental authorities. The extent to which the latter aim has been realized is apparent in the enormous range of recreational facilities which today are provided under municipal and sometimes state and national auspices. In most American cities provision is made not only for sports, athletics, swimming, boating and general outdoor recreations but for pageants, festivals, plays, community music, dancing and similar activities. Through the cooperation of the community center and the adult education movements civic and educational features are emphasized by means of debates, lectures and moving picture exhibits. Schools have extended their legal function to include equipment and leadership for many types of community recreation. School auditoriums have been supplied with stages for dramatics, portable school furniture has been installed so that classrooms may be cleared for all kinds of social occasions, evening classes in arts and crafts for adults are provided in many cases and neighborhood clubs are invited to use the facilities of the building for their activities. As public provision for recreation has developed, certain types of sport which because of their costly equipment were formerly available only to wealthy classes have been included in park planning. Golf links, tennis courts, polo fields, bridle trails as well as field houses containing bowling alleys and pool and billiard rooms have become common in public parks.

The War Camp Community Service organized during the World War helped greatly to accelerate the recreation movement, demonstrating as it did the beneficial effect of organized recreation in terms of community health and morale. The National Conference on Outdoor Recreation called by President Coolidge in 1924 drew attention to the numerous forms of outdoor recreation available in the United States and endeavored to coordinate national, state, county and municipal agencies in providing recreational facilities. One of the most important agencies in the development of a public opinion favorable to community recreation is the National Recreation Association, organized in 1906 as the Playground Association of America. Through its monthly journal, *Recreation*, its pamphlets, handbooks and numerous other publications, its field workers who assist communities with their programs, and its studies and surveys it has given both impetus and direction to organized recreation. It has been active in encouraging the provision of recreational facilities in rural communities where until recently, because of isolation on the one hand and the high per capita cost of leadership on the other, the movement had made little progress.

In the development of recreation as a new

form of public service varying types of administrative machinery have appeared. In several states early legislation authorized the expenditure of funds for play and recreational purposes by school and park boards. Since 1917 an increasing number of states have passed home rule recreation bills permitting cities to carry on year round municipal recreation programs under the direction of trained, salaried leaders. In some cases this legislation has provided for the administration of the work by a recreation commission, a method which is being applied in a variety of combinations with park boards, school boards or other municipal departments. Because of the range of functions which an administrative body must necessarily carry on, the majority of recreation leaders favor the coordination of all recreational activities, excluding the supervision of commercial recreation, in a single body with legal standing in the community and with adequate funds appropriated by the municipality. In 1915 only two states had enacted legislation empowering municipalities to create recreational departments as integrated elements of the city government. In 1927 twenty-one states had such laws.

Some notion of the extent of public recreation in the United States may be gained from the 1933 *Yearbook of the National Recreation Association*, according to which in 1932 there were 6990 outdoor playgrounds, 770 recreation buildings, exclusive of schoolhouses, 2052 indoor recreation centers, 1629 athletic fields, 4161 baseball diamonds, 472 bathing beaches, 374 golf courses, 1659 ice skating rinks, 108 stadia, 1094 swimming pools, 9267 tennis courts, 816 handball courts and 271 toboggan slides. A total of 12,684 separate play areas was reported, and 554 of these were opened for the first time in 1932. It was reported likewise that 1012 cities provided leadership for supervised facilities: 23,037 were paid and 9280 were volunteers. These cities voted bonds for recreation purposes to the amount of $1,167,497.26, and budget expenditures for the year for public recreation totaled $28,092,263.09, only about 3 percent emanating from private sources. In contrast with this record, figures for 1912 show that only 285 cities were maintaining supervised playgrounds and recreation centers, employing only 5320 workers and expending a total of $4,020,-121.79.

In the administration of recreation, both public and private, a new profession has developed. Training courses for recreation workers are now offered by some 400 educational institutions, and the National Recreation Association conducts a special school for recreation executives. High standards are set for scholarship, technical information, personal ability, leadership and character. Advanced study courses are required, and staff conferences are held at regular intervals to report upon and discuss recreation problems and programs designed to meet growing community needs.

Organized community recreation exists in only a few places in Europe, and where it does it may be said to imitate American methods. Theaters, opera houses, botanical and zoological gardens, art galleries and museums, which in most continental cities are municipally owned or subsidized, are customarily regarded as educational rather than recreational services. Furthermore, while it is true that since the World War interest in recreation has greatly increased in Europe, it has been concerned chiefly with workers' recreation. Trade unions and other labor organizations have made an attempt to organize leisure time activities for their members. Class divisions are everywhere apparent and many of the youth movements, with their emphasis on sports and physical activity, are religious or political in origin and are designed to serve only restricted groups. In countries where a dictatorship exists recreation is likely to consist of a superimposed program of activity with military preparedness as its dominant motive. This is largely true of the Italian Dopolavoro, instituted in 1925 primarily as a leisure time movement, and embracing nation wide educational and cultural as well as physical and recreational activities. Although admirable in scope, it is an integral part of a political technique and is not essentially an expression of popular interest, as is the case with public recreation in the United States.

Following the war an enormous increase in voluntary organized recreation, particularly in the field of sports, occurred in Germany. Nearly every large city boasted its athletic stadium or *Sportplatz* and all sorts of organizations, religious, political and social as well as the numerous branches of the youth movement, enthusiastically espoused recreation. The state lent its encouragement by granting subsidies to certain workers' sports federations. Hitler's accession to power, however, greatly altered the situation in Germany, and brought about a reversal to government imposed programs of recreation.

In Norway and Sweden, because of climatic

conditions, community recreation finds its best expression in winter sports. Aside from this emphasis, recreation in these countries has to some extent been circumscribed by the deeply intrenched system of formal gymnastics which dominates Scandinavian physical education and athletics. In Denmark recreation is promoted for the most part through the well established system of folk schools, while in Czechoslovakia it is centered in the Sokols, a nationalistic movement founded in 1862 which combines educational and cultural activities with organized sport, athletics and games. In the Scandinavian countries as in central Europe recreation has been receiving increased attention in connection with city planning, and in a number of towns provision has been made for new and enlarged park space and sports fields.

Belgium is one of the few countries on the continent where an attempt has been made at official provision for leisure and recreational activities. Before the eight-hour day became generally effective in 1921, the public authorities of several highly industrialized provinces appointed committees to formulate programs of recreation for workers and to provide facilities for their execution. The result has been the system known as *loisirs des ouvriers*, which fosters playgrounds, community gardens, music, games, sports, gymnastics and educational lectures.

Complete indifference to recreation as a problem of public concern and conspicuous lack of recreation and leisure provision either official or unofficial have until recently been characteristic of France, where a tradition of individuality has frequently hampered the development of modern social welfare services. The same situation has prevailed in Spain and Portugal and in the Latin American republics. In the case of the latter English and American immigrants have within recent years introduced golf, baseball, soccer, tennis, cricket and other games, which are becoming popular among the natives. Public playgrounds modeled after those in the United States have been established under private auspices in Buenos Aires and Rio de Janeiro.

In England a traditional play spirit, largely spontaneous, offers little opportunity for supervised recreation. What organized recreation there is depends almost wholly on private initiative and backing and finds its expression through school and university organized sports, through the adult education movement and through industrial welfare. The last, rooted in a belief in the paternalistic method, enables a factory owner or employer to provide recreational opportunities for his workers as part of a general welfare service. Recreational practise in English colonies for the most part follows that of the mother country and consists almost wholly of sports and competitive play.

The most significant example of a changed attitude toward recreation is to be found in Soviet Russia, where a comprehensive program including sports, athletics and cultural activities has been put into execution under government auspices. In Leningrad, Moscow, Kiev and other large cities parks of culture and rest have been established, equipped with playgrounds, athletic stadia and facilities for various sports. In addition a program of physical and recreational activity is offered in connection with schools, political organizations, labor unions, rest homes, sanatoria, organizations of young Communists and a great variety of other groups. Recreation is considered an integral part of a worker's life and essential to his health and physical fitness.

Until the advent of American teachers and missionaries organized community recreation in the Orient was practically unknown. In recent years, however, the governments of both Japan and China have taken steps to provide public playgrounds of the type familiar in America and have been active in educating native teachers as recreational supervisors. In the case of the Philippine Islands and Hawaii American rule has been accompanied by the introduction of an educational and recreational program in which organized play for both adults and children has a prominent place. In Turkey notable changes have occurred since the World War with regard to the public attitude toward recreation. With the emancipation of women and the extension of educational and welfare activities under the Turkish Republic, adults as well as children are participating in increased numbers in community sports and recreational activities. In April, 1930, under the auspices of Himayei Etfal (National Child Welfare Association) and the American Friends of Turkey a playground was opened in Angora designed to serve as a demonstration center and a model for the Turkish nation. In addition the Ministry of Education working in conjunction with the National Education Society has formulated a recreational program to meet the needs of adults.

Education of the public for leisure and provision of adequate community facilities for recreation constitute a question which in all countries

has taken on added seriousness with the economic depression. The enforced leisure resulting from unemployment has become one of the most urgent problems in industrial nations. It is aggravated by the fact that since 1930 there has been a decline in the expenditures for most forms of commercial amusement, an indication that increasing numbers of people who formerly relied upon commercial amusements for their entertainment are turning to public recreation, at a time when funds for its support are being curtailed. In some American cities the problem has been met by the use of unemployment relief funds for the construction of increased park and playground facilities. The scope of activities has been further enlarged by the recruitment of playground and recreation leaders from the ranks of the unemployed. This is only a temporary solution, however, and the planning of a systematic, permanent program of community recreation, based on a recognition of its social and economic importance and of the close correlation between participation in recreation and the economic level of the people, is one of the vital responsibilities of society.

LEE F. HANMER

See: LEISURE; AMUSEMENTS, PUBLIC; ATHLETICS; SPORTS; PHYSICAL EDUCATION; PLAY; MOTION PICTURES; THEATER; ADULT EDUCATION; PLAYGROUNDS; PARKS; CLUBS; BOYS' AND GIRLS' CLUBS; COMMUNITY CENTERS; SOCIAL SETTLEMENTS; WELFARE WORK, INDUSTRIAL; AMATEUR; COMMERCIALISM.

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RECRUITING. *See* MILITIA; CONSCRIPTION.

RED CROSS. Of the wide flung humanitarian movements which have arisen during the past century the Red Cross is the most extensive in its reach and probably the most popular in its appeal. To its founders its present scope would

have seemed an impossible ideal. Their purpose was to ameliorate the sufferings of war, and that alone was an undertaking of great difficulty and complexity. They were by no means the first to attempt the protection of wounded soldiers. Military commanders had made agreements with one another; medical services of a kind had been instituted; a few idealists had sought to improve sanitation and to transform carelessness and ignorance into merciful competence. But the results were sporadic and unreliable. For the most part what meager medical services existed were considered a conventional part of the regular military organization and thus the rightful target of the enemy. Before reform could become widely effective the world had to be awakened to humanitarian sentiment and scientists had to be regarded as essential as soldiers.

The battle in which the French defeated the Austrians at Solferino on June 24, 1859, furnished the immediate conditions for the origin of the Red Cross. The suffering of the men on that day made a deep impression on Henri Dunant of Geneva, who was helping to care for the wounded. Three years later he published a little book, *Un souvenir de Solferino* (Geneva 1862), in which he called for official recognition of the neutrality of wounded soldiers and advocated the formation of international organizations trained in times of peace for the relief of men wounded in battle. Dunant's book aroused considerable interest, was translated into several languages and impressed particularly the Société Genevoise d'Utilité Publique. As a result of the efforts of the society a conference, attended by representatives of sixteen European states, was held in Geneva in 1863. The conference recommended that relief societies be formed in each country, to be authorized by the national governments to cooperate with the army medical services. The following year a diplomatic conference, convoked by the Swiss Federal Council, signed a convention in which the governments represented agreed to sanction the formation of relief societies, to acknowledge the neutrality of wounded men and of all persons and services engaged in their relief and to recognize the emblem of a red cross on a white ground, to be used not only by army medical services but also by official organizations assisting them. The principles of the Geneva convention were extended to naval warfare in 1899. Other diplomatic conferences, attended by delegates of the national societies and by representatives of governments that signed the Geneva convention, have supplemented and made more explicit the provisions of the original treaty. By the end of 1864 the Geneva convention had been signed by nearly all the great European powers. The United States, occupied at the time with the Civil War and impeded later by official delays and indifference, did not sign until 1882, becoming thereby the thirty-second nation to ratify the convention. In 1930 there were fifty-seven officially recognized societies, covering practically the entire world, with a total membership of about twenty million persons. In Turkey, Egypt and part of Russia a red crescent has been substituted for the red cross, and the emblem of the Red Lion and Sun is recognized as equivalent in Persia.

The organization of the Red Cross is extremely decentralized. The International Red Cross Committee is the official central body, but it has no governing functions. Its twenty-five members, five of them honorary, are all Swiss citizens, and they serve without remuneration, assisted by a secretariat and by special delegations. Expenses, amounting to about 150,000 gold francs a year, are covered by subventions from the national societies and by the income from an inalienable capital fund. The international committee supervises a vast amount of miscellaneous research and case work. It has founded in Geneva an international institute for the study of ambulance material and has sponsored regular international meetings, including representatives of army medical services, to consider the problems of standardizing ambulance services. By means of commissions of experts and research activities it has attempted to devise ways of protecting civilians from the effects of chemical warfare, and it has also been active in the campaign for its abolition. During and after the World War the committee was concerned especially with the question of war prisoners, inaugurating visits of inspection to prison camps and administering aid to prisoners and their families. After the war the League of Nations turned to the International Red Cross Committee for the work of repatriating 650,000 prisoners of war still on enemy territory. Various legal and procedural questions which confront the Red Cross, such as communication with the citizens of a blockaded country, protection of civilians in enemy territories, administration of Red Cross relief in naval warfare and international organization of relief for disasters at sea, are also considered by the international

committee, and where necessary its recommendations are submitted to diplomatic conferences for decision. Shortly after its formation the committee began the publication of a bulletin, and in 1925 the *Annuaire de la Croix-Rouge internationale* was inaugurated. Since 1929 this has been published jointly by the committee and the League of Red Cross Societies.

The separate national societies are entirely free in their organization and administration, but each of them, whatever its internal organization, is headed by a central committee which represents it in all its international relations. There are a few principles enunciated by the international committee to which all subsidiary societies must conform. In any country there can be only one official Red Cross society; this society must be recognized by its government as an auxiliary to the army medical service and its government must have accepted the Geneva convention; membership must be open to all nationals, without discrimination as to sex, religion or political opinion; the scope of its activity must include the entire national territory and must embrace all appropriate aspects of military medical service.

The work of the Red Cross during the World War brought it dramatically to the focus of public attention. Membership, contributions and enthusiasm for its program increased so greatly that it took on the nature of a public trust; and when active hostilities were over, its services were found to be even more essential than before. Starving, disease ridden populations needed supplies and care; disabled men needed homes and training; regions devastated by the war and torn by civil strife needed help as sorely as had the forces in international conflict. Even before the war the necessity of Red Cross services in peace time had been discussed and some societies, especially the American, had extended their activities to include relief in time of disaster. But now the abstract principle was vitalized by urgent demands. Henry P. Davison, the chairman of the war council of the American Red Cross, led the way in forming an organization to cope with the situation. Early in 1919 a committee of representatives from the Red Cross societies of France, Great Britain, Italy, Japan and the United States was formed to consider plans, and on May 5, 1919, the League of Red Cross Societies was set up in Paris. All national societies are eligible for membership in the league, but their affiliation is entirely voluntary. By 1930, when the Turkish Red Crescent became a member, all the national societies had joined. The purpose of the league is to afford a central organization for the humanitarian activities, both national and international, of the Red Cross in times of peace, and one of its fundamental principles is absolute freedom from political and religious discrimination. Its expenses are met by voluntary contributions from the constituent societies. The league cooperates with the International Red Cross Committee, especially in the administration of relief work, and also maintains close relations with other welfare organizations.

The relief division of the league was formed in 1924 to organize and coordinate Red Cross activities in this field and to serve as a bureau for research and information. In times of famine, epidemics, cyclones, earthquakes and floods, the Red Cross has proved such a reliable instrument for prompt and effective assistance that its service in disaster relief has developed into one of its most important functions. In 1921 Senator Giovanni Ciraolo, honorary president of the Italian Red Cross, suggested the formation of a federation for the administration of international disaster relief. The projected International Relief Union would provide for the coordination of all relief agencies in times of international disaster. While the national Red Cross societies would not necessarily be the representatives of their respective governments in the union, they undoubtedly would fulfil this function in many cases; and in any event the Red Cross, which has so distinguished itself in this work, would have an essential position in administration and execution. Under the auspices of the League of Nations a convention providing for such an organization was signed by thirty governments in 1927. It will become effective when ratified by twelve governments and when the subscription of 420,000 gold francs has been guaranteed.

In the field of public health the League of Red Cross Societies cooperates with existing institutions and serves as a center for information and propaganda. It publishes *World's Health*, a quarterly review in English, French and Spanish, and also a monthly *Information Bulletin*. It maintains a close relationship with the public health organizations of the League of Nations. A Nursing Division was formed in 1919, which advises the national societies in problems concerning the training and activities of nurses. Two international courses designed

to meet the needs of Red Cross nursing have been established in London.

About three fourths of the national societies have regular provisions for children's membership, and the League of Red Cross Societies maintains a separate Junior Division to coordinate this work. The Junior Red Cross teaches school children the elements of healthful living and attempts to inculcate in them a sense of civic responsibility. In a majority of the countries which have a Junior Red Cross special children's magazines are published. There are over eleven million junior members in the various Red Cross societies; nearly seven million are in the United States and there are another million or more in Japan.

In the 1920's there was a growing conviction that some kind of central supervisory body was needed to coordinate representatives of the various organizations of the Red Cross. For this purpose an agreement was reached in 1928 to institute an International Red Cross Conference, which should be the supreme deliberative body of the International Red Cross, composed of the International Red Cross Committee, the national societies and the League of Red Cross Societies. It was decided that the conference would meet every four years, at shorter intervals when desirable, and would be convoked by the central committee of a national society, by the international committee or by the league. By this means the single, loosely connected societies have become united in an international federation, which will give them the benefit of interrelationship without in any way impairing their independence.

Some notion of the extent and financial importance of Red Cross peacetime activities may be gained from a survey of the expenditures on disaster relief by the American Red Cross Society between the years 1881 and 1931. During this period a total of over $94,000,000 was spent for the relief and rehabilitation of victims of more than a thousand disasters in the United States and abroad. Conspicuous among them were the following: San Francisco earthquake and fire (1906), $9,720,131; Messina earthquake in Sicily (1908), $1,012,000; Ohio River valley floods (1913), $2,472,287; influenza epidemic (1918), $1,680,000; Chinese famine (1920–21), $1,234,696; Japanese earthquake (1923), $11,768,802; Florida hurricane (1926), $4,485,604; Mississippi River floods (1927), $17,498,902; West Indies hurricane (1928), $5,933,726; United States drought (1930–31), $10,894,836.

Since the beginning of the economic depression in 1929 the program of the Red Cross has been extended to include unemployment relief, particularly in rural communities and small towns devoid of other organized welfare agencies. By acts of Congress in 1932 the Red Cross was authorized to distribute a total of 85,000,000 bushels of government owned wheat to needy families in the United States and its territories. In 1932 and 1933 Congress assigned 844,000 bales of cotton to the Red Cross for the same purpose. The conversion of this raw material into flour and clothing and the administrative costs involved in the distribution to over 25,000,000 beneficiaries entailed an outlay of $735,000 on the part of the Red Cross.

The World War of course marked a high point in Red Cross expenditures in both neutral and belligerent states. Exact statistics are difficult to obtain because of the diversity of activities undertaken by the Red Cross and the overlapping or coordination in certain types of service with other social and welfare agencies. The record of the American Red Cross is, however, indicated in reports compiled shortly after the close of the war. In addition to $28,978,000 spent in the United States the American society extended war relief to twenty-five foreign countries, disbursing a total of over $120,000,000. Chief among these countries with approximate expenditures for each were: France $57,207,003; Belgium, $3,875,161; Italy, $11,972,819; British Isles, $11,267,304; Switzerland, $5,972,777; Russia, $2,240,167; Siberia, $8,225,769; Balkan countries, $4,569,868; Palestine and the Near East, $8,320,211.

Equally impressive was the contribution of the British Red Cross Society, which, working in conjunction with the Order of St. John of Jerusalem, reported a war relief expenditure of more than £20,000,000 between October 20, 1914, and June 30, 1920. This figure, which is exclusive of the separate amounts spent by each society between August 4 and October 20, 1914, comprised funds for the provision of hospitals, medical and surgical equipment, transportation of the wounded, inquiries for injured and missing men, services in connection with prisoners of war and grants toward the aftercare of sick and disabled ex-service men. British Red Cross activities were extended to Egypt, the Balkan countries and Russia as well as to France and Belgium. Mention should be made also of the operations of the other Red Cross societies within the British dominions, especially those of

Canada, Australia and South Africa. These organizations, although nominally branches of the British Red Cross, functioned as separate units with respect to their activities, revenues and expenditures.

Funds for the support of Red Cross societies are in most countries derived from membership fees and from popular subscriptions. In 1906 the American Red Cross had 9262 members and in May, 1917, immediately after the United States entered the war, it had nearly 500,000 adult members. Before the year was over membership had increased to 22,000,000 and toward the end of the war it reached a total of 35,000,000, or approximately one third of the population of the country. There are various classes of membership ranging from the payment of one dollar annually to one hundred dollars. Money realized through certain of these types of membership is set aside as a national endowment, while the remainder is utilized for current requirements. With the lessening demands made upon the Red Cross for war and post-war activities, membership in the majority of countries declined during the decade following the World War, a reduction which was of course accelerated by the economic depression beginning in 1929. In that year the American Red Cross reported slightly more than 11,000,000 members, including adults and children. In Japan the figure was approximately 4,000,000. The Italian and German Red Cross societies had memberships of over 1,000,000 and a dozen other societies reported more than 100,000 members each.

In time of war, disaster or other emergency popular subscriptions are usually called for to finance Red Cross undertakings. In the United States these are often given official endorsement through proclamation by the president, who also serves as president of the Red Cross. In a few instances local governmental aid has been made available for Red Cross activities. After the Ohio River floods of 1913, for example, the Ohio legislature appropriated $250,000 for flood relief and entrusted its administration to the Red Cross. Federal assistance usually comprises the provision of services, such as transportation and communication facilities in time of disaster and the furnishing of equipment, tents, cots, blankets and other emergency supplies. In certain metropolitan centers, notably Cleveland, the local branch or chapter of the Red Cross is a member of the community chest through which funds are obtained for the support of welfare organizations throughout the city and county.

During the World War, in addition to the regular annual membership roll calls, two special drives were held to raise funds for Red Cross activities. The first appeal made in 1917 for $100,000,000 was oversubscribed by nearly $15,000,000; a second drive the following year for $100,000,000 resulted in a total subscription of $182,000,000. Altogether, through membership campaigns and special emergency appeals, the American Red Cross collected nearly $400,000,000 to carry on its war activities.

In England more than £20,000,000 was raised for the Red Cross war work, which included some £17,000,000 realized through donations, organized collections and gifts of supplies and approximately £618,000 in government grants. The campaign for Red Cross contributions was conducted largely under the auspices of the London *Times*, which for over four years opened its columns to the society's propaganda and supervised the collection of funds.

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See: HUMANITARIANISM; WAR; WARFARE; DISASTERS AND DISASTER RELIEF; REFUGEES; NURSING; PUBLIC HEALTH.

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J., *Health Work in Soviet Russia* (New York1928) ch. xvi; League of Nations, International Conference for the Creation of an International Relief Union, Geneva 1927, *Official Instruments Approved by the Conference*, Publications, 1927.V.17 (Geneva 1927). See also the *Annual Reports* of the American National Red Cross, published in Washington since 1900.

REEVES, WILLIAM PEMBER (1857–1932), British statesman and social economist. Reeves was born in New Zealand; after studying for the bar he turned to journalistic activities and later to politics. Both as a practical politician and as a descriptive writer he was the leading exponent of the state socialism of New Zealand. His socialism was drawn partly from his study of utopian experiments, which he described in *Some Historical Articles on Communism and Socialism* (Christchurch 1890). It was based even more upon the empirical necessities of a young country: in the 1880's New Zealand was suffering a severe depression, aggravated by land monopoly, unregulated immigration and the aftermath of a borrowing boom; and unemployment, low wages, sweatshops and labor abuses were rife. Reeves entered the New Zealand Parliament in 1887, in 1891 became minister of education and justice and the following year minister of labor in the newly formed Liberal-Labour cabinet. He was instrumental in shaping the experimental legislation of the period both in its general trend toward state socialism and in the various specific measures which resulted in the building up of a most comprehensive and effective labor code. The most discussed item in this code, establishing the system of compulsory arbitration, was introduced by Reeves in 1894.

From 1896, when he went to London as agent general, Reeves resided in England. In 1898 he published *The Long White Cloud* (London, 3rd ed. 1924) and in 1902 *State Experiments in Australia and New Zealand* (2 vols., London). He was active also in the Fabian Society and wrote several of its early tracts during the period in which the apparent success of the state socialist experiments in New Zealand exercised considerable influence upon the development of socialist thought in England. In 1908 he became director of the London School of Economics and Political Science, a position which he retained until 1919; his main influence was in the broadening of teaching and research, especially in applied economics, and the closer interrelation of the various social sciences. In 1917 he became chairman of the directors of the National Bank of New Zealand, and gave his entire time to this enterprise from 1919 until his death.

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REFERENDUM. *See* INITIATIVE AND REFERENDUM.

REFORMATION

LUTHERAN. In many respects the Reformation may be said to mark the beginning of a new era in the history of the European church and of European culture in general. It destroyed the monopoly of the mediaeval ecclesiastical hierarchy headed by the pope at Rome (*see* RELIGIOUS INSTITUTIONS, CHRISTIAN, section on ROMAN CATHOLIC; PAPACY) and thereby reduced the Catholic church to the comparatively modest status of one among many confessions (*see* RELIGIOUS INSTITUTIONS, CHRISTIAN, section on PROTESTANT; PROTESTANTISM). But at the same time it should be emphasized that in its attacks on Roman papalism and traditional church institutions the Reformation constitutes in a very real sense the climax and convergence of a number of older forces which may be traced far back into the Middle Ages. For many generations there had been groups, clerical as well as secular, which were antagonistic to the system of ecclesiastical centralization dominated by the papal Curia and outspoken in their opposition to the extravagant claims of the Roman popes.

During the bitter fight between church and state which had flared up intermittently throughout the Middle Ages from the time of Henry II to Louis of Bavaria, the German emperors, as professed heirs of the Caesars and as exponents of the ambitious doctrines of Caesaropapism, had repeatedly challenged the theory of Roman supremacy expounded by the popes. A long line of publicists in the service of the various emperors had not only helped to weaken the faith of many believers as to the omnipotence of the pope but had served, even after the dwindling of imperial power in the fourteenth century, to keep alive the tradition of an "Emperor-Redeemer," who should assume his rightful place as spiritual and temporal leader of the universe. The significance of this imperial, antipapal tradition as a factor in preparing the way for the Reformation is indicated by the fact that when in 1519, on the death of

Maximilian I, his grandson Charles V ascended the throne with the declared intent of reasserting and reestablishing imperial primacy, he was overwhelmingly acclaimed by those insurgent groups which sought to reform the abuses arising out of excessive papalism. In his inaugural *Wahlkapitulation* he pledged that no German should be delivered over to the Roman tribunal without first being tried in Germany—a pledge which allowed Luther to stand trial in his native land. Although subsequently Charles himself proved to be a vigorous if unavailing antagonist of the Reformation movement in its later stages, the subversive forces of antipapalism and anti-Romanism in Germany drew strength from the traditional associations clustering around his office as Germanic head of the Christian world.

In drawing up his epoch making manifesto of 1520, *On the Christian Nobility of the German Nation*, Luther not only invoked the sentiments of German nationalism aroused by Charles' recent accession but also built upon a tradition which inside the church itself had for more than a century been combating with increasing vigor the claims of the popes to unqualified supremacy. The conciliar ideal of rooting out papal abuses had continued to inspire various schools of ecclesiastical reformers long after the leaders of the conciliar movement (*q.v.*) proper had been manoeuvred into compromising with the forces of papalism. The desirability of convoking a free council was advanced in nearly all the pamphlets and tracts of the fifteenth century and there was prolific argument as to whether the new council should be summoned by the emperor or by the pope, whether its personnel should include laymen and whether it should aim merely at correction of manners or at a reconstitution of the entire church.

Similarly the autonomous national church, which has frequently been pointed to as the particular creation of the Reformation, traces its origins to the later mediaeval period. As a means of repressing the democratic and regionalistic forces within the church the popes of the fifteenth century had entered into a number of concordats with the various national monarchies. Their main purpose was achieved but at the same time the new arrangement served to bring ecclesiastical institutions under the sway of the newly consolidated temporal powers. As the prince assumed ever greater control over the monasteries and churches in his realm, imposing heavy contributions and nominating bishops and priests, the framework of a purely national church, independent of the pope, began to emerge. This national church therefore was essentially a mediaeval creation and merely supplied one of the foundations for the Reformation.

The Reformation movement in the towns likewise conformed to older patterns, particularly in respect to social alignments. For at least a century there had been developing an antagonism between the patricians and the commune, which was generally organized into guilds of handicraftsmen; in other words, between the conservative financial interests and the democratic artisanry. This social and economic alignment was paralleled by a cleavage between cleric and layman. With practically no exceptions the Reformation recruited its adherents from the guilds and the laymen, while the forces supporting the ecclesiastical status quo were concentrated to a very large degree in the aristocracy of wealth and the priesthood. In Basel, Münster, Constance, Strasbourg and other metropolitan seats the Reformation finally effected a solution of the old struggle over the rights and privileges of the burghers. The administrative organization adopted in the Reformation towns followed a more or less uniform pattern: at the head a magistrate; assisted by Protestant ministers who were intent upon checking magisterial arbitrariness and upon preserving the rights of the church; and, finally, charitable works to prevent poverty and beggary. The truth of the popular mediaeval saying, "Urban air is free air," drew into the tolerant atmosphere of the towns such freethinkers and nonconformists as Sebastian Franck, Kaspar von Schwenkfeld and David Joris.

In any analysis of the forces which were preparing the way for the Reformation considerable weight must be given to the piety prevailing among the masses of the people. When measured by popular standards of devoutness, the immorality, the mercenary greed and above all the hypocrisy of large numbers of priests seemed particularly unforgivable. "Once we meet God face to face we shall lament to Him that we are not permitted to kill the parson," sang the troop of pilgrims at Niklashausen on Tauber. But the widely current image of a papal Antichrist, wallowing in luxury and debauchery at Rome and draining the resources of the faithful, aroused such hatred on the part of the people against the head of the ecclesiastical system that the shortcomings of his priestly subordinates seemed comparatively trivial. Here again, how-

ever, the Reformation in revolting against the decadent luxury of the papal Curia and in pointing out by way of contrast the purity of the primitive Christian church was essentially a continuation of certain older currents in the mediaeval church. The Amalricians, the Joachimites, the Waldenses and numerous other heresies during the Middle Ages had deplored the abandonment by the pope of the ways of apostolic simplicity and Biblical purity and dreamed of a return to the golden age of the church as it was supposed to have existed in the days before Constantine, allegedly, had corrupted the papacy by endowing it with territorial holdings. Even in mediaeval monastic communities, such as the Brethren of the Common Life, the Beguines and Beghards and the Bursfeldian congregation, which did not reach the stage of open heresy, piety, free from materialistic greed, was zealously cultivated. In the more abstract field of dogmatic theology the rationalism of the Thomist realists had gradually been leavened with the postulates of the nominalists—so familiar later to Luther—as to the awe inspiring holiness of a divine will which man in his separate earthly sphere could glimpse only through revelation. For many generations in fact the Catholic church had been troubled in spirit, and the soil of the Christian faith was ready for a new sowing.

Although the Reformation may thus be said to have carried to completion the ecclesiastical and theological work of the mediaeval insurgents, it was also heavily conditioned by the new cultural and economic forces which were rapidly ushering in the modern system of capitalism. The transformation of natural economy, the expansion of commerce, the discovery of unknown lands, had generated a new mobility in the economic sphere. The great banking houses of Fugger and Welser were taking the lead in accumulating capital wealth. A new and more energetic way of life was introduced, which even when not explicitly antipathetic to the church was on the whole indifferent to ecclesiastical problems. Flourishing schools grew up in the towns, and in the higher spheres of thought and creative art the humanist scholars and the painters of the Renaissance were evolving a culture which by recapturing the spirit of pagan antiquity sought to restore man to a more central place in the universe. The scholarly researches no less than the general temper of the Renaissance humanists exerted a marked influence on the ideology and program of the Reformation. Erasmus' translation of the New Testament (1516), conceived as both a philological work and a document of moral reform, proved an invaluable aid to Luther and other Reformation leaders, who in general drew upon the editorial and exegetic work of the scholars. Furthermore with the spread of a scientific outlook the increasing heterogeneity of religious beliefs began to be accepted as the natural process whereby the one divine Logos revealed itself in manifold forms. This type of humanist tolerance spread if not to Luther himself at least to such freethinkers as Melanchthon, Zwingli, Hutten and Franck as well as to the Anabaptists and the Socinians.

But however great a role broader historical and cultural developments may have played in preparing the way for the Reformation, the purely individual and spiritual factors as personified in the restless monk of Wittenberg must be recognized as the immediately detonative force. Luther's emphasis on justification by faith alone contained, to be sure, numerous implications as to the proper regulation of state, church and society; but Luther himself, confronted throughout his active career with an ever shifting set of problems, was in no position to work out these implications systematically. In the main it was left to his adversaries to trace the ultimate consequences of his thought. Thus, although it clung consistently to a few basic essentials, such as free preaching of the gospel of justification by faith and the holding of sacraments in the manner prescribed by Christ Himself, the Lutheran Reformation, in striking contrast to the Calvinist, was essentially a process of flexible adaptation to new situations as they arose.

In 1517 Luther published his ninety-seven theses repudiating the mediaeval sacrament of penitence and the sale of indulgences as practised by the representatives of the pope. In 1519 in the course of the Leipsic controversy with Eck he denied the *jus divinum* of the papacy as well as the infallibility of conciliar decrees and proclaimed as the only true authority Holy Scripture interpreted by faith. In 1520, stimulated by the outburst of national enthusiasm for the new emperor, he issued his famous manifesto *On the Christian Nobility of the German Nation*, which sketched a comprehensive agenda to be taken up by a free council composed of princes and laymen and presided over by the emperor. As spokesman of the German nation he protested against the tyranny of pope, cardi-

nals and bishops, against the superstition of the people as manifested in pilgrimages and veneration of relics and against the celibacy of priests. He called upon the civil power to assume responsibility for prohibiting luxury, brothels and usury and upon the towns to set up boards of charity.

But the most far reaching and influential of his utterances was the strictly religious proclamation as to the universal priesthood of all true believers. In view of the fact that in the Catholic church all avenues of salvation are controlled by the priest, the elimination of a professional priesthood, as Luther recommended, implied the end of the Church itself. At an earlier stage Wycliffe had championed the ideal of a priestless church, but he had been unable to transform this ideal into reality. Luther, however, ruling out the conventional forms of mediation between God and man, succeeded in establishing the autonomous parish with a vicar elected and if necessary deposed by the parishioners. On December 10, 1520, Luther, in the act of burning the papal bull of excommunication and the books of canon law, broke categorically with the mediaeval church. In the course of his trial the following year at the Diet of Worms he pleaded for the rights of the individual conscience as against all human authorities; and although he himself repeatedly emphasized that this liberty of conscience was to operate only within the limits of the truth as contained in the Scriptures, a great stride had been made toward genuine freedom of belief.

By 1525 the attempt of the fourth estate to use the ideology and dynamic of the Reformation as a means of improving its own social and economic fortunes had come to a head in the Peasants' War. Although the Reformation cannot be said to have caused this revolt, it was beyond doubt a contributing factor, as can be seen from the change undergone by the peasants' program after the outbreak of the Reformation. Their later insistence on free election of vicars, freedom from taxation, free fishing, free forest and pasture in the name of Christ the Redeemer, was in part a reflection of Luther's teaching and in part a misreading of the new religious formula, "freedom of the Christian individual." Luther had defined religious liberty as the mastery of the true Christian over all things; the peasants interpreted this definition as implying that they were no longer compelled to perform the services imposed by clerical and lay landlords. In the early days of the revolt Luther, although deploring this confusion of religious and economic issues, was anxious for a peaceful solution and therefore urged the landlords to remedy the abuses cited by the peasants in their Twelve Articles of grievance. But once the peasants had resorted to violence and arson, he issued his vehement pamphlet *Against the Thieving and Murderous Bands of Peasants*, which authorized the magistrates to use whatever force might be necessary in subduing the rioters. Luther was not inclined to be subservient to princes, but he exacted strict obedience to those in authority, both in this world and in the next.

The rapid spread of the Reformation movement throughout Germany in the period after 1525 may be attributed in large part to the contagiousness of a new and dynamic religious enthusiasm and faith. But at the same time it was forwarded by incidental factors of a more negative and secular character. In the first place, the emperor Charles V, who as claimant of universal supremacy in the spiritual as well as the temporal spheres would naturally be opposed to a radically regionalistic movement within the church, was preoccupied during the early years of his reign with international and domestic complications of a strictly political and diplomatic nature. It was not until the 1540's that he was in a position to concentrate on stamping out the forces of religious heresy in the German sections of his extensive empire, and by that time the Reformation movement had taken such firm hold that he was powerless to eradicate it. Similarly, although for a different reason, the princely electors who headed the various *Länder* in Germany could offer but feeble resistance to the subversive forces of insurrection. In the great majority of cases the territorial prince was at the mercy of his estates, which controlled the territorial finances and used this control as a means of enforcing their demands for thoroughgoing ecclesiastical reform. This antagonism between the regional prince and the regional estates was in fact one of the most powerful factors contributing to the progress of the Reformation. Even when the entire machinery of the Holy Roman Empire was brought into play, as in the case of the diets, the standing orders were so stilted and involved that there was almost invariably a fatal delay in their execution. As a result the diets of Worms, Nuremberg, Augsburg, Regensburg and the others which punctuated the Reformation movement were more in the nature of breathing spells than

effective agencies of compromise and pacification.

The organization of territorial churches, as provided by the Diet of Speyer in 1526, was carried out by Philip of Hesse, who likewise served as head of the political league of Protestants set up by the Second Diet of Speyer three years later. At the Diet of Augsburg in 1530 the Lutherans drew up their first confession. Following the defeat of the Schmalkalden the Peace of Augsburg in 1555 transferred the *jus reformandi* to the sovereigns, who pronounced themselves adherents of the Augsburg Confession of 1530. Henceforth the principle of *cujus regio ejus religio* left the matter of religious control to the discretion of the regional princes. Although as a result of the Peace of Münster and Osnabrück in 1648 Lutherans, Calvinists and Catholics were eligible for toleration, the more spiritualistic religious sects, such as the Anabaptists, were excluded, chiefly on the ground of their belief in free will.

The chief centers of Lutheranism in Germany were Saxony in the north, Hesse in the center, Nuremberg in the southeast and Württemberg in the southwest. Outside Germany Lutheranism gained its strongest foothold in Denmark, Sweden and Norway, among the German population of Hungary, Transylvania, Carniola, Corinthia and Styria and in the German towns in Poland and along the Baltic. It also recruited a following among many groups in Bohemia and to a far less degree in France and England, where it was overshadowed by other types of reform movements.

As a result of the Counter-Reformation, which under the leadership of the reform papacy (*q.v.*) succeeded to a large extent in eradicating many of the extreme abuses prevailing in the later mediaeval church (*see* RELIGIOUS INSTITUTIONS, CHRISTIAN, section on ROMAN CATHOLIC), a number of German territories, notably the Palatinate-Neuburg, the Palatinate superior and the margraviate of Baden were recatholicized. Other territories, such as Bavaria under the Wittelsbachers and Austria under the Hapsburgs, which had stood out against the forces of the Reformation, cooperated fully in the strenuous counteroffensive directed by a variety of newly created ecclesiastical agencies and religious orders (*q.v.*) under the leadership of the Jesuits (*q.v.*). Although the Counter-Reformation in Germany was in the nature of the situation much less concentrated than the analogous movements in Spain and the Netherlands under Philip II, in France under the Guises or in England under Mary Tudor and Scotland under Mary Stuart, the work of such Catholic reformers as Julius Echter von Mespelbrunn, founder of the University of Würzburg, Cardinal Truchsess von Waldburg at Augsburg, Balthazar von Dernbach at Fulde and Stanislaus Hosius at Ermland went a considerable distance toward restoring in modified form Catholic cult and institutions.

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NON-LUTHERAN. While the forces leading to the non-Lutheran Reformation movements were in general the same as those operative in Germany and Scandinavia, their configuration differed from country to country. Regional variations in the character of existing institutions and modes of life, in the quality of leadership and group initiative, in relations to the Roman See, in the rate of economic change and in the chronological order in which the movements manifested themselves gave a particular stamp to the Reformation in each of the countries.

Next to Germany, Switzerland soon came to be the main fountainhead of reform. The sources of the Swiss movement lay first of all in the effort to establish and safeguard independence from the empire or from foreign rule; in the democratic spirit and constitutions of the commercial towns, especially Zurich and Geneva; in the conflict of municipal with episcopal authority over the control of the church; and in humanism. The Helvetic Reformation began in the imperial, guild governed and commercial town of Zurich, which since 1483 had become both increasingly democratic in constitution and increasingly powerful over ecclesiastical affairs in its jurisdiction. Zwingli, a patriotic priest, gave new vigor to the movement thus begun, first under humanist and later more under Lutheran auspices. His reforms were directed first of all against indulgences, non-voluntary tithes, the episcopal government of the church, the ornateness of worship and the mercenary Swiss military policy. Opposition to the papacy and the clergy, to monasticism, to confession and invocation of saints and finally to the mass and the use of images and music in the churches gradually developed, while upon the positive side the function of preaching was exalted and the sole authority of the Bible maintained. Yet the reform was political and social in the first instance and had less the character of a revival of religion than had been the case in the Lutheran

areas. The overt break between Luther and Zwingli on the subject of the sacrament was indicative of deeper causes of division: of the democratic and nationalist nature of the Swiss reform on the one hand and of its humanism on the other. Yet Zwingli's relations with the Anabaptist and peasant movements were analogous to those of Luther.

The Reformation in Geneva, although similar in its origins, was destined to become far more important than the Zwinglian movement in Zurich. The constellation of social forces was similar: the movement began with the assumption of power over the church by the council in opposition to a bishop of Italian nationality and with a protest against clerical abuses and ecclesiastical wealth; it proceeded to a second stage, namely, the simplification and popularization of worship and the rejection of hierarchy, mass and monasticism. Moreover in both centers the Reformation drew its primary support from the commercial classes, the country cantons remaining Catholic, and resisted the Anabaptist attempts at separation of church and state and radical reform of economic and political life. The differences which developed were largely due to the leader of the reform in Geneva, Calvin, who combined with humanist training and interests a more profound religious and moral passion as well as legal and governing ability. Far closer to Luther than Zwingli had been in his conception of the Christian life as based upon salvation by faith and the election of God, far more deeply stirred by the Bible and the deterministic doctrine of divine sovereignty, Calvin directed his reforms not so much toward the elimination of abuses and the substitution of state for hierarchical control as toward the positive program of developing a holy community. The early negative steps toward reformation had been taken by the citizens of Geneva under various leaders prior to the arrival of Calvin. With his advent and as a result of his activity civic government of the church was practically replaced by a theocracy in which the ministers or presbyters became the rulers of the state. Calvin gave precision and form to the theocratic rule through the measures which he adopted in the organization of church and state and through the highly logical and incisive development of his system of thought in the *Institutes of the Christian Religion*, a book which more than any other became the definitive guide of the churches of the Reformation.

The theocratic rule in Geneva was directed particularly toward the reform of manners and morals not only of priests and monastics but of the people in general; and although Calvin was unremitting in his attacks on the Catholic church, his energy was devoted more to the positive task of organizing Protestantism than toward that of destroying Catholicism. As a second generation reformer he carried on the work for which Luther, Zwingli and their associates had laid the foundations. By reason of its relation to the municipal government and its fear of the abuses to which unchecked power might lead the Calvinist reform allowed for a certain degree of popular participation in government, but on the whole it subordinated liberty to a strict principle of authoritarianism. Its rigid rule was extended over the sphere of economic affairs, where it was probably more effective, during Calvin's lifetime at least, than Catholicism had been. In many respects, however, particularly in its antagonism to luxury, its demand for thrift and diligence, its exaltation of secular work as divine vocation and its recognition, however grudging, of the principle of usury, it represented the interests of the commercial classes of Geneva, who were its primary supporters. And after the death of Calvin in 1564 these interests contributed to the gradual modification of the extreme authoritarianism of the theocratic regime.

In contrast to Lutheranism, whose permanent influence was limited in the main to Germany and Scandinavia, Calvinism became increasingly significant in the reform movements of other European countries, particularly of France, the Netherlands, Scotland and England. In France one aspect of the Reformation had been anticipated in the Pragmatic Sanction of 1438 and in the Concordat of 1516, which together gave to the French king a power over the church and a share in its wealth which German and English princes and Swiss cities gained only by means of separation from Catholicism. As a humanistic and individualistic movement, however, the Reformation in France began with the writings and preaching of Lefèvre and the growth of popular interest in the Scriptures. After 1536 under the leadership of Calvin, who remained constantly in close touch with the French Protestants, it took on a more definitely Protestant content. With some minor vacillations, which may be attributed in the main to shifts in foreign policy, the monarchy was vigorous in its prosecution of Protestantism. Yet the movement gained adherents throughout France, particularly in the

commercial cities and among the artisans; and after the middle of the century Protestant churches, organized on the presbyterian plan, were established in many places. The increasing adherence of members of the nobility to Protestantism was greatly expedited after the death of Henry II (1559) and the passing of the absolute monarchy into the hands of unpopular regents. During the next forty years Protestantism was involved in the succession of civil wars, which while nominally wars of religion were largely dynastic and social in character. Thanks to the terms of the Concordat of 1516 Francis I and most of his successors remained loyal Catholics. The masses of peasants, who as usual identified their interests with the king, did not offer a congenial soil for the growth of the Reformation movement. As a result Protestantism in France, although well represented among the feudal nobility and the bourgeoisie, never became a popular movement, since the former group was declining in power and the latter was never sufficiently strong at this period to exert a decisive influence.

The salient features in the social background of the Reformation in the Netherlands were the struggle of the feudal nobility with the monarchical absolutism of Charles V and Philip II, the rise of a strong middle class in towns which had become the commercial capitals of sixteenth century Europe, the efforts of the guilds to maintain their ancient privileges in the face of monarch and rising capitalist, the tendency toward the national unification of independent provinces, insistence upon home rule and revolutionary temper on the part of the poor. The humanism of Erasmus inaugurated the Reformation, for which the mediaeval Brethren of the Common Life with their mysticism and work in popular education had prepared the ground. The Dutch towns, being closely related to Germany by commerce and language, were so receptive of Lutheran ideas that by 1527 two thirds of the population were said to "keep Luther's opinions." Persecution was constant, but no open resistance developed until the Anabaptists, combining political and economic with religious ideas, attracted many among the lower classes and rose in revolt. After their sanguinary defeat this movement was guided into pacifist and sectarian channels by Menno Simons.

Lutheranism and Anabaptism were succeeded by Calvinism. Its dissemination in the Netherlands, coinciding with the abdication of Charles V and the accession of the Spanish Philip II, was forwarded by the growing antagonism of the people to foreign rule and increase in taxation. Because of its readiness to resist aggression, its principle of organization and its attraction of middle class groups which had been untouched either by Lutheranism or by Anabaptism, Calvinism developed a strength which the other Protestant movements had lacked. The war which ensued had the combined characteristics of a war of independence, a civil war waged in the interests of constitutional and republican government and of national unity, and a religious war. The lines of cleavage varied: large sections of Catholicism supported the war for independence, but on the whole the Protestant, middle class and urban, nationalistic and republican interests coincided, while leadership came from a few families of the nobility. Calvinism was as much the source of the political and economic movements as it was their reflection. In the final result the Netherlands were divided into the northern, independent, Protestant and semi-republican United Provinces and the southern, Catholic, Spanish Netherlands, which had also gained autonomy although dynastically they were united with Spain.

The progress of the Reformation in England was due primarily to more obviously political interests. The separation of the Church of England from Rome under Henry VIII was not dissimilar to the separation of the Gallican church, which had remained Catholic in doctrine and ritual. Political and economic interests played the chief role; the separation was part of the program of political absolutism whereby both the influence and the wealth of the church were put at the disposal of the monarch. The Reformation as a religious movement was too slight in sixteenth century England to force upon the separated church a decisively Protestant character. Nevertheless, Protestant ideas penetrated not only into the ranks of the clergy but also into the urban and merchant groups on whose support the programs of Henry and Elizabeth were forced to rely, while under the weak regencies which ruled for Edward VI these groups exercised an even larger influence. As a result the doctrines and rites of the separated English church reflected, while they did not wholly represent, the current Protestant ideas and practises. The coincidence of the Catholic reaction under Mary with a foreign policy which seemed to subordinate England to Spain identified Protestantism more than ever with nationalism, while the Protestant use of the native language,

particularly in the Scriptures and the *Book of Common Prayer*, associated the religious movement with the rise of the national culture. On the whole therefore religious interests were secondary to political and national interests in the sixteenth century Reformation in England. The religious revival and the middle class revolt against political and ecclesiastical absolutism appeared much later and combined forces in the Puritan and parliamentary movement (*see* PURITANISM).

In Scotland, on the other hand, the Reformation appeared as a reaction not so much against the papacy as against the local Catholic churches and their priests, while Calvinist ideas of divine sovereignty, Biblical authority and the decisive importance of the Protestant doctrines for eternal salvation were effective at an early stage. On its political side the Scottish Reformation represented the desire for national self-determination against France and England rather than against the papacy, and this phase of the movement was carried on not under the auspices of an absolute monarch but under those of the lower nobility and of the merchants. The weakness of the monarchs and their dependence upon foreign support, the strength of the Protestant leader John Knox, imbued with Calvinist doctrines and bearer of the Calvinist system of organization, were of primary importance in the development of the highly Protestant character of the Scottish church.

Although it is difficult to summarize a movement so diverse as the Reformation, it is evident that its results were fairly consistent despite individual differences in the various areas. One consequence was the redistribution of power to the monarchy and the bourgeoisie, at the expense of the feudal nobility and the priestly hierarchy associated with it. Another common product of the movement was the establishment of political, religious and cultural autonomy in the various sections of Europe, even in regions, such as France and Belgium, where the Protestant religion did not come to prevail. Furthermore the Reformation broke up the mediaeval system of authority, for although it supplanted the old authorities with new ones, the latter were in principle pluralistic and unable to claim for themselves in the long run the rights which unified authority is capable of demanding and establishing. Moreover the Reformation by its doctrine of the Scriptures inclined political and religious societies strongly in the direction of constitutionalism and opened the way to the principle of individual experience or reason as the necessary concomitant authority. Redistribution of wealth through the acquisition by courtiers and middle classes of the church properties, the relaxation of mediaeval restrictions on banking and trade, which had a moral rather than a direct effect, and the Protestant doctrine of vocation contributed considerably to the rise of modern capitalism. In these respects chiefly the Reformation laid the bases of the modern nationalistic, democratic and capitalistic cultures.

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See: RELIGIOUS INSTITUTIONS; PROTESTANTISM; SECTS; PURITANISM; QUAKERS; RELIGIOUS FREEDOM; PAPACY; JESUITS; RELIGIOUS ORDERS; NATIONALISM; CAPITALISM; INDIVIDUALISM; RENAISSANCE; HUMANISM; MONARCHOMACHS.

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REFORMATORIES. *See* PENAL INSTITUTIONS.

REFORMISM is the name for an attitude characterized by the belief that the improvement or the salvation of the social order, or both, can be accomplished through the alteration of some particular institution, activity or condition. Reformers may be, in their general social attitudes, either conservatives or liberals but they are not exponents of reformism unless they hold that some limited and specific rectification or betterment or restoration of a social structure or associative relation will bring about a general improvement of society.

The reformer operates on parts where the revolutionist operates on wholes. The reformer seeks modifications harmonious with existing trends and consistent with prevailing principles and movements. The revolutionist seeks redirection of trends, arrest or reversal of movements and mutation of principles. To the reformer the status quo is essentially healthy but a little out of gear in this spot or that. To the revolutionist the status quo is unhealthy and no part of it is good. Both reformer and revolutionist differ from the liberal in that they are concerned with complete and cataclysmal changes; the one in some determinate item, the other in the social whole. To the liberal, social change proceeds continuously, from next to

next. Its tempo varies, and its consequences are definite though gradual alterations of the institutional forms which together compose society. Since the liberal looks upon society as a historical and mobile growth, he regards the processes and means of change as more important than the results of change. But to the reformer and the revolutionist, society is essentially structural rather than confluent; and they regard the social order as a necessary pattern, composed of parts, each and all of which may be more or less successfully set up, remodeled and maintained. Reformers seek the construction of the patterns necessary to the right form for this or that situation. So, such a concept as ballot reform assumes that manhood suffrage is right, that there is a necessarily correct way of exercising the right to vote, and seeks to define and to implement this correct way. The steps leading to the ordination of the Australian ballot, and to its supplementation by voting machines, are reforms. Similarly, civil service reform regards the existing patterns of administrative organization as good, but endeavors so to reorder the administrative machinery as to inhibit patronage and the spoils system and to take officeholders out of politics by means of competitive examinations, security of tenure and the like. "Reform" schools are postulated on the constancy of human nature and operated with the purpose of redirecting human habits. Tariff reform has analogous attitudes and premises with respect to markets. So have spelling reform and temperance reform regarding their respective fields.

Some ostensibly revolutionary movements may have reformist programs while many reformist movements may have revolutionary implications. Such, for example, are the single tax movement in the United States and Fabianism in England. Fabianism has been difficult to distinguish in its essential direction and goal from liberalism, and indeed the Fabian Society always numbered a great many liberals among its members. The single tax is declared by its champions to have revolutionary implications. What would make a reformer of a single taxer or a Fabian would be staking the solution of all social problems and the remedying of social evils exclusively on some one specific individual doctrine or measure. Prohibitionists are reformers of this order. They advocate prohibiting the production and consumption of alcoholic beverages as a social cure-all. Single taxers treat their proposed method of taxation in the same way.

It is this insistent exclusive particularism which distinguishes the reformer from the revolutionary as a psychological type. The reformer might be described as a fetishist, the revolutionary as an apostle of a new faith. The Fabianist or the single taxer regards some particular component of the existing establishment as of paramount importance in the well being of the entire structure. The champion of the new faith desires to abolish established faiths altogether. The reformer does not quarrel with the totality of the mores. He merely wishes to make some individual component of them dominant. The revolutionist aims to transform the mores in toto.

Instances of sheer reformism may be found but on the whole reformism is usually met either as an incidental accompaniment of other attitudes, such as the conservative, the liberal and the revolutionary, or as a distortion of them. When it appears as distortion, it goes, as a rule, with psychopathic traits of the personality, of the kind commonly to be observed in official and volunteer censors, in spelling reformers, in professional patriots, and in similar riders of hobbies which give the impression of being compulsive. In the young, reformism of this type is often no more than a phase of adolescent and post-adolescent conflict projected outward. In the mature it may be the stereotypy of the youthful condition, or the defensive projection of an unwonted inner urge.

Within the context of the aggregated totality of social life, reformers and revolutionists are simply names for the different focalizations of the process of social interaction. Reformers serve as points of division for social forces, now liberating them, and again damming them up. They appear always to function as dynamic and not inert members of any given social situation in which they figure. They enter into that situation as correctives or adjustors, and their consequences are very rarely congruous with their powers and intentions. As a rule, the consequences fall far short of, and sometimes, tremendously exceed, that which the reformers have planned. The cases of ballot reform, civil service reform and prohibition present outstanding instances of this ambivalent inadequacy.

HORACE M. KALLEN

See: SOCIAL PROCESS; CRITICISM, SOCIAL; CHANGE, SOCIAL; PROGRESS; EVOLUTION; REVOLUTION AND COUNTER-REVOLUTION; LIBERALISM; OPPORTUNISM; FABIANISM; FANATICISM; CIVIC ORGANIZATIONS.

REFRIGERATION. While the use of natural ice and snow for the preservation of meat and fish has been employed sporadically ever since prehistoric times, the origins of the modern industry of refrigeration may be assigned to seventeenth century England, where natural ice obtained from nearby ponds was being hawked from carts by London fishmongers. In Paris also toward the end of the same century snow and ice were being sold regularly. By the beginning of the nineteenth century natural ice had come to be regarded as an established article of commerce and supplies were steadily acquired by butchers, fish dealers and confectioners.

The natural ice industry was first developed in the United States and Norway. The pioneer in the American ice trade was Frederick Tudor of Boston, who began his business in 1805 by catering to local needs and by making shipments of ice to the West Indies and the southern states. Before very long he had exhausted the possibilities of neighboring ponds and rivers and was cutting ice in Maine for shipment to the Boston area. The advent of brewing, particularly in the middle west, gave a further impetus to the industry, with the result that in the post-Civil War period ice making became an important activity in middle western centers. The census of 1880 estimated that the natural ice harvest, after due allowance for waste, probably yielded more than 8,000,000 tons for actual consumption. A large export trade in ice, with the United Kingdom and the West Indies as the chief markets, flourished from 1870 to 1890; in 1872, 53,553 tons of ice were exported, but by 1900 the total had dropped to 13,720 tons. The European trade was almost completely monopolized by Norway, which supplied Germany and the United Kingdom, for the most part for their fishing trade.

It is interesting to note that whereas the United States by the end of the nineteenth century was a large consumer of ice, in Europe ice consumption had not yet made any real progress. Natural ice had never been used extensively for refrigerating purposes, while such artificial refrigeration as was being practised was applied chiefly to perishable articles in wholesale quantities; that is, in the cold storage industry. Indeed today, even after the great advances made in mechanical refrigeration, the United States is still the only country where refrigeration is generally known and more or less widely used both for household and for commercial purposes.

From the second decade almost up to the end of the nineteenth century food preservation by dehydration, heat sterilization and chemicals was being more widely used than refrigeration by natural ice. Tinned, or canned, meat and beef extract were made available for commercial exploitation as a result of the inventions of Nicolas Appert, Augustus de Heine, the brothers Pellier and Justus von Liebig during the years 1809 to 1863. In fact by 1880 England was importing 8000 tons of canned meats from Australia.

Even prior to the application of mechanical refrigeration the search for some means of transporting and storing fresh meats, fish, fruits and other perishables without change in their taste or texture led to experiments with refrigeration systems using natural ice or brine mixed with natural ice. Crude refrigerator cars, heavily insulated and cooled by tanks or cylinders of crushed ice and salt, were used in experimental shipments of meat and fruits in the United States as early as 1868. Shipments of chilled and frozen beef from the United States to England were made in 1874 and 1875, one of them using blocks of natural ice in a container which occupied 25 percent of the refrigerated chamber space and another using brine circulated in pipes, cooled by a mixture of ice and salt. Cold storage warehouses, cooled by blocks of natural ice or by ice and brine pipes, were in operation at Boston, Chicago and London by 1875. However, the use of natural ice was limited by the expense and uncertainty of procuring and preserving an adequate supply, particularly at points far distant from the source. It was only when mechanical ice making machines gradually came into use that a supply of ice was assured for refilling the bunkers of railroad refrigerator cars on 3000-mile journeys across the American continent.

The physical foundations for the present systems of mechanical refrigeration were laid in the first quarter of the nineteenth century. The discovery by physicists of the dependence of temperature upon pressure provided the theoretical basis for experiments with compression and absorption systems using air or a volatile liquid as the refrigerant. The inventor of the forerunner of the modern compression apparatus, his model being patented in 1834 with ether as the refrigerant, was Jacob Perkins, an American then residing in England. Many of the earlier commercial machines introduced by John Gorrie in the United States and by J. J. Coleman, A. S. Haslam and T. B. Lightfoot in

England also depended upon the expansion and compression of air. The first successful shipment of meat from Australia to England arrived in 1880 on the *Strathleven*, which was equipped with a Bell-Coleman cold air machine. During the 1890's the dry air machines for reasons of economy gave way in importance to those based upon the compression and expansion of a volatile liquid, such as ammonia, carbon dioxide or sulphur dioxide. These had been developed by J. C. De la Vergne in the United States, Charles Tellier and Ferdinand Carré in France, James Harrison and T. S. Mort in Australia and Carl von Linde in Germany between 1850 and 1880.

By 1890 the new methods of refrigerated storage and transport were well established. The Mechanical Refrigerating Company began operation in Boston in 1881. A Chicago ice cooled warehouse shifted to mechanical installation in 1886. In 1882 on the Victoria Docks in London, the London and St. Katherine Docks Company installed a cold air machine in a small underground chamber with a capacity of 500 sheep carcasses. Transatlantic ships, beginning with the *Circassia* in 1879, were rapidly fitted with mechanical refrigeration. American railroads were hauling meats to eastern markets in refrigerator cars, mostly owned by the meat packers, and were building up a traffic in fruits and vegetables from California and Florida to New York City.

The stimulus afforded by refrigeration to the transportation industry was startling. The transcontinental movement of fruit from the west coast of the United States to New York City grew from one experimental shipment in 1889 to 4000 carloads in 1900 and 65,000 carloads in 1927. Deliveries of fruits and vegetables from the south and west by the Pennsylvania Railroad at its New York City terminals increased from 7000 packages in 1890 to over 500,000 in 1927. Imports of fresh beef, frozen and chilled, into the United Kingdom grew from 55 tons received from the United States in 1874 to 483,000 tons received in 1910 from South America, the United States, Australia and New Zealand. From 1874 to 1910 nearly 5,000,000 tons of fresh beef alone were shipped to Great Britain from overseas.

The urban consumer was no longer compelled to depend upon seasonal supplies of perishable produce obtained only from local sources. In their *History of the Frozen Meat Trade* Critchell and Raymond estimate that the annual United Kingdom per capita consumption of beef, mutton and pork, which was limited to 72 pounds in the decade 1851–60, expanded to 110 pounds by 1882, 43 pounds being furnished by imports. By the 1930's the *Fruit and Vegetable Trade Journal* of the Covent Garden (London) Market was able to report that English tables were being supplied with peaches, plums and apricots from South Africa; apples from Nova Scotia and various sections of the United States; pears from California; grapefruit from the West Indies; oranges from Java, Spain and California; and lettuce, asparagus and cauliflower from France. In 1932 the fresh fruit and vegetable supply of the New York market was drawn from 43 states and 23 foreign countries at an average haul of over 1500 miles. The yearly shipments of fresh fruits and vegetables in the United States now exceed 1,000,000 carloads, approximately 80 percent of which is under refrigeration.

The rise of refrigerated transportation brought fundamental changes in the geography of production. Meat and fish packers, fruit shippers, butter manufacturers and poultry dressers hastened to establish operations in far away producing sections where supplies were cheap and abundant but hitherto unavailable to world markets. The herds of cattle and flocks of sheep in Australia and New Zealand and on the Argentine pampas multiplied, while those in England declined. Danish and New Zealand butter captured the English market. Vast tracts of territory, such as the Imperial Valley in southern California, were developed under irrigation to produce cantaloupes, watermelons, lettuce, asparagus and tomatoes for consumers nine days distant by the fastest freight train. The face of the production map was altered beyond recognition by refrigerated transport.

The cold storage industry was another offspring of mechanical refrigeration. In the United States the space in cold storage warehouses is estimated to have increased from approximately 100,000,000 cubic feet in 620 plants in 1904 to nearly 700,000,000 cubic feet in 1363 plants in 1927. In the latter year about 400,000,000 cubic feet were located in public and combined public and private warehouses handling all manner of perishables; the remainder was in private storage establishments, primarily those of the meat packers. The growth of the cold storage industry brought with it important improvements not only in the technique of mechanical refrigeration but also in that of humidity control, protection of products

by glazing or wrapping, and other measures which reduce deterioration from desiccation, oxidation, rancidity, absorption of foreign flavors, and molds and other contaminations.

Cold storage warehouses act as reservoirs to carry surpluses of seasonable produce commodities over into the period when consumption exceeds production. Thousands of tons of apples, pears, poultry, fish, eggs, butter and cheese are held in terminal warehouses from a few days to many months. Cold storage warehouses are not confined to terminal consuming areas, many being located in producing areas and at intermediate transit points. At producing points they are used for temporary storage and for precooling of fruit to be shipped in refrigerator cars. Storage houses at transit points are used to hold products destined for wide distribution and also often form an important adjunct to the transportation systems in the manufacture of artificial ice for re-icing of refrigerator cars.

The growth of the cold storage industry was accompanied by public complaint against the sale of cold storage products without proper identification as well as against the alleged monopoly of distributing channels and the manipulation of prices. In the United States this resulted, beginning with 1911, in the appearance of legislative and administrative regulations of the conduct of the industry and the sale of cold storage products. As a rule the basic laws provided that cold storage plants should be placed under the inspection of state authorities, that cold storage goods should be marked as such and that goods could be retained in cold storage for limited periods only (6 to 10 months). In recent years there has been a tendency to repeal such laws and to substitute minimum quality specifications for certain products, such as eggs, regardless of the length of time held in refrigeration. The alleged monopoly features of the cold storage business have been generally met by laws placing warehouses under the regulation of public officials.

The manufacture of artificial ice was another development of mechanical refrigeration. The ice manufacturing industry in the United States increased from 775 plants in 1899 to 4110 plants in 1929, employed 6880 wage earners in the earlier years as compared with 32,184 in the later year and manufactured 4,000,000 tons of ice in 1899 as compared with 44,000,000 tons in 1929. By 1918 the production of artificial ice in New York City exceeded the receipts of natural ice harvested from the upper Hudson River. By that year there were approximately 100 plants with a combined daily capacity of 16,335 tons, which were manufacturing and selling 1,800,000 tons per annum of artificial ice in New York City.

The corporate history of the ice business in recent years has followed the familiar course of other industrial activities. Consolidations and mergers of companies have taken place and the appearance of public utility companies in the ice manufacturing field has been of particular interest. However, plants have not increased in size and the ice business still seems to be largely localized. Freight rates and handling charges are high, and there is considerable loss of weight and deterioration of quality when ice is kept in freight cars. In order to protect itself from competition the industry, through trade associations, has worked out informal agreements, combinations of delivery systems and consolidations of local companies. As Mr. Justice Brandeis in his dissenting opinion in New State Ice Company *v.* Liebmann [285 U. S. 262 (1932)] has pointed out, the ice business in the United States has acquired many of the attributes of a monopoly. In Europe and elsewhere, because the consumption of ice is not nearly so common, the industry is relatively unimportant. The maximum daily output of ice in London was estimated in 1923 to be about 2000 short tons, as against 16,000 tons in New York City as of 1918. Ice production and consumption in tropical cities are much lower than in cities of similar size in the United States. In 1923 the output during the warm season in Mexico city (population 968,000) was estimated at 150 tons per day; in Havana (population 585,000), 700–800 tons per day. In a number of European cities ice plants are owned and operated by municipal authorities.

A recent development of great potential significance in the preservation of foodstuffs by refrigeration is the so-called quick freezing (less than 1 hour) of fish fillets, cut meats and fruits and vegetables. The process of freezing whole fish has been known and practised for more than 60 years, but the earlier methods required a period of from 10 to 48 hours. In the decade before the World War German experiments and small scale Danish and Norwegian commercial activity in freezing fish by direct immersion revealed that quick freezing resulted in a superior product in that the flesh of fish frozen in this manner retained its juices, flavor and texture much better upon defrosting than did the slow

frozen fish. Authorities are not in entire agreement as to the explanation of this phenomenon. Some advance the theory that the smaller ice crystals formed in the tissues by quick freezing are more easily contained in the elastic cell walls and do not rupture the membranes or allow the juices to flow out upon defrosting. Others call this physical, or mechanical, explanation erroneous, as evidenced by experiments which show that destruction of cell structure in fresh fish by mechanical means results in very little loss of juice. These authorities seek the explanation of the superiority of quick freezing in colloid chemistry.

At all events the introduction of quick freezing began in 1924 to revolutionize the fish industry of the United States and has since made some progress in the meat, fruit and vegetable industries. In 1929 a total of 120,000,000 pounds of fish was reported as frozen by the various warehouses and freezing plants in the United States. The more modern methods of quick freezing substitute indirect contact for direct contact with brine by immersion or spray. Fish fillets, cut meats and packages of fruits are placed in metal plates or pans which are immersed or floated in or sprayed by brine solutions, ranging in temperature from 0° to −50° Fahrenheit according to the process employed.

The quick frozen product is packaged either before or after freezing, stored at a low temperature and distributed in insulated cartons by refrigerated freight cars and trucks. Among the advantages claimed for quick frozen products, in addition to the palatability, attractiveness and convenience to the consumer, is the reduction in wastage. For example, under the old method of distribution 185 pounds of inedible portions, ice and container accompanied every 40 pounds of edible fresh fish. Now the 40 pounds are shipped in attractive, branded packages, self-refrigerated; and the inedible portion is converted into useful by-products at the packing plant.

Extreme price fluctuations and glutted wholesale markets have largely been eliminated in the fish industry by the new methods of distribution, founded upon the quick freezing process. On the other hand, it is now possible to build up more or less permanent surpluses of cold storage warehouse stocks, which may affect the long time trend of prices. In this respect the fish industry may be following the meat, butter, cheese, egg and poultry trades, where refrigeration and cold storage warehousing have brought new price making factors into being by conserving and carrying over seasonal supplies.

Outside of fish distribution quick freezing has made but limited progress. An impressive number of products, including steaks, chops and roasts, berries, peaches, cherries, peas, beans and spinach, have been frozen and offered for sale to the consumer at certain retail markets and in hotels, restaurants and institutions. There are numerous problems and difficulties yet to be solved before these products can be said to have achieved a significant position in the food trades or the family diet.

Some of these are production problems related to the quality and cost. Much remains to be done in the field of production research. The high cost of fixed plant installations combined with the seasonal character of supply, particularly in fruit and vegetable areas, presents difficulties which may perhaps be met by the use of mobile equipment. Distribution problems are equally important. Quick frozen foods must be stored and handled at lower temperatures than other products. Adequate low temperature rail and truck transportation and cold storage facilities are not always available. The ordinary retail market or grocery store is ill equipped to store or display goods at low temperatures. A number of companies are now engaged in the manufacture of refrigerated display cabinets, but the cost is such that the retailer with little capital must be financed in his purchase of this equipment.

Nor is the consumer prepared to accept frozen foods on a large scale. Fewer than 20 percent of the houses wired with electricity in the United States have automatic refrigeration systems. Sales of electric household units increased from 4000 in 1921 to 965,000 in 1931. Total installations were estimated at the close of 1932 as over 4,000,000. The principal obstacle to the spread of frozen food consumption, however, is the availability of fresh, unfrozen produce at all seasons of the year, transported under refrigeration at relatively low cost.

The growing importance of perishable foods, whether fresh or frozen, reflects the triumph of refrigeration. At least 75 percent of the family food purchases of the urban consumer in the United States fall within the perishable class—fresh meat, poultry, milk, butter, cheese, eggs, fruits and vegetables, fish. It is common observation that this portion, particularly milk, fish, fruits and succulent vegetables, has been growing, while the consumption of cereals and

of dried and canned products is increasing less rapidly or actually declining.

W. P. HEDDEN

See: FOOD SUPPLY; FOOD INDUSTRIES, section on FOOD DISTRIBUTION; MEAT PACKING AND SLAUGHTERING; DAIRY INDUSTRY; FRUIT AND VEGETABLE INDUSTRY; AGRICULTURAL MARKETING; WAREHOUSING; TERMINALS; RAILROADS.

Consult: "The Tenth Anniversary of Ice and Refrigeration," "Historical Review of the Rise of Mechanical Refrigeration," and "Ice Making and Refrigeration Industries" in *Ice and Refrigeration*, vol. xxi (1901) 1–16, 45–59, 89–102, 125–29, 207–08, 222–30, and vol. li (1916) 141–86; Critchell, T. T., and Raymond, J., *A History of the Frozen Meat Trade* (London 1912); Springett, B. H., *Cold Storage and Ice-Making* (London 1921); Duddy, E. A., *The Cold-Storage Industry in the United States* (Chicago 1929); United States, Department of Agriculture, Bureau of Statistics, "Cold Storage Business Features," and "Cold Storage and Prices," by G. K. Holmes, *Bulletin*, nos. 93 and 101 (1913); Taylor, H. F., "Solving the Problems of Rapid Freezing" and "What Happens during Quick-Freezing" in *Food Industries*, vol. ii (1930) 146–51, and vol. iii (1931) 205–06; New York Food Marketing Research Council, "Developments in the Production and Distribution of Frozen Food" in *Proceedings of 16th Regular Meeting* (mimeographed, New York 1930); Hedden, W. P., *How Great Cities Are Fed* (Boston 1929); International Congress of Refrigeration, *Reports and Proceedings*, 1st–5th Congresses (1908–28); International Institute of Refrigeration, *Monthly Bulletin*, published in Paris since 1910; National Association of Ice Industries, *Proceedings of the Annual Convention*, published in Chicago since 1919; *Ice and Refrigeration*, published monthly in Chicago since 1891.

REFUGEES. Any person who under the stress of *force majeure* has left his home and become dependent on the hospitality of others is a refugee. For the purposes of the present discussion, however, the designation may be restricted to persons who have left the territory of the state of which they are or were nationals and no longer enjoy the effective protection of that state.

Even this definition covers a wide variety of cases. There is the individual political refugee who is still legally able to return to his state but does not do so because return would expose him to disagreeable consequences. There are cases in which some of the inhabitants of a country, including at times the government, have fled across its frontiers before invading forces. In older days it was not uncommon for an entire national community to migrate, abandoning its former territory to an enemy.

The individual political refugee has been a familiar figure in history. Since the days of David and of Coriolanus it has been common for a prince or pretender, worsted in his home country, to find welcome and support, alone or with his adherents, at the court of some neighboring state. This situation still recurs (as recently as 1924 the present king of Albania was sheltered and assisted in making a bid for power in Jugoslavia) and will continue so long as states exist which are anxious to exploit the embarrassments of their neighbors. At the present time, when politics are based less on dynastic considerations and more on broad social tendencies, it has become common for a state to welcome the victims of a social regime dissimilar to its own. Thus the non-revolutionary countries of Europe sheltered the émigrés of the French Revolution, and states with liberal institutions, such as England and Switzerland, have often harbored refugees from the rule of autocracies. Mazzini, Karl Marx, Lenin and Trotsky stand out as famous examples of refugees of this type. Many countries make it a point of honor to grant an unrestricted right of political asylum, although this has often involved them in difficulties with the governments concerned. In fact many revolutions have been hatched on foreign soil. On the other hand, the part played by refugee movements in keeping alive the national spirit of a country oppressed by a foreign autocracy has often been very important; notable cases are those of the Magyar emigration after 1848 and the Polish exodus after 1863. Since 1919 Paris and Vienna have been the main centers for political refugees. Some of these settle down permanently abroad, but most of them hope and many are able to return eventually to their homes. Their numbers are generally few, and if their political importance has often been very great, the economic problem which they present is small, particularly when they are supported either by comrades at home or by sympathizers, private or official, in their place of refuge. As a rule they consist chiefly of the intellectual class, which requires little capital to establish itself.

The problems presented by large scale refugee movements vary widely. In earlier days, when the prevailing mode of life was still largely nomadic, it was quite common for whole national communities to become refugees. Refugee movements are indeed difficult to distinguish from simple migrations or wars of conquest, and such distinctions as can be made are often blurred by later events; but it may be fair to treat as refugee cases only those in which the

persons involved were more or less at the mercy of those receiving them.

It is impossible to do more than give examples of this type of movement. For some centuries the Roman Empire received innumerable national communities of refugees, mainly of Germanic or Turki origin. When few in numbers, they were usually drafted with the army; when numerous, they were given the status of *foederati*; that is, they were left under their own chiefs, given lands, generally on the frontier, and employed on frontier defense. In an age in which land was plentiful, population sparse, the standard of living low and its manner simple the economic problem involved by this process was not at all complex; a grant of vacant land and perhaps a supply of one harvest's seed corn commonly sufficed. Occasionally emergency relief was given; the failure to supply such relief when promised to an exceedingly powerful body of refugees, the Visigoths, and attempts by the local population and officials to profiteer at their expense led in 378 to one of the decisive battles of the world, that of Adrianople. Outbreaks of plague, cholera and similar epidemics were apparently frequent among the refugees, and those who had no military value were often enslaved. The ethnographical and political consequences of the large scale admission of these communities were very great, for when the central authority weakened they recovered their independence and formed national states in their new homes.

Similar movements went on throughout the Middle Ages, particularly in the countries bordering on the great and ever unquiet Eurasian steppe. A variety of tribes took refuge with the various Russian princes or the kings of Hungary. They were usually granted land for settlement and certain economic and social safeguards (e.g. self-government, exemption from taxation), in return for which they had to perform military service whenever required. The famous Cossack bands of south Russia originated with Turki hordes who had taken refuge from stronger nations in the steppe, being reenforced by Russian and Ukrainian runaway serfs and masterless men, who preferred dangerous liberty to tilling the land under a Polish or a Russian lord. In 1239 Hungary received 200,000 Cumans, the survivors of a great battle with the Mongols on the Volga, and later Hungary and Austria gave shelter to many Serbian and other fugitives from the advancing Osmanli Turks. In doing so they provided themselves with sorely needed military reenforcements; but the benefit was not unmixed. The wild immigrants solved their own economic problem by plundering the local peasants; while, since man power was valuable, the loss of it was resented by the ruler from whom the refugees had fled. The Mongol khan used the pretext that the king of Hungary was sheltering his fugitive slaves (the Cumans) to invade and practically destroy Hungary. A similar complaint by the Turkish khan with regard to Justinian's relations with the fugitive Avars in 558 had led to the first diplomatic relations between Europe and central Asia.

The part played by refugee movements in spreading knowledge has often been important. The manuscripts brought to western Europe by fugitive Greek monks after the fall of Constantinople gave an immense impetus to the revival of learning and arts known as the Renaissance; and knowledge of other types was widely spread by the religious refugees who were so numerous in a somewhat later age when, as conditions of life became more settled, national migrations ceased to be frequent (although they occurred up to quite modern times in central Asia and Africa).

From the sixteenth century to the eighteenth the commonest type of refugee was the religious. It is hardly necessary to stress the part played by such refugees in many events of world importance, such as the formation of the United States. If some of the earlier American colonists were adventurers, many were true religious refugees, such as the Pilgrims of the *Mayflower* and the earlier inhabitants of Pennsylvania, which, founded as a Quaker colony, afterwards became a home of refuge for dissidents of many other faiths. Land was still plentiful, and many of these refugees had time to make their preparations and to take with them the supplies necessary for their establishment. The American colonists moreover retained the protection of their governments and were not altogether in a friendless condition.

Far worse of course was the case of victims of fanaticism, such as the Moors expelled from Castile in 1502 or the Moriscos driven out in 1609, who were given only three days to embark and allowed to carry only their personal property with them; the sale of their immovable property was expressly forbidden. No provision was made for their reception in Barbary, and most of the half million or more victims perished.

The story of the Protestants expelled from various Catholic countries during the Counter-

Reformation is much happier. They were usually welcome in Protestant countries, both out of religious solidarity and for their useful virtues; and while their expulsion nearly always impoverished the country which they left, their reception enriched that which they entered. English weaving, water engineering and finance owe much to the Dutch merchants, weavers and artisans who fled from the terrorist rule of the duke of Alva and to the later Huguenots; and Prussia had no more useful colonists for the waste spaces of the present Polish Corridor than the Austrian Protestants expelled from Salzburg.

A special and important place in the history of the movement is held by the Jews, who may be called a nation of refugees. In the Middle Ages and the Renaissance their experience was parallel to that of other religious refugees. In the fourteenth century masses of them fled from Germany before the crusaders and Flagellant friars but were received hospitably by the kings of Poland and Lithuania, who granted them substantial privileges and assigned them the role of a middle class. Since there had hitherto been virtually no middle class in eastern Europe, the influx caused no great dislocation of the economic life, particularly as the Jews were denied admission to existing guilds and industrial corporations. Likewise the professed Jews expelled from Spain in 1492 were well received in the Ottoman Empire, which saw the benefit of introducing an intelligent middle class. The individual loss and suffering attendant on these large scale migrations were, however, very great. The German Jews were fleeing for their lives; the Spanish Jews had received four months' notice but had no adequate means of disposing of their property or collecting debts due them.

In the late nineteenth and the early twentieth century a steady stream of Jewish refugees from actual or threatened persecution in Russia and Rumania poured westward into England and the United States. For the first time these refugees had to face the modern problem of fitting into a social organization already highly developed. As, however, the labor market was still in general expanding, the difficulties could be met by transitional assistance and relief. To this end the great Jewish associations were formed; the Alliance Israélite Universelle, for example, carried through remarkable work in assisting migration, organizing emergency relief, advancing settlers the means to establish themselves, maintaining schools and assisting poor scholars. The Jewish Colonisation Association was concerned principally with agricultural settlement. It founded colonies as far apart as Russia and Brazil, Palestine and the United States. The later emigrants generally enjoyed the help of relatives who had preceded them. Thus the Jews led the way in organizing the essential of refugee settlement—provision in advance of the means to tide over the transitional period.

Refugee movements of the old type still occurred in the Balkans, particularly in Macedonia, where at least four nations—Turks, Bulgars, Serbs and Greeks—were contending for mastery, each taking every opportunity to destroy all members of the exceedingly mixed population which did not belong to its own nationality. Each bout of fighting or change of sovereignty thus gave rise to large refugee movements, the members of the defeated nationalities fleeing to their kinsfolk. It has been estimated that in Macedonia alone, in the short period from 1912 to 1925, seventeen migratory movements took place, hundreds of thousands of persons being affected. Bulgaria alone received some 250,000 immigrants from 1878 to 1912.

All Balkan countries were affected, and a rough and ready exchange of population took place, the incoming refugees driving out earlier inhabitants of a hostile nationality and settling on their lands. In 1913 the idea arose of organizing this exchange. Meanwhile various west European and American committees helped to relieve the distress. Charitable bodies, like the Quaker societies, began to organize emergency relief in all parts of the world for refugees who hoped to return to their homes when the crisis was past. The foundation of the International Red Cross Society was also of inestimable value.

The importance of modern organization was tested in the World War, when the governments and considerable fractions of the populations of Belgium, Serbia and Montenegro fled from their homes before the armies of the Central Powers. Two hundred thousand Belgian refugees entered France, and an equal number took refuge in England. The latter were received and cared for by the War Refugees Committee headed by Lord Hugh Cecil, financed by voluntary subscription with government assistance and facilities. After a transitional period the refugees were absorbed into the economic life of the country and after the war were repatriated. The Serbian government was established in Corfu and the refugees, after transportation in allied vessels to that city, were distributed throughout Europe.

although largely in France, being supported by voluntary effort and by the allied governments. Although the mortality among the refugees was high, the organization for dealing with them was certainly more efficient than any which had preceded it.

After the war there was an influx in the opposite direction, from the succession states into the territory of the Central Powers. The governments concerned were usually prepared to receive and to grant nationality to refugees of their own race. The German Flüchtlingsfürsorge maintained concentration camps and placing offices. Hungary gave many Magyar refugees posts in its administrative services, thus gravely burdening the national budget. The fate of unwanted elements, however, was tragic. These were too often refused naturalization and were relegated to the ranks of the stateless.

A far more serious problem was created by the exodus from Russia. As a result of the Russian Revolution and subsequent civil wars millions of Russians had been uprooted, and of these about 1,500,000 members of the former ruling class or of counter-revolutionary armies were clearly unable to return to their native country. In 1919 and 1920 about 100,000 of these were in Manchuria, from 300,000 to 400,000 in France and Germany each and the remainder in eastern Europe. The sudden arrival of General Wrangel's counter-revolutionary army in Constantinople made that city a special center of congestion and extreme misery.

The allied governments, the charitable organizations and the east European states were spending large sums on relief; but this could not continue indefinitely, particularly as the last named were themselves very impoverished. It was urgently necessary to relieve the congested centers and place the refugees throughout the world where they could find work. For this purpose an international authority was indispensable, particularly since many refugees had no identity papers whatever and governments were often extremely suspicious of Russian refugees as possible Bolshevik agents.

In 1921 the International Red Cross and other great charitable societies requested the League of Nations to appoint a high commissioner to supervise the work in connection with the Russian refugees, define their legal position, organize their employment and repatriation and coordinate the efforts of the charitable organizations. In August, 1921, Fridtjof Nansen was appointed League high commissioner.

Besides the Russians Nansen subsequently took charge of the 200,000 to 250,000 Armenians who had survived the war and the massacres in Turkey and had fled into Greece, Bulgaria or the new French mandated territory of Syria, with some smaller groups of Assyrians, Assyro-Chaldeans and a few Turks who likewise had no natural protectors. The League has refused, however, to take over the "stateless persons" of central Europe or such political refugees as the Ruthenes and Montenegrins. These remain dependent on chance or charity.

The work was carried on first by Nansen, then, under his supervision, by the International Labor Office and after Nansen's death by the Nansen International Office for Refugees, an international bureau under the auspices of the League, which contributes toward its upkeep. The office is assisted by an Inter-Governmental Advisory Commission, on which the chief governments interested are represented, and an Advisory Committee of private organizations. The center is in Geneva, and many governments help the office to maintain local representatives.

The office acts as the agent for the distribution of certain relief funds; but its functions are not to supply relief, which if given at all is administered by governments or private societies. Its object is to enable the refugees to be absorbed in normal economic life. The most desirable solution is clearly repatriation. Nansen succeeded in negotiating the unmolested return of several thousand Russians. A plan to irrigate a tract around Erivan in the Soviet Republic of Armenia and settle there 50,000 Armenians fell through because governments would not supply money or accept the security for a loan offered by the Soviet government. Recently, however, the government of Erivan itself has undertaken the cost of the scheme, and 20,000 Armenian refugees are to be settled there. Some thousands are returning annually to Erivan. For those definitely unable to return, "Nansen passports" for Russians and Armenians respectively were introduced; these were accepted by many governments in lieu of ordinary passports. Subsequent intergovernmental arrangements have enabled the holders of these certificates to enjoy certain rights usually granted to foreigners by treaty. They are thus no longer entirely defenseless, although their rights still lag far behind their needs.

The Nansen passports have proved a great help in the work of settlement. The relief of the congested areas was carried through with con-

siderable success, the office acting as organizer and intermediary. It soon became clear that the work was one of detailed placing in a labor market which was overcrowded in most countries. France and Belgium, however, absorbed large numbers for several years, and some refugees were successfully placed in oversea countries. The office still deals with several thousand cases annually. The economic depression which began in 1929, however, hit the refugees severely. They were usually the first to be discharged from employment and were sometimes expelled from their countries without a home to receive them. In 1933 nearly 150,000 who were able to work were unemployed.

The office proposes to wind up its work by December 31, 1938. It has done invaluable service at a cost which has never exceeded a few thousand pounds annually; but it is clear that the only final solution lies in repatriation or nationalization, and the latter is growing increasingly difficult in modern times.

A special settlement scheme was carried through in Syria by the mandatory government with the help of the Nansen office for the Armenians, thousands of whom had spent years in malarial concentration camps, foci of misery and disease. New urban quarters and some village settlements were constructed, and the camps were to be closed at the end of 1933. In this way about 40,000 Armenians were definitely settled.

Somewhat different problems arose in connection with Greece and Bulgaria. In the autumn of 1922, after the crushing defeat of the Greek army by the Turks in Anatolia, over 1,000,000 destitute and panic stricken Greek refugees poured into Greece from Anatolia and Thrace. Greece was willing to receive them and to grant them nationality, but the task was far beyond its powers. Nansen was empowered to deal with the emergency and to distribute relief and medical aid. Afterward an exchange of population between Greece and Turkey was arranged. This raised the final number of immigrants to some 1,700,000 but left a reasonable amount of land available for their settlement. The League of Nations gave its authority for the raising of a loan of £12,300,000, which was administered by a Refugee Settlement Commission consisting of representatives of the League and of the Greek government. The work was handed over to the Greek government on December 31, 1930. It has been brilliantly successful. Over 50,000 agricultural houses and some 30,000 urban houses have been built and about 170,000 agricultural families and 25,000 urban families established and maintained through their initial difficulties at an average cost of £1.4.0 per person. The appalling mortality of the first period has been checked, and the refugees have been turned into self-respecting and self-supporting members of the world community. The face of Macedonia has been reconstructed, drainage and irrigation have been carried through and a new source of wealth has been added to the world.

Similar work on a smaller scale was accomplished in Bulgaria, where out of the 220,000 refugees who had entered Bulgaria between 1913 and 1925 about 30,000 families, or 120,000 individuals, needed help. The task was begun in 1926 and almost completed by 1933. A loan of £2,400,000 and $4,500,000 was raised under League auspices. The land was surveyed and allotted, houses were built and drainage and improvement works were carried out. Incidentally the general health and agricultural standards had been greatly improved, both in Bulgaria and in Greece.

It is clear that the refugee problem has been affected profoundly by modern conditions of life. In the increasing complexity of present day society a man is less easily able than ever before to dispense with the normal protection of his state; and the delicate relations of economic life are more easily dislocated, and with more disastrous effects, than the cruder conditions of the past. Greece and Bulgaria were still exceptional cases, since the recent movements of population had made land available for the immigrants, whom the new countries could regard as a source of strength and wealth. Even so there was much ill feeling between the immigrants and the other inhabitants; and while the help of the League enabled the settlement to be carried out with comparative ease, the process was basically uneconomic, since subsequently neither country was able to meet the full service of the settlement loans. The position of the refugee who has no mother country to receive him is miserable indeed. Modern organization of charity and relief and advanced medical knowledge may relieve the acuteness of the first crisis. But the ultimate absorption of the refugee who is unable ever to return to his home has become increasingly difficult. The question has been inordinately complicated by the excessively difficult economic conditions of the post-war period. On the other hand, it is only in times of difficulty and unrest that refugee movements on a large

scale are likely to occur. Where repatriation has proved impossible, naturalization is the only final solution. The countries which are reluctant to facilitate this solution might well reflect on historical evidence, which indicates that while refugee movements have usually occasioned great suffering among the refugees themselves, they have often enriched the countries which have granted hospitality and have almost uniformly impoverished those from which they fled.

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See: DISASTERS AND DISASTER RELIEF; MASS EXPULSION; POLITICAL OFFENDERS; EXILE; ASYLUM; RED CROSS; LEAGUE OF NATIONS; PASSPORTS; CONSPIRACY, POLITICAL.

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REFUGEES, POLITICAL. *See* REFUGEES; POLITICAL OFFENDERS.

REGIONAL PLANNING. The need for regional planning is evident in the growth of the modern metropolis beyond its officially designated city limits. During the decade from 1920 to 1930 the increase in population of the 85 largest cities of the United States was 5,622,986, a rise of 19.4 percent; but the growth in the population of the areas in the metropolitan regions surrounding these cities was 4,362,936, amounting to 39.2 percent. This change in population distribution is typical of urban communities in other countries as well. The chief causes of this spread of population in suburban areas beyond the city limits are to be found in the rapid development of modern science and transportation, especially the motor vehicle, the increasing tendency toward industrial decentralization and the growth of residential suburbs. Because the extension of the city limits has not kept pace with the spread of population, grave problems of municipal administration have resulted, bringing with them new and difficult changes in city finance and taxation. In an effort to meet these problems the movement for regional planning has grown up, sponsored both officially and unofficially by municipal and industrial engineers, architects, housing experts, economists and rural and town planners. In most cases the regional plan does not correspond in area with any single administrative unit. There is no government organization ready to approve and execute the plan, which moreover usually has no legal sanction. The chief value of regional planning is that it takes care of problems which are dependent upon the consideration of two or more communities, thus providing a method of action without annexation or actual amalgamation. Although cities and their suburbs have remained politically separate, the city and its surrounding areas are becoming more and more interdependent. This interdependence is evident in the public utilities, in provision for education, in recreation facilities, in land uses, in the transaction of private business and in the social and economic life of the region as a whole. The limited plans which have been made heretofore for the metropolis or for the surrounding communities have proved inadequate usually because they have not been comprehensive in character or well coordinated. They have been sporadic and timid, often limited to one subject, such as thoroughfares or parks, or else they have been concerned with only a single suburb or an area too small in extent to meet the requirements.

There are in the United States nearly a hundred regional planning commissions or organizations. These include unofficial organizations which act in a voluntary advisory capacity with a view to bringing about adherence to the regional plan, and official commissions created under the authority of a legislative act. Nineteen states and the District of Columbia are represented in the list, among them California, New York, Illinois, New Jersey and Pennsylvania. In

Illinois the State Chamber of Commerce has made studies to determine the advisability of forming a unified, systematic plan for the development of the state's resources. In Iowa the State Board of Conservation and the State Fish and Game Commission have issued a report on a twenty-five-year conservation plan. In New York state studies of widespread scope were made as early as 1925 by the Bureau of Housing and Regional Planning. Impetus is being given to the movement for non-urban planning by the activities of the National Land Use Planning Committee, composed of representatives of various federal departments and the Land Grant colleges, the purpose of which is to determine a plan for the suitable use primarily of rural land areas.

Good examples of regional planning in the United States are the Boston Metropolitan Planning Division of the Metropolitan District Commission; the Chicago Regional Planning Association; the Regional Planning Commission of Los Angeles County; the Milwaukee County Regional Planning Department; the Regional Plan of New York and Its Environs; the Niagara Frontier Planning Board and the Niagara Frontier Planning Association; the Regional Planning Federation of the Philadelphia Tri-State District; the Santa Barbara County Planning Commission; and the National Park and Planning Commission at Washington, D. C. The first official metropolitan regional planning in America was carried out in Boston with the appointment of metropolitan commissions for sewerage in 1889, parks in 1893 and water in 1895. These commissions were highly successful from both technical and administrative aspects. In 1919 the three commissions were combined as the Metropolitan District Commission. In 1923 regional planning received recognition in the appointment of the Metropolitan Planning Division. Other special Boston metropolitan commissions were appointed later.

The most notable metropolitan regional plan in the United States is that of the Regional Plan of New York and Its Environs undertaken in 1924 under the auspices of the Russell Sage Foundation. It presents a graphic plan of all ways of communication and land uses, indicating the areas best suited for business, industry, residential use and open spaces. Proposals are made as to express routes, other major regional routes, important connecting routes, new railway belt lines, suburban rapid transit and parkway systems. Specific plans are presented for civic centers, new railway stations and airports, waterfront improvements and pleasure resorts. The plan is advisory in character. It has been prepared to give guidance to over 400 municipalities in 3 states. Its scope in time extends to thirty-five years. Many of the proposals in the plan have already been adopted and in part executed. A regional plan association has been formed to promote the carrying out of projects and to keep the plan up to date.

A group of business and civic organizations of the regions contiguous to and including Philadelphia, Wilmington, Trenton and Camden in 1928 raised a fund of approximately $600,000 to cover the cost of surveys, studies and preparation of a comprehensive regional plan. To administer this fund the Regional Planning Federation of the Philadelphia Tri-State District was incorporated in May, 1928. The directors established as a governing principle that the federation should not concern itself in any of its activities with political boundaries or governmental technique, but should confine its investigations and recommendations to the physical needs as related to growth and distribution of population in the area as a whole. The federation adopted as a corollary to this first principle the policy of acting in a purely advisory capacity. Its objective was to indicate the present and probable future social, economic and physical requirements of the region as a whole through planning technique. In order to assure faithful adherence to these policies the federation obtained the service of leading planning consultants, employed a staff of technical assistants and appointed a representative Technical Advisory Committee comprising about 200 of the chief engineering officials of the counties, cities, townships and boroughs of the region.

The program for the Tennessee valley is the first deliberate large scale effort in the United States to inspire a systematic and balanced development of the social and economic life of a given community. The act of Congress sets up the Tennessee Valley Authority, a corporation reporting to the president. Under his direction its function is to insure the emergence of a smoothly operating and well matured program. The act provides for the proper use, conservation and development of the natural resources of the Tennessee River drainage basin and of such adjoining territory as may materially be affected by the development. The general purpose is to foster an orderly and proper physical and social development of the Tennessee valley

area. The president is authorized in making surveys and plans to cooperate with the several states affected. The act contains a provision for the building of transmission lines as a "yardstick" of public transmission of power by which the effectiveness of the power industry may be measured. The authority is empowered to assist in moving families from abandoned mining and lumber camps to new communities, planned and built to combine agriculture and industry.

Throughout England and Wales more than a hundred regional plan committees of different kinds are at work, covering an area of over 10,000 square miles. Most of these schemes, however, while regional in scope, are really extended joint town planning schemes and are largely advisory in character. The regional plans are intended as an ideal goal rather than as a working program for immediate execution. They endeavor to secure the most suitable use of land, adequate means of communication, ample open spaces, the control of building development and the protection of the cultural and aesthetic amenities of the countryside. Among the many English regional plans the following selected examples may be mentioned: west Middlesex (suburban); mid-Surrey (semirural); Manchester (industrial); southeast Essex (rural); the Thames valley (preservation of amenities).

The Ruhr regional planning federation (Siedlungsverband-Ruhrkohlenbezirk) is the most notable illustration in Germany, and perhaps in the world, of a statutory body authorized to act either by controlling and coordinating or by actually carrying out plans which will serve the advance of regional planning in an industrial district. The planning legislation was established by the Prussian act in 1920. In the area under the authority of the federation, about 1500 square miles, there are 20 important towns and 10 rural district councils, the latter containing 17 small towns and 259 smaller rural communities. The federation is controlled by an assembly, an executive and a director. Fifty percent of the representatives to the assembly come from the county boroughs and rural district councils, the rest being delegates of industry, representing employers and employees equally. The principal work of the federation as fixed by law comprises the drafting of comprehensive plans for the entire district; reservation and care of large open spaces; planning and construction of the main roads; determination of traffic routes for the future development of railways, tramways and other forms of transit and transportation; selection of industrial sites; and housing. The work of the Ruhr regional planning federation is supplemented by the Ruhrverband, which deals with all regional matters pertaining to sanitation.

National planning is an attempt to coordinate regional planning, just as regional planning coordinates city planning. It should follow broad lines and take into consideration the requirements of the country as a whole, including open spaces, distribution of population, location of industries, public utilities and provision for various forms of circulation. Good examples of national planning are to be found in Scotland, Holland, Italy, Egypt, Soviet Russia and Mexico. National planning sometimes extends into international planning, as in the case of the navigable canals between Holland and Belgium, the proposals for the Danube River, the St. Lawrence River project for the United States and Canada, the Niagara Frontier Regional Plan and the plans for the Rio Grande River, involving joint action of the United States and Mexico. Rivers and valleys are units for planning and not natural frontiers. The natural frontiers are the sea, the desert and the mountains.

The best European example of national planning is that of Bonifica Integrale, launched in Italy by the law of 1928 as a regional planning program of national scope. The Sibari project is one of the most significant of its undertakings. In the watershed of the Crati and Sibari rivers the Fascist regime is engaged upon a diversified program designed to restore the richness and glory of the region which flourished in 500 B.C., but which has for centuries remained desolate. The Bonifica Integrale has as its definite objective the stabilization and betterment of rural life in all its aspects through the execution of a program of planned land utilization embracing the whole of Italy. It is a comprehensive and far reaching enterprise of social usefulness. The improvement works comprise the construction of arterial highways to afford an adequate transportation system connected with the railhead at the new village of Sibari. This village is one of eight model rural centers, each housing 500 inhabitants, and intended first to accommodate the workers on the project and later as homes for the settlers. The cost of the Sibari project, which is scheduled for completion by 1943, is estimated at $12,500,000 and is to be shared largely by the state and by the interested landowners. The complete program for the national plan which has been adopted calls for a capital expenditure of $500,000,000.

Giprogor, the Soviet state commission for planning cities, is entrusted with city and regional planning throughout the Soviet Union, with the exception of the Ukraine. It has undertaken some 60 projects, ranging from Leningrad to Sakhalin island in the Pacific and to Tiflis in Transcaucasia and is designed to apply to a total population of 35,000,000. Planning in the U.S.S.R. begins with the largest elements, the proper placing of industries and transportation for the state or nation. This leads logically to regional planning of large economic units. Two factors of great importance require mention: first, the public ownership of all land, which means that cities may be built according to plans that utilize the land to the best advantage; second, the size of cities, which in all other countries is an uncontrollable factor. In the U.S.S.R. this element is officially controlled in connection with all new cities and regions. Even in the older cities the planners search for permanent solutions which will not breed new difficulties for the future. Stalingrad is a good example of regulation of the size of cities on the basis of social, economic and industrial efficiency.

A National Planning Board for the United States has recently been appointed. Its duties will include studies of long range effects of public works and low cost housing from the social and economic aspects. The inquiries will concern all types of public works, federal, local and private. In an effort to enlist interest in the broader implications of regional planning the Harvard Graduate School of City Planning has introduced a course in national and state planning, designed to acquaint students with the changing social and economic needs of American life and to show the importance of long range planning in the physical development of the nation.

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See: METROPOLITAN AREAS; CITY; SUBURBS; GARDEN CITIES; CITY AND TOWN PLANNING; HOUSING; LOCATION OF INDUSTRY; CIVIC CENTERS; ZONING; LAND UTILIZATION; PARKS; PLAYGROUNDS; ADMINISTRATIVE AREAS; COUNTY-CITY CONSOLIDATION; COMPACTS, INTERSTATE; INTERNATIONAL WATERWAYS; ELECTRIC POWER; TRANSPORTATION; MUNICIPAL TRANSIT; TRAFFIC REGULATION.

Consult: McLean, W. H., *Regional and Town Planning* (London 1930); Kehr, Cyrus, *A Nation Plan* (New York 1926); James, Harlean, *Land Planning in the United States for the City, State and Nation* (New York 1926) ch. xv; Beard, C. A., "Some Aspects of Regional Planning" in *American Political Science Review*, vol. xx (1926) 273–83; Unwin, R., "The Need for a Regional Plan" in International Housing and Town Planning Congress, Amsterdam, 1924, *International Town Planning Conference*, 2 vols. (Amsterdam 1924) vol. i, p. 15–35; Bettman, A., "How to Lay Out Regions for Planning" in National Conference in City Planning, 17th, 1925, *Proceedings* (Boston 1926) p. 287–312; Hubbard, T. K., *Manual of Planning Information, Including Manual of Information on City Planning and Zoning* (Cambridge, Mass. 1928); Adams, Thomas, and others, *Recent Advances in Town Planning* (New York 1932) ch. v; Hubbard, Theodora K. and Henry V., *Our Cities To-day and To-morrow* (Cambridge, Mass. 1929) ch. iv; *City Planning*, ed. by John Nolen (2nd ed. New York 1929) ch. xx; McKenzie, R. D., "The Rise of Metropolitan Communities" in President's Research Committee on Recent Social Trends, *Recent Social Trends*, 2 vols. (New York 1933) vol. i, p. 443–96; Adams, T., "Regional Planning in Relation to Public Administration," and "The Social Objective in Regional Planning" in *National Municipal Review*, vol. xv (1926) 35–42, 79–87; Regional Plan of New York and Its Environs, *Regional Survey*, vols. i–viii (New York 1927–31), and *Regional Plan*, 2 vols. (New York 1929–31); New York State, Convention of Housing and Regional Planning, *Report to Governor Alfred E. Smith, May 7, 1926, by Clarence S. Stein* (Albany 1926); Iowa State Board of Conservation, *Report on the Iowa Twenty-Five Year Conservation Plan*, by Jacob L. Crane, Jr. (Des Moines 1933); Regional Planning Federation of the Philadelphia Tri-State District, *The Regional Plan of the Philadelphia Tri-State District* (Philadelphia 1932); Clarke, John J., *Outlines of the Law of Housing and Planning* (London 1933); Purdom, C. B., *The Building of Satellite Towns* (London 1925); Brun, Charles, *Le régionalisme* (Paris 1911); Ringland, Arthur C., "Mussolini's Sybarites" in *American Forests*, vol. xxxix (1933) 291–97, 334; Crane, J., Nolen, J., and Whitten, R., "City Planning in the Soviet Union" in *Economic Review of the Soviet Union*, vol. vii (1932–33) 36–39; Schmidt, R., "Country Planning in the Ruhr District" in Town Planning Institute, *Journal*, vol. xiv (1927–28) 47–52; *Stadt- und Landesplanung Bremen 1926–30* (Bremen 1931); Elshoff, F., *Das Umsiedlungsproblem*, Münster Universität, Forschungsstelle für Siedlung und Wohnungswesen, Veröffentlichungen, vol. ii (Berlin 1931); United States, Bureau of Standards, Division of Building and Housing, *Survey of City Planning and Related Laws*, compiled by Lester G. Chase (1930, rev. ed. 1931).

REGIONALISM. The term regionalism is of comparatively recent origin and has not yet acquired any accepted precise definition. It was first used in 1874 in the works of the Provençal poet de Berluc-Pérussis but did not come into wide currency until the 1890's. Regionalism has been called a manifestation of "world federalism" and an intermediate stage between administrative decentralization and federalism. It involves such diverse problems of modern political and cultural life as those of minorities, administrative decentralization, local self-government and autonomy, the cult of homeland and earth and local patriotism. It is most

intimately related to particularism and opponents make the charge that it leads to separatism. In a very general way regionialism may be defined as a counter movement to any exaggerated or oppressive form of centralization. It must not, however, be considered solely from the viewpoint of political control or governmental administration. Regionalist problems arise only where there is a combination of two or more such factors as geographical isolation, independent historical traditions, racial, ethnic or religious peculiarities and local economic or class interests. Regionalism must be distinguished from nationalism in that it recognizes a higher national unity and superior national interests transcending the attachment to the local region. It must be distinguished also from mere sectionalism in that it is not based exclusively on regional economic or class interests but involves certain ethnic factors, such as cultural, traditional or linguistic peculiarities, which provide a basis for what is often termed a subnationality. Because of the wide ramifications of the subject regionalist problems may be discovered in any of the countries of Europe and America. But France as the classic land of political unity and administrative centralization is also the classic land of regionalism, and the French regionalist movement may be used as a paradigm for regionalist movements of other lands.

On the eve of the revolution France was a territorially unified and centrally governed state, thanks to the long established policy of its rulers. It was not, however, administratively centralized in the modern sense of the term, for it was neither legally nor economically unified. It was divided into the *pays d'élections*, with a royal financial administration, and the *pays d'états* (Brittany, Provence, Languedoc, Dauphiné, etc.), where a strong local consciousness prevailed despite the fact that the historical rights of the estates to levy taxes no longer played any important role. The revolution of 1789 accomplished the great historical feat of welding the nation into a unified state. July 14, 1790, the day of the great federation, was truly epochal because on that day small local defense groups and federations of national guards from cities and countryside merged together to form a self-conscious French nation. The leaders of the Constituent Assembly, headed by the abbé Sieyès, followed the tendencies of the monarchy in their drafting of the constitution. Not only did they retain the monarchy as the guaranty of political unity; they went further and broke up into small *départements* the old provinces which, although no longer possessed of any administrative unity, had still preserved their own historical and cultural individuality.

As France became engaged in war with monarchical Europe the administrative centralization inaugurated by the Constituante developed into an all embracing revolutionary dictatorship and made the way clear for Napoleon's dictatorship and centralization. The law of Pluviôse of the year VIII (February 17, 1800), whereby the prefects, subprefects and mayors in the *départements*, *arrondissements* and municipalities were to be appointed by the first consul, marked the completion of French centralization.

Cultural centralization accompanied this administrative centralization. A national system of education from the village school to the highest institutions of learning was created by Napoleon and received the misleading appellation of Université Impériale, or Université de France. Napoleon's system of higher education has been compared to a strongly knit army. A grand master appointed by the emperor exercised supervision over the entire educational system, and all the provincial institutions and their faculties were dependent on him. It was not until 1896 that the academies became modern universities, juristic persons with corporate rights. This cultural centralization may be considered one of the leading causes of the spiritual poverty characteristic of the French provinces. The intellectual life which was still flourishing in the provinces at the time of the revolution was almost completely stifled during the following period. Everything worked toward making all of France a suburb of Paris, as Octave Feuillet wrote to Napoleon III in 1867.

This rigid centralization has continued to the present despite changes in forms of government and since the Restoration has met with much opposition and criticism. Politicians and parliamentarians, from Villèle, the royalist conservative deputy and minister of Louis XVIII, to Clemenceau, Briand and Poincaré, have put forward various proposals to counteract centralization. Writers and philosophers like Auguste Comte and Alexis de Tocqueville have attacked it in their works. Such radically different writers as the Catholic conservative economist Le Play, in his *La réforme sociale en France* (2 vols., Paris 1864), and the bold anarchist and federalist Proudhon, in his *Du principe fédératif* (Paris 1863), were vigorous opponents of centralization.

The vague desires for decentralization during the 1860's found expression in the then popular "Nancy Program," which demanded that communal matters be regulated by the commune, regional affairs by the region and national by the nation. The works of two Orleanists, Prévost-Paradol's *La France nouvelle* (Paris 1868) and Duc de Broglie's *Vue sur le gouvernement de la-France* (written in 1861 but not published until 1870 in Paris), received wide attention. Both writers demanded local self-government. Duc de Broglie advocated the reestablishment of the provinces, while Prévost-Paradol was the first French writer to introduce the concept of "regional assemblies," to be formed from the *conseils généraux* of several *départements* and to be based on geographic and economic considerations.

The law of 1871 concerning *départements* and the municipal laws of 1884 and 1890 marked steps toward decentralization. Paul Deschanel in his *La décentralisation* (Paris 1895) made a plea for the transformation of the French bureaucratic communal administration into corporate form, after the manner of the English and German systems, and for the "replacing of the activity of the officials by that of the citizens."

The cultural reaction against the domination of the French capital set in at a comparatively early date. There were many groups which lamented the disappearance of picturesque folk idioms, local industries and other provincial peculiarities and which aimed to reawaken the slumbering spiritual and cultural life of the various provinces. These currents are related to the movement to revive the various dialects of Provence, Brittany, Alsace and Flanders, the patois which for many decades had been very effectively counteracted by the centralized school system. Many independent local newspapers and periodicals of an outspoken regionalist character began to appear at the turn of the century.

The first important regionalist movement against Paris, however, arose in Provence. Provence had always maintained a proud and independent stand. The Provençal cahiers in 1789 had pledged its representatives to demand the right of self-government for Provence. This spirit animated the seven Avignon poets who followed the summons of Roumanille in 1854 and, calling themselves *félibres*, formed a union of poets with the clearly formulated purpose of reviving the Provençal language. Frédéric Mistral, who soon became the leader of this group, succeeded in creating a new Provençal literary language based on the dialect of the lower Rhone valley. He compiled a large dictionary of the Provençal language, founded a museum in Arles and sought to widen the movement to include all of southern France. Gascony, Limousin, Auvergne and Dauphiné kept aloof from the movement, however, and its center remained in the valley of the Rhone.

The *félibristes*, looking upon themselves as the heirs of the troubadours, sought to restore the entire mediaeval culture which had flourished in the southern provinces and was now forgotten. They revived the singers' competition, chivalry, the *jeux floraux* and the *cours d'amour*; every seven years they chose a queen of the Félibrige, who placed a silver crown on the head of the master of the *gai savoir*, the *gaya scienza*, the "happy science," of the troubadours. The romantic strain was at first predominant in the Félibrige, and the statutes of 1876 distinctly prohibited "political and religious discussions" at meetings.

The recognized master, Mistral, did, however, introduce a political note in his *Calendau*, which appeared in 1867. In a famous note to this poem he lamented the subjection of the much more cultured south by the "barbarians" of the north and above all the fact that this fusion of north and south went beyond the stage of an *état fédératif*. In another place Mistral declared his political ideal for France to be an *état fédéral* with all the modifications made necessary by modern conditions. His position was directed not against France or against unity but "rather against the system of extreme centralization carried on by the state officials with such shocking rigidity."

The Félibrige became increasingly political. An École du Félibrige came into being in Paris. The young *félibristes* (Frédéric Amouretti, Charles Maurras, Auguste Marin) issued a declaration on February 22, 1892, in which they demanded "freedom of the communes" and declared their aim to be "the liberation of the soul of the provinces from their departmental prison." "We are autonomists, we are federalists," they announced, "and if any people of Northern France want to go along with us, we stretch out our hand to them. . . ."

Similar movements soon arose in other regions of France. In Besançon, Franche-Comté, Charles Beauquier in 1869 founded a weekly, the *Doubs*. He published a dictionary of the

provincialisms of his homeland in 1881, issued a collection of folk songs in 1894 and undertook the larger task of publishing a collection of the popular traditions of Franche-Comté. Beauquier also made many proposals during the years between 1890 and 1910 for a new administrative division of France.

Charles Le Goffic was the leading spirit in the founding of the Union Régionaliste Bretonne. In his *L'âme bretonne* (Paris 1902) he revivified the customs, songs and legends of Brittany and its ancient historic traditions. Maurice Barrès became as famous for Lorraine as Mistral was for Provence. The most powerful source of national energy, according to Barrès, was to be found in the local homeland, the "region." In his *Les déracinés* (Paris 1897) he presented a brilliant development of these ideas. He called for regional universities and for a system of elementary education which would be expressive of the individual character of the various regions. "There are," he said, "Lorraine, Provençal and Breton truths." An opponent of division into *départements*, he demanded the reorganization of France into larger administrative units, either regions or provinces. He called for "regional assemblies" and local parliaments which would regulate the details of local administration.

Under the influence of the geographer Vidal de la Blache a series of doctoral dissertations on the different regions of France were published. The *Revue de synthèse historique* put out a series of studies, *Les régions de France*. Similar regional monographs were published in the *Annales de géographie* and in the *Bibliothèque régionaliste* of Frédéric Charpin.

In 1900 all the currents opposed to excessive centralization in France were united and organized in the Fédération Régionaliste Française (F. R. F.). Charles Brun, one of the leaders of this organization, has declared on numerous occasions that its aim was a federal state. Since the time of the Girondists, however, the word federalism had acquired a disreputable connotation and, as Proudhon pointed out, became almost synonymous with treason. It was for this reason that the founders of the F. R. F. did not dare to commit themselves openly to federalism, preferring to call their paper *Action régionaliste*.

The F. R. F. soon went beyond the sentimental regionalism of the poets. It sought to replace the artificially constructed *départements*, which had become outmoded in the new age of the railroads and the automobile, by larger homogeneous regions which were to be administrative and judicial districts, economic provinces with regionalist universities as the seats of a regional intellectual and cultural life. Jean Hennessy, who has been president of the Ligue de Représentation Professionelle et d'Action Régionaliste since its formation in 1913, has been active in behalf of economic, political and administrative regionalism.

The success of the movement is attested in the fact that the service branches of the mines, the water supply and the forest administration and of the postal system are today regionalized. The administrative reform of 1926 replaced the *arrondissement* courts by 131 *département* courts, the jurisdiction of each comprising several *arrondissements*. One hundred and six subprefects were removed; the prefect councils of the *départements* were abolished, being replaced by 22 regional administrative courts, small state councils which may be called upon for judicial advice. An interesting and important decree was that of November 5, 1926, which permitted the *départements* to form *syndicats*, or corporations, created for specific purposes, with more far reaching powers than those possessed by the Commission Départementale set up in 1871.

The importance of French regionalism today lies chiefly in the economic sphere. Le Play had based his proposals for social reform on economic considerations and had laid great stress on the agricultural and industrial homogeneity of the new administrative units which he proposed to create. In a similar way Vidal de la Blache undertook to work out a plan for seventeen industrial regions. In 1898 Jean Jaurès declared that "the growth of Paris would be illusory or dangerous unless the economic activity were diffused all over the country." Men of all parties have pointed out the general neglect of the economic needs of the provinces. Charles Maurras showed that Paris received the best agricultural and industrial products from all over the land. The French railway system no longer fills modern requirements. All the lines converge to Paris and there are no adequate connections between the provincial systems. There are no fully developed ports, because the hinterland is not organized sufficiently. Before 1924–25 there were no industrial and agricultural chambers. The Bank of France has collected almost all the savings of France in Paris and a large part of this capital is invested in foreign enterprises. Hennessy and Jean Buffet in his book *Du régionalisme au nationalisme financier*

(Paris 1917) call for regional banks to supply capital for great economic enterprises, which in turn will improve the existence and enhance the value of the regions.

With the World War the regionalist problem emerged from the sphere of congresses and debates into reality. The burning questions concerning the destroyed but once most productive regions of the northeast, the amalgamation of Alsace-Lorraine and the whole problem of economic reconstruction all pressed more urgently for solution and regulation.

Henri Hauser, in his excellent study *Le problème du régionalisme*, points out the amazing and significant contrast of the war situation with that of the period of the revolutionary wars or of the War of 1870–71. During the World War, despite the need for the most intense concentration of all powers and notwithstanding certain forms of economic dictatorship, there was a recrudescence of local initiative and independent activity which France had not seen for a long time. Whereas during the years 1870–71, at the time of the enemy invasions, the prefects, mayors and local assemblies hardly dared to act without instructions from Paris, the situation in the fall of 1914 was quite different. Apart from the occupied areas the natural connections between many parts of France and the capital were destroyed, and Paris itself faced the danger of enemy occupation. The various regions, left to their own resources, engaged in spontaneous and effective activity; they cared for the needy, sheltered the wounded and fugitives and created jobs for the unemployed. Municipalities, local boards and all kinds of organizations shared the responsibility almost equally.

On October 25, 1915, the premier, Viviani, and the war minister, Millerand, issued a decree authorizing the establishment of a Comité Consultatif d'Action Économique in every army corps region of the inner zone; such committees were to function during the whole war period. This innovation was along the lines of the reforms long urged by the advanced regionalists, notably Jean Hennessy. These economic committees had a double task. Their military function was to keep the war administration informed of the conditions of production in the various regions. In addition they were to use all available means to increase production and counteract the tendency toward increased prices. This development was, as Hauser says, only a "timid regionalism," but the committees advanced definitely toward independence and made practical and successful contributions during the war to land cultivation, transportation and problems of food and coal supply. So well did they preserve their status, although they varied in significance and degree of influence, that there was a strong tendency to retain them even after 1918.

This tendency paralleled the movement led by the minister of commerce, Étienne Clémentel, which aimed to divide France into economic provinces. This plan was related to the law of 1898 regulating the powers of the chambers of commerce. The all too numerous and often feeble chambers of commerce were to be grouped anew on a regional basis. On February 28, 1919, when their activity was about to cease, the economic councils were transferred from the supervision of the War Ministry to that of the minister of commerce. On April 5, 1919, a decree empowered the chambers of commerce to set up seventeen chambers of commerce districts, or economic provinces (*régions économiques*). The chief cities of these regions were Lille, Amiens, Rouen, Caen, Nantes, Rennes, Limoges, Bordeaux, Toulouse, Montpellier, Marseille, Grenoble, Lyons, Nancy, Paris (with two regions) and Clermont-Ferrand. The economic committees were incorporated into the *régions économiques* on April 6, 1919.

The economic committees indeed gradually lost the significance they had possessed during the war. In every economic province a Comité Régional des Chambres de Commerce was set up over the existing advisory committee. This became the actual economic organ of the region and it pushed the older institutions into the background. The new regional committee and its general secretary acquired far reaching rights of economic initiative. Together with the central government such committees were to attend to such questions as the building of harbors, canals and local railroads, the utilization of land, the betterment of working conditions and the like.

This reform in the classic land of administrative centralization signalized a decisive victory for the regionalist idea. The socialist Georges Renard expressed the hope at the time that these new regions would become "organic elements of national existence" and that no longer would important matters of local concern, such as the construction of branch line railroads or provision for filtered drinking water, be decided by a few deputies in the Chamber, quite ignorant of the problems involved. The overburdening of

the French Chamber of Deputies with detailed and local questions has often been lamented and constitutes one of the motives behind many of the proposals for regionalist reforms.

Regionalist tendencies are to be found in the most varied political camps of contemporary France. Clémentel once said that "regionalism is the organization of democracy," but men whose ideal is quite removed from bourgeois democracy also subscribe to it. On the one hand there are the revolutionary syndicalists who, recalling Proudhon and the bold experiment of the Paris Commune of 1871, wish to organize new regions out of the federation of communally constituted *syndicats*. On the other hand there are the monarchist leaders of the Action Française, such as Charles Maurras and Léon Daudet, who embody all the reactionary, militaristic and ultranationalist tendencies and who find the ideal form of government for France in a romantically transfigured *ancien régime* with a "free church" and free communes and provincial estates.

The regionalist movement has also caused some stir in Corsica, in Béarn and particularly in Brittany; this last region has at times tended toward the development of a rather ridiculous separatism. The language question also plays some role in various districts, as, for example, in French Flanders. The most difficult situation exists in the three departments of Moselle, Haut-Rhin and Bas-Rhin and particularly in the two latter, where, according to Gooch, "sentimental" and "administrative" regionalism, especially as related to the language question, are closely linked. The Alsatian autonomist movement, based on strong local feeling, is directed chiefly against the rigorous manner in which the French language has been introduced in the schools and for official usage. It represents a type of cultural regionalism, although in Alsace there is also a strong desire for self-government and centralization seems particularly oppressive.

Next to France, Spain is the land in which regionalism is of the greatest moment, especially in Catalonia. Catalan regionalism goes back to the period between 1100 and 1162 when Barcelona was a city-state similar to the Italian republics. This fact, however, is of significance only as a historical tradition. During the reign of Philip IV (1621–65) there was a separatist revolt in Catalonia, which recognized the sovereignty of Louis XIII of France. During the wars of the Spanish Succession the old desires of republican independence were again revived and Barcelona was encouraged to follow an independent policy. The treaties of Utrecht and Rastatt (1713–14), however, put an end to Catalan independence. In 1710 the *Decreto de nueva planta* did away with the special privileges accorded to the Catalan language in the law courts as well as with many other privileges of the Catalans.

At the beginning of the nineteenth century Catalan national consciousness was virtually extinct. Catalan criminal law had disappeared in 1822, the Catalan language had been abolished in the schools in 1825, the commercial law was discarded in 1829, separate courts in 1834, coinage rights in 1837 and regional administration in 1845. In 1834 Spain was divided into forty-nine provinces, each with a civil governor at the head, after the fashion of the French *départements*, so that the old historical provinces lost all significance. The constitution of 1845 then completed the process of centralization after the French model. The crown, the ministries and the state council exercised virtually all the power and they named the provincial and municipal administrative bodies.

In 1833 there developed the movement which sought to bring about a *renaixença* of Catalan culture. It began with an insignificant episode: Aribau, a Catalan employee of a Madrid bank, wrote an ode in the Catalan language in honor of his employer's birthday. This ode was published in the Barcelona paper *Vapor*, which together with *Europeo* became the organ of the romantic regionalist movement in Spain. Its leaders sought to revive Catalan culture, but they did not believe in the possibility of reviving the Catalan language. The revival of the Catalan language must be credited chiefly to the work of the scholar Rubió y Ors, who occupies a role in Catalan regionalism similar to that of Mistral in the Félibrige movement.

In 1859 the town council of Barcelona revived the old festival of *jochs florals*. In the 1860's a Catalan press was inaugurated with the publication of *Un troç de paper* and a literary review, *Gay saber*. At the same time Frederico Soler sought to restore the Catalan theater. Paralleling the development in France, Catalan cultural regionalism paved the way for a political movement. According to Salvador de Madariaga, Rubió y Ors did more for the "political rebirth" of Catalan nationalism than any other individual. It is difficult to draw the line here between regionalism and federalism. According to Madariaga, Catalan regionalism is "in the narrower political sense" an "offshoot of federalism."

In the first Spanish Republic of 1873–74 federalist problems played an important role. The Cortes of 1873 elected as president a federalist, Orense, who proposed a federal constitution like that of the United States, which was to divide Spain into autonomous states. The federalist delegates could not, however, agree on the size of these states. The majority wanted to reconstitute the old provinces as states, while the minority held out for smaller states consisting of only one city or canton. The prime minister, Pi y Margall, was a disciple and translator of Proudhon and therefore inclined toward the idea of cantonal autonomy. His followers were mostly urban workers who were either socialists or anarchists.

Pi y Margall himself was a Catalan and a representative of the union of Catalan regionalism with the more general federalist tendencies which have appeared in Spanish history. Valentín Almirall, originally a follower of Pi y Margall, departed from his mentor in laying greater stress upon the development of a regionalism which should be specifically Catalan, divorced from the more general Spanish federalist movement. With his book *Lo catalanisme* he became the founder of the left republican wing of the Catalan regionalist movement. He edited the newspaper *Estado catalán*, which was published in Spanish; in 1879 he followed with *Diari Catalá* and in 1882 he founded the Centre Catalá, whose purpose was to further the Catalan idea and whose membership was drawn from the most diverse political tendencies.

The regionalist movement in Catalonia is as variegated as that of France. "Clericals and anticlericals, catholics and free thinkers, men of the right and men of the left . . . reactionaries and liberals . . . ," according to Madariaga are participants. The bishop of Vich, Torras y Bages, with his *Tradició catalana* (Barcelona 1892), represents the Catholic right wing. For Almirall Catalonia signified " progress, free thinking and democracy," for Torras y Bages, "faith, order and above all tradition." Neither of them, however, has regarded Catalonia as a nation.

Enrique Prat de la Riba represented a decided step in this direction. To him Catalonia was a nation. His ideal was a federation of all Catalan speaking regions—Valencia, Balearic Islands and Catalonia proper. Although his ideas marked an advance over the older romantic regionalism, Prat did not abandon romantic dreams completely; indeed he hoped for the inclusion of the Catalan speaking districts of France. For Spain he desired an Iberian federation with greater Catalonia, Castille and Portugal as the confederate states. Until his death Prat was the undisputed spiritual leader of Catalonia; the present leader, Cambó, is his disciple.

The Centre Catalá, founded by Almirall in 1882, could not permanently hold together the entire Catalan regionalist movement. Another branch of the movement developed, more moderate in political outlook aside from the Catalan question; it founded the Lliga de Cataluñya in 1887 and a newspaper, *Renaixença*. The Lliga became the most important instrument of the Catalan movement.

In 1892 the assembly of Manresa was convened and a list of Catalan demands was drawn up, which has come to be known as *Las bases de Manresa*. Spain was to be reorganized on a federative basis and Catalonia was to retain control of all branches of internal administration, including the right of coinage and military powers. The federal government was to direct all matters common to the federal states: defense, foreign policy, interstate communications and tariffs. The expulsion of non-Catalans from all public offices in Catalonia was also demanded.

While theoretical questions and programs of action which could scarcely be realized at the time were being discussed at the assemblies of Reus (1893), Balaguer (1894) and Olot (1895), Catalonia was shaken between 1892 and 1896 by a series of anarchistic outbreaks. Furthermore with the signing of the Peace of Paris in 1898 Spain lost the remainder of its colonial possessions. Out of the crisis which followed this defeat all the political parties emerged in different forms.

At the turn of the century Catalan regionalism entered a new stage. The Centre Nacional Catalá and the Unió Regionalista combined, scored a victory in the elections of 1901 and soon thereafter were amalgamated into the Lliga Regionalista. The leaders of this important Lliga were Prat de la Riba and the jurist and politician Cambó. The "radical," anticlerical, bourgeois revolutionary and republican forces in Catalonia were headed by Alejandro Lerroux.

In the new Spanish Republic the demands of the Catalans, Galicians and Basques for autonomous administration of their affairs in the fields of culture and education, public works, transportation, justice and police have played a significant role. The Catalan state president, Maciá, originally an extreme separatist, toned down con-

siderably his earlier bold demands for independence. The "Catalan Statute" put through by him in September, 1932, is very moderate. The Catalan republic was proclaimed a few hours before the Spanish Republic. But the Generalidad de Cataluñya, which has been called "something between a state and merely a functional league of provinces" or a "sort of glorified county council," is really no state at all, despite the fact that it entered into an agreement with the Spanish state as an independent party. According to the statute, Catalonia may regulate its own educational system; it also possesses certain civil legislative powers and its own municipal administration. Spanish and Catalan are both recognized on a basis of equality as the languages to be used in the schools and in the administration. Catalonia is to carry out the laws of the central government, which retains command of foreign policy, defense, the right to declare war, as well as the imposition of indirect taxes and duties.

The Basque inhabitants of the provinces of Álava, Vizcaya and Guipúzcoa, like those of Navarre, have maintained a separate existence in the Spanish monarchy for a long time. The king was only the *seigneur*. The Basques governed and administered their own affairs and did not pay taxes or render military service; their country lay outside the Spanish customs border. These privileges were known as the Basque *fueros*. During the Carlist War (1834–39) the Basques in their struggle for the absolutist ruler rallied to the cry, *Paz y fueros*. The temperament of the people, the topographical peculiarities and the influence of the church have served to preserve the inclination to separatism; the local church was not in the least anxious for the spread of the Castilian language.

At the beginning of the twentieth century, when the Catalan movement had just reached its apex, an enthusiastic Basque student, Sabino Arana-Goiri, was studying in Barcelona. When he returned to Vizcaya he sought to arouse a particularist movement in his homeland. He wrote *Bizcaya por su independencia* (in Spanish, Bilbao 1892) but died at an early age in 1903 without having attracted any appreciable following. Three years after his death the nationalist Basque party was founded in Bilbao. It declared itself for "the tradition, the church, the ancient laws and institutions of the land, language and art of the people." Spanish industry, banking, the technical world and particularly the professions are filled with men of Basque origin who consider Basque nationalism an aberration. In economic circles too this nationalism arouses almost no respect, although one of its most energetic benefactors is a well known steel magnate of Bilbao. The desire for autonomy, however, is recognized and the Basques are responsible for the creation of the most progressive communal and provincial administration in Spain.

The Galician movement represents primarily a revival of a forgotten language and culture. Galician is closer to Portuguese than to Spanish. Castilian poets, up to the fifteenth century, often chose the Galician language for their lyrics. Galician was discarded then as was the Catalan tongue, and it became the language of the lower classes. Today, on the other hand, the Galician verse of Rosalia Castro and the Catalan poetry of Maragall represent the best lyric expression of nineteenth century Spain. At the opening of the twentieth century language societies, such as the Irmandadedes da Fala, were formed with a view to reviving Galician as a cultural tongue. A Seminario de Estudios Gallegos is still in existence. Some of the leaders look upon the old University of Santiago de Compostela as the future center of a new Galician culture.

In Italy regionalism has played a modest role. Here too it often appears as a mild form of federalism. Thus at the time of the Risorgimento the neo-Guelphian school represented by Gioberti maintained that Italy should be a federation of states headed by the pope. Cattaneo, elaborating on the ideas of Dante, looked toward a strong federation (*lega di stati*) under the presidency of an emperor, while the revolutionary republican Ferrari advocated a loose republican federation. Mazzini in 1861 published a pamphlet, *L'unità italiana*, in which he advocated the formation of twelve regions. Montanelli followed with *Dell'ordinamento nazionale* (Florence 1862). In these and similar writings of republicans the discussion no longer centers about the creation of a confederation, but rather the establishment of local administration in a unified Italy.

When in 1859 the Sardinian monarchy assumed the administrative organization of the newly won territories (Lombardy, Emilia, Sicily, Umbria), powerful voices were raised in behalf of administrative regionalism, and legislative measures to that effect were introduced into Parliament. The minister of the interior, Farini, entertained such plans and his successor, Minghetti, was strongly in favor of such ideas. An opponent of French centralization, although

he objected also to imitation of the American or Swiss constitution, he advocated the combination of a strong unitary policy with good local administration. He thought that self-sustaining regions should hold the balance between the old historical provinces and the new territorial entities created by the government and should assume fairly far reaching powers of self-government.

Despite Minghetti's proposals and others a system of centralization, modeled on the French, made headway. Such a system, it was hoped, would be better able to consolidate the union and overcome the particularist aspirations in the annexed regions. The fifty-nine—after the acquisition of Venetia and Rome sixty-nine—provinces were fashioned along the lines of the French *départements*. The local officials, governors and syndics, appointed by the central government, correspond to the French prefects and mayors.

Centralization remained practically unchanged in Italy until the late nineteenth century. With the advent of the left to power in the 1880's and 1890's individual proposals like those of Crispi were put forward. These also dealt with the problem of a new grouping of the provinces, but they had no concrete results. Many scholars and politicians of the period, such as Bertolini, Marchetti and Calenda di Tavani, published monographs on the problem of regionalism. Saredo, in his commentary to the communal and provincial law (6 vols., Turin 1890–98), recommended the creation of regions based on geographic, historic and social factors.

The problem of regionalism did not come to the fore again until the eve of the World War, when the voice of a republican was raised in its favor. In his *Decentramento politico e amministrativo* (Rome 1914) Macaggi introduced the proposition that the Italian Parliament was overburdened with questions of detail. Like many in French democratic and republican circles, he declared the monarchy, hampered as it was by historic tradition, to be incapable of decentralization. He was aware of the fact that even republican France also suffered from an overdose of centralization, and he cited the reform projects of Leroy-Beaulieu and Briand. His own regionalist proposals were more emotional in character and were not elaborated in any detail.

There was a revival of regionalist feeling in Italy after the World War. This was partially a reflection of the fact that the newly annexed regions, which under Austrian rule had enjoyed a marked degree of self-government, did not allow themselves to be incorporated without friction into the centralized system. Two tendencies may be distinguished during this period. One was represented by a Catholic peasant party, which maintained that agricultural interests could best be preserved in a regionally administered system. Traces of the neo-Guelph party were continued in this party, although a strong regionalist program was never formulated. Much less significant was the second tendency, called "insular" or "Sardinian," which created a stir for a short period. It was a sort of reactionary federalism similar to that in Brittany and the Basque provinces. A population cut off from the great stream of modern ideas by its geographical position desires to preserve its old physiognomy and hopes to realize this in a region with a definite political status. When the proponents of such theories were reminded that these far from economically prosperous regions could not exist without the help of the central government, they reduced their demands, advocating merely an administrative regionalism which would divide the tasks of state and region somewhat along the lines of the old program of Saredo. Later these demands were still further modified; the object now was decentralization rather than regionalism. In the parliamentary debates of February 26, 1921, a demand was made for local officials with the necessary powers to maintain a system which may be designated as deconcentration. In the completely centralized Fascist system, however, there is no room for true regionalism.

The United Kingdom has had to face problems which have been considered as aspects of federalism: the Scottish autonomy movement and the Irish question. On the other hand, certain of its problems have been compared to those of French regionalism. Here the prime desideratum was to lift the burden of government from the central Parliament. This problem had already occupied public attention at the time of Gladstone, who, in inaugurating the so-called committee system, had transferred certain powers from the plenum to committees. In the meantime another solution was proposed. The Irish, seeking to utilize the separatist tendencies of the Welsh and the Scotch for their own home rule, issued the slogan of "Home rule all round." According to this plan certain functions of the central Parliament were to be transferred to the nationally constituted governments of Ireland, Scotland, Wales and England. Had

this system been realized, the United Kingdom would have been transformed into a confederation of states.

At the Conference on Devolution of 1920 Murray Macdonald represented the system of national devolution, or complete devolution, which was identical with that of "home rule all round." Separate parliaments, to be elected in England, Scotland and Wales, were to be "subordinate to, but separate from the parliament of the United Kingdom." A counter proposal was presented by Lowther, who advocated the setting up of grand councils in England, Scotland and Wales "consisting of a Council of Peers and a Council of Commons, the latter to be composed of all the members returned to the House of Commons to sit for the constituencies in that area." Herman Finer subsumes under the problem of devolution the narrower one of regionalism as "devolution to locally elected bodies, in large, non-national areas, coincident with certain districts on which industrial, commercial, agricultural, transport and social factors impress an unity of interests." Finer holds that no appreciable diminution of the burdens of Parliament would result ,"for the services which could be regionalized would save practically no time, while those which would save time could not possibly be regionalized."

In the United States regionalism has really never appeared. Such sectional manifestations as have occurred in the history of the country from time to time—the threat of New England to break away from the union in 1814, the secession of the southern states in the Civil War, the alignment of the agrarian west and south against the industrial east in 1896—were the results of economic antagonisms rather than consciously held regionalist philosophies. Certainly as far as tradition, culture and language are concerned, if the small, occasional and temporary islands of immigrant settlement are excepted, the United States has always presented the aspect of a unified nationalist grouping. Efforts have been made, however, to foresee the future development of the United States along regionalistic lines, notably by the historian Frederick J. Turner, whose theory of sectionalism is in effect a regionalist approach. Thus in 1925 Turner wrote: "The significant fact is that sectional self-consciousness and sensitiveness is likely to be increased as time goes on and crystallized sections feel the full influence of their geographic peculiarities, their special interests, and their developed ideals, in a closed and static nation." He even went so far as to say that "economic interests are sectionalized." Aside from a small southern literary coterie, which has sought to redirect southern life into the old and abandoned pre-Civil War channels, there has been but slight substantiation of Turner's prediction.

The new state of Poland has also been confronted with what may be termed regionalist problems. The present day administration of Poland with its *województwa*, *starostwa*, mayors and communal representatives is very similar to the centralized system of France. The provisions for the autonomous administration of the *województwa*, districts, towns and village communities have not yet been made uniform. The Polish regionalist movement, like that of France, is of romantic origin and goes back to Adam Mickiewicz (1798–1855) and the Philomates, that enthusiastic circle which flourished in Vilna, Nowogródek and Lithuania. Stanislaw Witkiewicz and Kasimir Tetmajer, on the other hand, sought to make Podhale, the northern slope of the Tatra Mountains, into a Polish "Provence." Tetmajer's *Na skalnem Podhalu* (In rocky Podhale, 5 vols., Warsaw 1904–10) and Witkiewicz' *Na przełęczy* (On the pass, Warsaw 1891) are the classic expressions of this Tatra regionalism. Cultural regionalist demands analogous to those of Mistral and Barrès are also to be found in contemporary Poland. The school should cultivate the characteristics of the narrow regional homeland and direct its efforts toward the development of a natural patriotism rooted in the soil. Art and science are to draw their sustenance from the locality. A Bibljoteka Regionalna and regional museums are valued highly. In Poland too a regionalism with administrative and economic aims has developed out of this cultural regionalism. Zborowski, director of the Tatra museum in Zakopane, has set up a program which, while it does not infringe upon the unity of the state administration, demands decentralization and self-government at least with regard to cultural and economic activities and the administration of justice. The problem of the revision of the map has also emerged in Poland in connection with changes in district boundaries. Since 1926 there has been a demand for economic regions differing in type according to their location, population and culture. Regional commissions of *województwa* have studied in detail the possibilities of regionalist reforms and have become particularly active in Lublin and Warsaw.

In Germany the movement which has been

called regionalism during the last decade had still another orientation. Here the aim was not to minimize the effects of state centralization but rather to reorganize Germany on a new economic, geographical, cultural and social basis, without too much concern over the boundaries of the old federal states. The German regionalist movement sought to pave the way for the German unified state. This is evident in Apelt's book *Vom Bundesstaat zum Regionalstaat*, in which the regional state is depicted as an intermediate stage between the federal and the unified state. In 1926 the national committee of the Republikanischer Reichsbund convoked a congress of leaders and issued a noteworthy memorial entitled *Welche Wege führen zum deutschen Einheitsstaat?*. In German republican and democratic circles as well as in the columns of the *Sozialistische Monatshefte* the question of state regionalism was connected with that of the organization of Balkanized Europe into a customs union and a community of nations. These projects together with the proposals of French regionalists like Jean Hennessy, Charles Brun, Lucien Coquet and the European aspirations of the Alsatian René Schickele justify Gooch's characterization of regionalism as a manifestation of world federalism.

HEDWIG HINTZE

See: TRADITIONALISM; PATRIOTISM; NATIONALISM; MINORITIES, NATIONAL; IRREDENTISM; ETHNOCENTRISM; ETHNIC COMMUNITIES; ISOLATION; LANGUAGE; DIALECT; DECENTRALIZATION; AUTONOMY; FEDERATION; FEDERALISM; ADMINISTRATIVE AREAS; MINORITY RIGHTS; LOCAL GOVERNMENT; GEOGRAPHY.

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REGISTRATION. *See* STATISTICS.

REGISTRATION OF TITLES. *See* LAND TRANSFER.

REGISTRATION OF VOTERS. The purpose of registration of voters is to prevent voting frauds. The requirement that all electors wishing to vote shall be registered prior to the election makes it possible for party workers or, if the state laws so provide, for election officers to investigate their residence and other necessary qualifications. In rural communities and small municipalities, where the election officers are usually acquainted with the voters, there is little need for registration; but in large cities, where the election officers cannot be expected to know all the residents of the precinct, it is essential. In the United States it was common in some cities before the adoption of registration systems for corrupt party organizations to employ "repeaters," who on election day went from precinct to precinct voting under fictitious names and sometimes from fictitious addresses.

The first registration law in the United States was enacted by Massachusetts in 1800. The assessors were required under this act to prepare a list of qualified electors, which was posted and revised prior to each election. Other New England states adopted registration laws within a few years, but most of the states elsewhere did not provide for registration until after 1850. New York, for example, enacted a registration law in 1840 applying to New York City, but repealed it two years later and did not again require

registration until 1859. Pennsylvania enacted a registration law for Philadelphia in 1836 and for the entire state in 1869. Most of the early laws were defective and did not put a stop to voting frauds. In Pennsylvania, for instance, gross election frauds prevailed in the large cities prior to the adoption of a compulsory, personal registration law in 1906.

At present only two states, Texas and Arkansas, do not provide for registration; they do, however, require the payment of a poll tax for voting, and the lists of poll tax payers are sent to the polls and serve somewhat as a registration. In many of the other states registration is not required for rural districts and cities with less than a designated population. In some there is a special registration law with a simpler procedure applicable to rural districts and small cities.

Registration systems in the United States differ widely from those in other countries. In the former the work is ordinarily performed by special election officers, often by a special registration board for each voting precinct, to which the voter is required to apply in person; in other countries registration lists are customarily compiled by some public officer or committee, from assessment and police records, and without personal application by the voter. In England the registration lists are compiled annually by the assessing officers and after being duly published by the town clerk are corrected by the revising barrister of each of the electoral districts, who holds hearings for this purpose. In the dominions in general, however, special election officials prepare the registers of voters. In France (except Paris, which has a somewhat different system) the lists are prepared by a special board in each commune (or in each election district, if there is more than one in the commune), consisting of the mayor (or, if a district, an adjoint designated by him), a member selected by the municipal council and a third member appointed by the prefect. The necessary information concerning the residents is secured from the perpetual census which every commune maintains. After the list has been posted, a communal (or district) court of revision, composed of the registry board with the addition of two members selected by the municipal council, hears and decides protests against the omission or inclusion of particular names. Appeal is allowed from the decision of these courts and may be carried as high as the Court of Cassation; actually, however, few appeals are taken. In the German cities the lists of voters are compiled by the municipal election bureau from the elaborate registration records maintained by the police. The list is kept up to date through information obtained from the police, reports of deaths and marriages and court decisions involving disqualification. Provision is made for hearing complaints regarding the lists and also, under exceptional circumstances, for allowing persons to vote even though their names are not on the register. Such permission, evidenced by a *Wahlschein*, is sparingly given, normally amounting to much less than 1 percent of the votes cast. Munich employs an elaborate system of self-registration which does not involve personal appearance but is managed through the distribution of blanks by the owners and superintendents of dwellings. The voters' returns, however, are checked against lists obtained from police records.

Registration laws in the United States are of several types. They may be classified as compulsory or non-compulsory, depending upon whether or not a person may vote even though he has not been duly registered prior to election day. Registration laws are usually compulsory, but in a number of states a qualified elector who has neglected to register may register and vote on election day. Ordinarily he is required to produce two or more witnesses to swear to his qualifications. Non-compulsory registration laws have been made necessary by court decisions holding compulsory registration invalid. The experience in several states indicates that this type of registration is subject to abuse in hotly contested elections.

Registration systems may also be classified as personal or non-personal, depending upon whether the voter is required to apply in person for registration. In large cities personal registration is the rule, but in a number of states the registration officers of each precinct are authorized by law to meet on a designated day and prepare a list of qualified electors of the precinct. In actual practise they usually copy the register used at the previous election, with the result that many names of persons who have died or moved out of the precinct are continued on the registers for years. Non-personal registration leads to padded lists and instead of providing a protection against voting frauds actually encourages them. It is supposed to be the most convenient type for the elector, who is registered without having to bother about it himself, unless he moves from one precinct into another, in which case it is necessary for him to ascertain that his name has been placed on the list.

Registration systems may be permanent or periodic, depending upon the frequency with which a new, general registration is required. Under a periodic system the existing registration lists are discarded and all voters are required to register again periodically (annually, biennially or quadrennially). The principal criticisms of this system arise from its cost and bother to the voters. Within recent years there has been a considerable movement toward permanent registration, under which the voter, once registered, remains so as long as he continues to reside at the same address. The voter is usually registered upon an individual record, consisting of a card or loose leaf form; if he changes his address within the same city he is permitted to transfer his registration to his new address, with less bother than a new registration would involve. The movement for permanent registration is indicated by the following list of states which have recently adopted it: Minnesota in 1923; Wisconsin and Iowa in 1927; New Jersey in 1928; Michigan and Ohio in 1929; Kentucky and California in 1930; Washington in 1932; Indiana in 1933. Permanent registration bills have been introduced in a number of the other states within recent years, and the movement will probably continue to spread.

A great deal of criticism has been raised against the existing periodic registration systems, which are expensive, unduly troublesome to the voters and unsuccessful in preventing voting frauds. The annual cost of registration per voter in some cities with such systems averages nearly one dollar, while under permanent registration the cost has been about thirteen cents per voter in Milwaukee and only slightly higher in other cities. The average annual cost of registration per voter in some of the larger cities of the United States has been estimated as follows:

New York	$ .711
Philadelphia	.840
Chicago	.646
Boston	.554
Detroit	.223
Baltimore	.637
Cleveland	.763
St. Louis	.580
Milwaukee	.137
Kansas City	1.080
San Francisco	.423
Omaha	.260
Portland, Oregon	.134

Boston, Milwaukee, Omaha and Portland have permanent registration, while Detroit, Cleveland and San Francisco have adopted permanent registration since these cost statistics were computed. The high cost under periodic systems is caused by the necessity for carrying on a general registration of all voters every year or so, with a large number of precinct registration officers and with such incidental costs as rental of registration places, records, advertising and printing.

Permanent registration usually results in the registration of a somewhat higher percentage of qualified electors than do periodic systems. Other factors, however, such as the closeness of elections, the strength of party organizations and popular interest, are equally or more important in this connection. A detailed statistical study of the percentage of eligible electors registered under each system in comparable large cities shows that under permanent registration from 5 to 15 percent more voters register than under periodic systems.

Another criticism of existing registration laws is that they have proved ineffective in preventing voting frauds. Some of the most striking cases of frauds within recent years have taken place in Chicago, Philadelphia and Pittsburgh, each with expensive and cumbersome registration systems. On the other hand, cities with permanent registration, such as Milwaukee, Omaha, Boston, Minneapolis and Portland, Oregon, have had no election scandals for years. The most expensive registration systems may be the least effective in avoiding voting frauds. Many of the existing periodic registration systems are too well controlled by the precinct party organization; the voter is not identified at the polls by means of the signature; and the means for investigating and keeping the lists corrected are often defective.

The features which have been commonly adopted with recently enacted registration laws, and which may be looked upon as essential to a sound system, include the following: central registration at the election office of each city throughout the year; individual card or loose leaf records for each voter; provisions whereby the voter may send in a signed request for transfer; correction of the lists for deaths, transfers and failure to vote over a two-year period, with resort to a house to house check up when necessary; identification of the voter at the polls by his signature; and permanent registration.

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See: ELECTIONS; VOTING; PRIMARIES, POLITICAL; CORRUPTION, POLITICAL; MACHINE, POLITICAL.

Consult: Harris, Joseph P., *Registration of Voters in*

the United States, Institute for Government Research, Studies in Administration (Washington 1929), with bibliography; Seymour, Charles, and Frary, Donald P., *How the World Votes*, 2 vols. (Springfield, Mass. 1918); National Municipal League, Committee on Election Administration, "A Model Registration System" in *National Municipal Review*, vol. xvi (1927) 45–86; Rocca, Helen M., *A Brief Digest of the Laws Relating to Absentee Voting and Registration* (Washington 1928); Munro, William B., *The Government of European Cities* (rev. ed. New York 1927); Wells, R. H., *German Cities* (Princeton 1932) p. 75–82.

REHABILITATION in recent times has come to have a specific meaning which relates it exclusively to disabled persons. In this sense it refers to the occupational reestablishment, with a view to complete or partial economic independence, of the physically handicapped and covers measures of every kind which tend to bring this about, whether they be therapeutic, psychological, educational or socio-economic.

The movement for rehabilitation has taken form largely within the present century. For generations the attitude toward the disabled had been one of aversion and neglect or of pity with its attendant almsgiving. With the increase in the number of disabled following the industrial revolution and the widespread introduction of machinery, social forces were called into being which undertook to cope with the problem. As early as the 1890's agitation on the part of the charity organization societies resulted in the establishment of a number of special bureaus for the employment of handicapped persons. Modern social work, an outgrowth of the charity organization movement, has through its case work approach continuously emphasized the policy of enabling the handicapped and dependent to become self-supporting. Other factors which hastened the development of a rehabilitation program were the rise of modern orthopedic surgery and the care of crippled children, which by the first decade of the twentieth century had advanced considerably on the hospital side and somewhat on the educational and vocational side. Workmen's compensation for industrial accidents, which had its origin in Germany in 1884 but did not take root in the United States until 1911, likewise directed public attention to the problem of the disabled. One of the secondary objectives of this movement was the search for methods of "reeducation" of injured workmen. The final influence serving to bring about a rehabilitation program was the World War. The attention given to the physical and vocational restoration of disabled soldiers and sailors in all countries led to the inference that methods which could restore war victims to economic efficiency would prove equally effective in the case of victims of industrial accident and disease.

In the United States the result of these various trends was the passage of the vocational rehabilitation act of 1920, which established for the first time a nation wide governmental service for the economic reclamation of the physically handicapped. Prior to the federal act twelve states had on their own initiative enacted legislation providing for the vocational rehabilitation of civilians, but in only six had the laws begun to function. The federal act created an advisory service and to states engaging in rehabilitation work furnished aid in proportion to the population and contingent upon the expenditure by the state of an equal amount from public funds or private funds cleared through the public treasury. The amount of federal aid authorized is $1,000,000 per year, but the actual appropriation and expenditure have never exceeded $979,000 in any one year. The federal aid and the equal sum appropriated or raised by the states are expended for administration, for tuition and supplies and in certain cases for artificial limbs or appliances where such are essential to rehabilitation. These funds cannot be spent for personal maintenance of the disabled during their period of training or for physical restoration or permanent equipment. Within a year after the passage of the federal act twenty-five states had accepted its terms and by 1933 the number cooperating had risen to forty-five, with the District of Columbia as an additional unit.

In the majority of states the administration of the rehabilitation program is lodged in a division or bureau of the state board for vocational education, which quite generally is affiliated with or identical with the state department of education. The administrative agency on the federal side is the Federal Board for Vocational Education, which had been created earlier by the Smith-Hughes Act of 1917. The execution of the work is left to the individual states. In the District of Columbia a later act of Congress authorized a direct service by the Federal Board for Vocational Education. The scope of activity permitted the states by the act of 1920 is very broad. Those eligible for rehabilitation are "persons disabled in industry or in any legitimate occupation," a phrase which has been construed to mean "any person who, by reason of a physical defect or infirmity, whether congenital

or acquired by accident, injury, or disease, is, or may be expected to be, totally or partially incapacitated for remunerative occupation." This definition includes victims of industrial and all other accidents; the victims of disease, such as children crippled by infantile paralysis; the tuberculous; the cardiac; the blind and the deaf; as well as persons suffering from congenital disabilities, such as clubfeet and spastic conditions.

Rehabilitation work is largely in the hands of persons drawn from the vocational education field who in addition have had training or experience in vocational guidance and placement and in social case work. Unlike the educational program of a state, it is not accomplished by working with clients in groups. Each case receives individual treatment and a large amount of personal supervision. Sometimes physical reconstruction is the chief end, while again the aim is the restoration of morale. But at all times expert guidance is essential, for the training of the physically handicapped presents special problems in addition to the general requirements of vocational preparation. As a rule the staff member to whom a disabled person is referred retains charge of him until final occupational adjustment has been effected. He makes a diagnosis of the case, plans and supervises the vocational training, arranges any incidental or supplementary services which may be necessary and attempts to find remunerative employment for the disabled person. After placement a certain amount of follow up work is usually necessary. As the rehabilitation program has proceeded, increasing stress has been laid upon vocational training. Instead, however, of direct provision for this training by the state rehabilitation bureau, the accepted practise is to make contracts with existing training agencies. These include public and private vocational schools as well as many business and industrial establishments where so-called "employment training," or training on the job, may be arranged. In this way training for a considerable number of occupations is possible. In the only comprehensive study made of the occupations followed by rehabilitated persons, that of the Federal Board for Vocational Education published in 1925, it was found that 628 different occupations had been utilized in rehabilitating 6097 persons.

Because of the close cooperative arrangements with industrial commissions enjoined by the federal act a large proportion of those helped by the official rehabilitation agencies are industrial accident victims. In the report of the Federal Board for the fiscal year ended June 30, 1932, they comprised 1709 out of the total 5550 who had been successfully restored to wage earning. The explanation lies in the fact that compensation cases are reported promptly, are usually assured of medical care and have an income which is often sufficient to assure the disabled person of maintenance while he is being trained. Of this total those disabled by disease during the year reported numbered 2159, those disabled by public accidents 1283 and the victims of congenital conditions 399.

When the type of injury is considered, leg disabilities are found to be the most numerous, constituting 2328 of the total number of cases in 1932. Hand disabilities numbered 569 and arm disabilities 419, or a total of 988 for the upper limb disabilities as contrasted with a total of 2640 for the lower limb disabilities, the latter figure representing the 2328 leg disabilities and the 312 foot disabilities. These statistics confirm the experience of rehabilitation workers as to the readiness with which the vocational adjustment of the various types is secured. Hand and arm disabilities are found to be the greatest handicap.

For the blind and the deaf separate activities have existed for many years. Rehabilitation work has therefore been of help to these groups chiefly through its flexibility of training and its readiness to experiment along new lines. The number of totally blind clients rehabilitated during the year ending June 30, 1932, was 104, of partially blind 277. There were 151 deaf and 155 partially deaf. Although the tuberculous are included in the definition of disabled persons, the number treated thus far has been negligible. Likewise cardiac cases while considered eligible have been represented to only a small degree. Because the scope of the program, both federal and state, has been restricted to permanent physical disabilities, the mentally handicapped have not been taken into consideration except in cases where a neurosis accompanies the physical affliction. Rehabilitation of war victims was in the hands of a special agency of the government under the Veterans' Bureau until 1926. Since that time any disabilities which persist or reappear are referred to the agencies serving civilians.

Occupational therapy, which has many points of contact with rehabilitation, has been valuable as a special service in reclaiming the victims of industrial accidents. Its usefulness was demonstrated during the World War, when disabled

soldiers in army hospitals were provided with light manual occupation, such as basketry, weaving, rug making and other forms of handicraft. This work, carried on under medical supervision, was at first diversional in character and later developed a practical prevocational significance. Although occupational therapy has a therapeutic rather than a directly economic objective, it has been of value in restoring the morale of disabled persons, in effecting functional improvement in orthopedic cases and in discovering aptitudes which could later serve as the basis for economic rehabilitation.

With the advent of the official federal-state service there arose a strong tendency to centralize all rehabilitation work in public agencies. In some instances private placement bureaus working for the rehabilitation of the crippled were discontinued. In others coordination with the state service was effected. As rehabilitation work increased in volume, the movement for local participation by cities and counties gained considerable support. Under this plan rehabilitation workers are engaged by the cities or counties, usually with some financial assistance from the state, and the program is conducted under the general supervision and with the cooperation of the state. Thus it has been possible to enlist the aid of a greater variety of cooperating agencies and to increase the number of disabled persons who are given care. In addition to the industrial commissions which refer the compensation cases the most active participating agencies in this local rehabilitation movement are the hospitals and schools for crippled children, which report their patients as rapidly as they reach vocational age, public health nurses, family welfare organizations and associations for the care of the tuberculous.

When a handicapped worker is considered with a view to placement, attention is given to his general qualifications, the nature of his handicap, his physical condition in other respects and his age. Another important factor is whether he is entering an occupation in which he has had previous experience or a new field for which he has been retrained. In some states placement is handled through the regular public employment offices, while in others it is a distinct service performed by the rehabilitation agency. Both methods are still in the experimental stage, and the results thus far obtained have supported the principle of treating the rehabilitation problem as a unit rather than as a number of separate services.

In the early years leaders of the rehabilitation movement believed that the increasing mechanization of industry would open up many new opportunities for the physically disabled. Experiments by a few large factories proved that in the limited operations favored by modern industry the handicapped could succeed quite as well as the able bodied. In general, however, employers hesitated to hire disabled workers because of the additional hazard to which such persons were exposed and also in most states because of the employer's liability under the workmen's compensation laws for complete disability benefit in the event of further injury.

That rehabilitation is closely related to social insurance developments in the United States as in other countries is shown by its place in the workmen's compensation movement and particularly by the references to it in the compensation acts of New York, Minnesota, Wisconsin, North Dakota and other states as well as in the federal Longshoremen's and Harbor Workers' Compensation Act. Experience has shown that rehabilitation is generally more effective in states where it is correlated with the workmen's compensation acts. In New Jersey, for example, the permanent disability award is discontinued after four hundred weeks if the worker declines to submit to such treatment as has been recommended by the state rehabilitation commission. In Oregon rehabilitation is made available to a larger number of industrial accident victims by the provision, under the workmen's compensation law, of living expenses for the injured person and his dependents during his period of training. New York, Wisconsin and Minnesota also provide special retraining benefits for the industrially injured.

The force which has urged and supported continuance of the federal participation is the National Rehabilitation Association, an organization of professional and lay persons interested in the vocational restoration of the disabled of all types. An active ally has been the International Society for Crippled Children. Other groups which have done effective work in promoting rehabilitation and government administration of programs include war veterans' organizations, trade unions and labor groups.

Definite statistics as to the exact number of the disabled for whom vocational rehabilitation is feasible are quite generally lacking. According to the Federal Board for Vocational Education the number in the United States, including victims of both accident and disease, ap-

proximates 84,000 annually. The total number actually rehabilitated by the official service since the beginning of the work is said to be about 55,000. It is evident therefore that unless a very considerable group are given care by private agencies or unless many more than generally supposed are able to make their own adjustment, a large number are still in need of assistance. It is significant that the majority of those who have been made self-supporting are between twenty and thirty-five years of age. In the experience of rehabilitation workers, while it is not impossible for a person who is disabled at fifty to be retrained, his chances of success are less than those of a younger man. Perhaps the best indication of the success of a rehabilitation program is a comparison of rehabilitated and non-rehabilitated workers in terms of their earning power. That the former group has a distinct advantage over the latter is evident from the following table, which is a summary of a nation wide study of 6400 rehabilitation cases made by the Federal Board for Vocational Education in 1927–28:

	Skilled	Unskilled
Average wage before disabled	$28.85	$19.71
Average wage after disabled	4.92	5.15
Average wage in rehabilitation job	26.61	22.10

In general the difference between the system of rehabilitation prevailing in the United States and the system in European countries is that the American plan contemplates governmental action and administration with incidental cooperation from private agencies, while in Europe the method followed is work by private agencies with governmental subsidies. The first country to adopt a policy of rehabilitating cripples under public auspices was Belgium. A school opened at Charleroi in 1908 was doing effective work when the World War broke out. In 1914 a similar institution, the École Joffre, was established in France at Lyons and later became the model for other schools in that country and elsewhere on the continent. At the present time France is the only nation that has followed the United States in establishing a governmental agency for rehabilitation—the École de Rééducation Professionelle des Mutilés operating under the Ministry of Pensions, which has charge of the war disabilities. An interesting feature of the French law is that it makes vocational training compulsory for any persons who have suffered amputation and who are also eligible for a military pension. The effect of this requirement is to induce many cripples who might otherwise remain pensioners or become public charges to take advantage of vocational training and eventually become self-supporting.

The organization which has general charge of rehabilitation in England is the Central Council for the Care of Cripples. Assistance from public funds is available for training under the Education Act of 1921. In the Scandinavian countries the existing system was brought about largely through the efforts of the Danish clergyman Hans Knudsen, who in 1872 began a movement which embodied all of the recognized principles of modern rehabilitation. Today these countries have well organized rehabilitation services, which for the most part are in the hands of private organizations and institutions subsidized by the government. Before 1914 Germany, like Belgium and Sweden, had already made considerable progress in the development of a system of vocational training for the disabled. The pressure of the war and the need for retraining soldiers caused the movement to expand rapidly and to become coordinated with civilian rehabilitation. At the present time Germany has the advantage of a statute which makes it compulsory for employers to hire a fixed percentage of physically handicapped workers, a system which of course presupposes and is based upon a careful plan of vocational guidance and training.

Rehabilitation depends for its successful accomplishment upon public support. Together with accident prevention and workmen's compensation it is an essential factor in overcoming the disabling effects of modern industry. The future of the movement, however, rests not so much upon its own expansion in terms of government expenditures and successfully rehabilitated cases as upon the solution of the larger problem of unemployment.

OSCAR M. SULLIVAN

See: ACCIDENTS; ACCIDENTS, INDUSTRIAL; INDUSTRIAL HAZARDS; MOTOR VEHICLE ACCIDENTS; DISASTERS AND DISASTER RELIEF; BLIND; DEAF; CRIPPLES; VETERANS; UNEMPLOYMENT; BEGGING; CHARITY; SOCIAL WORK; VOCATIONAL EDUCATION; WORKMEN'S COMPENSATION; SOCIAL INSURANCE.

Consult: Sullivan, O. M., and Snortum, K. O., *Disabled Persons, Their Education and Rehabilitation* (New York 1926); Bowers, Edison L., *Is It Safe to Work?* (Boston 1930) ch. x; Harris, Garrad, *The Redemption of the Disabled* (New York 1919); Anderson, Roy N., *Disabled Man and His Vocational Adjustment: a Study of the Types of Jobs Held by 4,404 Orthopedic Cases in Relation to the Specific Disability* (New York 1932); Collis, A. J., "Reclamation of the

Disabled" in Collis, E. L., and Greenwood, M., *The Health of the Industrial Worker* (Philadelphia 1921) ch. xviii; Dunton, W. R., *Prescribing Occupational Therapy* (Baltimore 1927); Bittard, A. L., *Les écoles des blessés* (Paris 1916); United States, Federal Board for Vocational Education, "Vocational Rehabilitation in the United States" by J. A. Kratz, *Bulletin*, no. 120 (1927), "A Study of Rehabilitated Persons" by Tracy Copp, *Bulletin*, no. 132 (1928), and "Workmen's Compensation Legislation in Relation to Vocational Rehabilitation" by F. J. Clayton, *Bulletin*, no. 126 (1927); Copp, Tracy, "Gains in Vocational Rehabilitation" in *American Labor Legislation Review*, vol. xvii (1927) 79–86; "Rehabilitation of the Wounded," ed. by Carl Kelsey, in American Academy of Political and Social Science, *Annals*, vol. lxxx (Philadelphia 1918); Richter, L., *Das Gesetz über die Beschäftigung Schwerbeschädigter*, Bücherei des Arbeitsrechts, n.s., vol. vii (Berlin 1927).

REICHENSPERGER, AUGUST (1808–95) and PETER FRANZ (1810–92), German Catholic political leaders. August Reichensperger was born in Coblenz, served as provincial judge in Cologne and Treves and in 1849 was appointed appellate judge in Cologne. As a member of the Frankfort National Assembly in 1848 he attacked the revolution on the ground that its recognition would result in a permanent state of revolution. He defended the fundamental law of personal freedom but was opposed to unlimited freedom of occupation and uncompensated peasant emancipation and agrarian reform. As a Catholic he advocated freedom for the church and the clerical order. For several years he was a member of the Prussian assembly and leader of the Catholic deputies. He played an outstanding role in the establishment of the Catholic Center party, which he and his brother Peter along with Mallinckrodt led during its early years. In the Reichstag he fought against the growing military appropriations and in 1879 advocated universal disarmament. Originally he opposed the anti-socialist law of 1878 but defended it later because of the radicalism of the Social Democrats. He advocated the independence of federal from state finances as a means of safeguarding the Reich's federal constitution. He played a major role in German social reform legislation, always emphasizing the necessity of a Christian basis for the political order and for personal liberty. Although he was a supporter of monarchical government, he believed it should be founded on democratic institutions.

Peter Reichensperger was born in Coblenz. In 1850 he became appellate judge in that city; from 1859 to 1879 he was counselor to the higher tribunal in Berlin. For four decades he served as a member of the Prussian state assembly and for twenty-one years as a member of the Reichstag. Like his brother he was an opponent of economic and political liberalism but an advocate of personal freedom based upon a Christian moral order.

The Reichensperger brothers stemmed from the upper liberal Catholic bourgeoisie of western Germany, which was influenced by the temporary French annexation of the Rhineland and by close contact with the west. Despite this liberal aspect, however, the Reichenspergers preserved the conservatism characteristic of hidebound Rhenish Catholicism, which determined their political philosophy as well as their economic and social ideas.

G. BRIEFS

Consult: Pastor, L., *August Reichensperger*, 2 vols. (Freiburg i. Br. 1899); Oncken, Hermann, *Historisch-politische Aufsätze und Reden*, 2 vols. (Munich 1914) vol. ii, p. 303–21; Schmidt, Franz, *August Reichensperger*, Führer des Volkes, vol. xxiv (München-Gladbach 1918); Bachem, Karl, *Vorgeschichte, Geschichte und Politik der deutschen Zentrumspartei*, 9 vols. (Cologne 1927–32), especially vol. ii, p. 37–38 and 76–77.

REICHSRAT. *See* LEGISLATIVE ASSEMBLIES.

REICHSTAG. *See* LEGISLATIVE ASSEMBLIES.

REID, WHITELAW (1837–1912), American newspaper proprietor and diplomat. Reid acquired his early newspaper experience chiefly on the Cincinnati *Gazette*, for which he was correspondent on the Civil War battlefields and in Washington. In 1868 Horace Greeley persuaded him to join the staff of the New York *Tribune* and in 1869 made him virtually managing editor. After Greeley's death in 1872 Reid acquired a controlling interest in the paper and for the next thirty-three years, except for short intervals, was actively engaged in its management. Under his ownership the *Tribune* became institutionalized; it was converted from the personal organ of an editor into a great newspaper property, and as such its ties with the prevailing order of things became closer and closer.

Following Greeley's candidacy for the presidency in 1872, for which Reid was largely responsible, the *Tribune* for several years steered an independent course, but by 1876 it was back in the Republican ranks and thereafter was generally regarded as a party organ. Nevertheless, Reid preserved a considerable degree of independence. While he could close his eyes to the weaknesses of Blaine, he consistently fought

the state bosses Conkling and Platt and freely criticized Republican administrations when he considered them blameworthy. On economic questions, however, the *Tribune* never deviated from the paths of regularity: it was a stanch defender of protection and sound money; it fought efforts at government regulation of industry and also labor's right to unionize; and the violence of its attacks on Bryan in 1896 (he was likened to Benedict Arnold, Aaron Burr and Jefferson Davis) had much to do with making that presidential campaign a bitter class contest.

In the 1890's Reid, in company with Captain A. T. Mahan, Albert Shaw, Theodore Roosevelt and Henry Cabot Lodge, became an ardent oversea expansionist, although he was by no means a jingo. A member of the peace commission following the war with Spain in 1898, he was the leading advocate of American retention of the entire Philippine archipelago. In writings and addresses thereafter he defended the constitutionality of expansion but opposed all plans for making states out of the new possessions. He supported warmly Roosevelt's policy in Panama and the Caribbean, predicting an American protectorate over all that area. Reid was minister to France during 1889–92 and ambassador to Great Britain during 1905–12. His career in the two capitals was marked by success in cultivating cordial relations rather than by any outstanding concrete achievements. In London particularly his Anglophilism and his personal charm promoted the growth of a friendly understanding between Great Britain and the United States.

JULIUS W. PRATT

Works: *After the War; a Southern Tour* (Cincinnati 1866); *Problems of Expansion* (New York 1900).

Consult: Cortissoz, Royal, *The Life of Whitelaw Reid*, 2 vols. (New York 1921).

REIMARUS, HERMANN SAMUEL (1694–1768), German historian and philosopher. Reimarus, professor of ancient languages and philosophy in his native city of Hamburg, lives in history primarily as the author of the *Fragmente*, which Lessing, against the author's wish, published as a supposed find in the Wolfenbüttel library.

Under the influence of Voltaire, Bolingbroke, Collins, Toland and Mandeville, Reimarus in the *Fragmente* attacked passionately all revealed religion. He related in his own language the *chronique scandaleuse* of the Old Testament. He transformed the history of religions into a history of clerical deceit, greed and ambition. His conception of Jesus as "armed prophet" was of the highest importance for the development of political thought: as Reimarus presents the story, Jesus desired to establish secular rule under the cover of religious phrases, at the head of a devoted following somewhat in the manner of Savonarola, the Münster Anabaptists or the English Fifth Monarchy Men. Only after an abortive rebellion did the apostles perpetrate a sort of "spiritual coup d'état" by dressing up the messianic myth in imaginative form. It was through their "communistic" welfare organization that the apostles won a political following. The modern view of primitive Christianity as a communist rebellion has its source in Reimarus, as have also modern judgments of the chiliastic prophets as leaders of a band of "saints" in a fight for power, booty and wealth. Notwithstanding the extreme nature of his conclusions and despite all his one-sidedness and shallowness, Reimarus' work exercised a stimulating influence on the study of the life of Jesus,on the recognition of the eschatological element in primitive Christianity and on the historiography of chiliastic social movements.

Reimarus was a confirmed opponent of the materialism of the French *encyclopédistes*. His *Wahrheiten der natürlichen Religion*, an almost classic German expression of deism, played a role in the history of German idealism. He incorporated the idealistic German trend of the philosophy of the Enlightenment as well as the later socio-philosophical optimism and eudaemonism. God, according to Reimarus, created an entirely reasonable world which has no need of miracles, revelation or redemption. The basic religious truths are contained in the "eternal evangel" of reason and are not tied up with any particular historical revelation in any particular corner of the earth's surface. Man is destined for happiness. Everything in the world has its purpose and is arranged for the use of living creatures. God's providence is revealed even in the folds of the rhinoceros' skin. Evil in the world is but an appearance and, as in later classical economics, becomes the cause of good through an "unseen hand." "It constantly points the course to the good."

Reimarus was also of great importance as a pioneer in animal psychology and animal sociology. He originated the concept of instinct. Praised as the founder of modern animal psychology, he stood in reality with Aristotle and the scholastics. He opposed ascribing intelligence to animals and thereby humanizing them.

Consequently, he attacked Rousseau's "human animals," as he called them, living without morality or society in a state of nature. He likewise attacked the pessimistic conceptions of human nature and society held by Mandeville and Machiavelli. "Reason, freedom and perfectibility" were for him the criteria of humankind and of human society.

MICHAEL FREUND

Works: *Wolfenbüttel Fragmente*, ed. by G. E. Lessing (Brunswick 1774–78), later ed. as *Fragmente des wolfenbüttel'schen Ungenannten* (Berlin 1784), tr. by C. Voysey (London 1879). The *Fragmente* can also be found in Lessing's collected works, vols. xi–xii of the Lachmann ed. (3rd ed. Berlin 1886–1924). The *Fragmente* is part of a larger work, "Apologie oder Schutzschrift für die vernünftigen Verehrer Gottes," not completely published; parts of it appeared as *Übrige noch ungedruckte Werke des wolfenbüttel'schen Fragmentisten*, ed. by C. A. E. Schmidt (n. p. 1787), and in *Zeitschrift für die historische Theologie*, vol. xx (1850) 519–637, vol. xxi (1851) 513–78, and vol. xxii (1852) 380–494. *Die vornehmsten Wahrheiten der natürlichen Religion* (Hamburg 1754; 6th ed. by J. A. H. Reimarus, 1791); *Die Vernunftlehre* (Hamburg 1756, 5th ed. 1790); *Allgemeine Betrachtungen über die Triebe der Thiere* (Hamburg 1760; 4th ed. by J. A. H. Reimarus, 2 vols., 1798).

Consult: Baumgartner, A., *Lessings religiöser Entwicklungsgang*, Stimmen aus Maria Laach, supplement no. ii (Freiburg i. Br. 1877) ch. viii; Engert, J., *Hermann Samuel Reimarus als Metaphysiker*, Studien zur Philosophie und Religion, no. 2 (Paderborn 1908), and *Der Deismus in der Religions- und Offenbarungskritik des Hermann Samuel Reimarus*, Theologische Studien der österreichischen Leo-Gesellschaft, no. 22 (Vienna 1916); Fittbogen, G., *Die Religion Lessings* (Leipsic 1923) ch. ii; Richardt, H., *Darstellung der moralphilosophischen Anschauungen des Philosophen Hermann Samuel Reimarus* (Leipsic 1906); Scherer, K. C., *Das Tier in der Philosophie des Hermann Samuel Reimarus* (Würzburg 1898); Schettler, R., *Die Stellung des Philosophen Hermann Samuel Reimarus zur Religion* (Leipsic 1904); Schweitzer, A., *Geschichte der Leben-Jesu-Forschung* (2nd ed. Tübingen 1913), tr. by W. Montgomery as *The Quest of the Historical Jesus* (London 1910) ch. ii; Strauss, D. F., *Hermann Samuel Reimarus und seine Schutzschrift für die vernünftigen Verehrer Gottes* (Leipsic 1862).

REINACH, SALOMON (1858–1932), French archaeologist. Reinach came of a prominent Jewish family which had moved from Germany to France early in the nineteenth century. He did active archaeological work in the Greek islands, Asia Minor and Tunis but his great contributions were made through his writings, which cover philology, archaeology, art, philosophy, anthropology, history and religion. In nearly a hundred books and more than five thousand articles Reinach reported and interpreted the findings of field workers and made available to other scholars vast stores of museum material. He was one of the first to apply anthropological theories in the explanation of archaeological data. Influenced by Frazer and Robertson Smith, he read signs of totemism and tabu into all the cultures of classical antiquity. After 1900 he turned to the scientific study of religions not only because of an interest in religious origins and history but because he felt that scientific understanding opened the way to popular emancipation from the thraldom of religion, which he defined as "a sum of scruples which interfere with the free exercise of our faculties." In reconstructing the origins of religion he drew materials from prehistory, preliterate cultures, survivals in modern cultures and the psychology of the higher animals, children and contemporary primitives. He concluded that the earliest elements in the religious complex were tabu and animism, the one resulting in social codes, the other peopling the environment with spirits in varying ramifications of fetishism, polytheism, ancestor cults and monotheism. The animistic element also led men to include animal and plant species in their own group, while tabu protected the members of these species. Totemism thus established was an important phase of early cultures leading to the domestication of animals and to agriculture. The host of spirits was controlled by magic, "the strategy of animism," which was the mother of the true sciences. The priesthood then organized the unwieldy and non-rational mass of tabus and so took the first step toward the emancipation of man from religious scruples which rationalism will some day complete.

A better understanding of the materials formerly classified under totemism has negated many of Reinach's interpretations. During the last two decades both anthropology and the science of religion have abandoned schematic theories of religious origins as well as the idea of a unilinear law of religious evolution, and they now tend to supplement the psychological approach with the findings of all auxiliary sciences. Reinach's reconstruction of religious origins, like those of all the pioneers, is outmoded but still retains the charm of a work of art.

For thirty years Reinach was joint editor of the *Revue archéologique*. As editor, professor at the École du Louvre and director of museums his life was devoted to scholarship. He took no active part in politics. The Dreyfus affair moved him to translate Lea's *History of the Inquisition*

(3 vols., Paris 1900–01). During the World War he interpreted American opinion in a four-volume work, and in his *Paix précaire ou paix durable* (Angers 1916; first published in English in *Nation*, vol. cii, 1916) he suggested a plan for permanent peace through disarmament and an international police.

A. EUSTACE HAYDON

Important works: *Manuel de philologie classique*, 2 vols. (Paris 1880–84, 2nd ed. 1883–84); *La nécropole de Myrina*, 2 vols. (Paris 1886–87), in collaboration with E. Pottier; *Répertoire des vases peints grecs et étrusques*, 2 vols. (Paris 1899–1900, 2nd ed. 1922–24); *Répertoire de la statuaire grecque et romaine*, 6 vols. (Paris 1897–1930, new ed. 1913–31); *Répertoire de peintures du moyen âge et de la Renaissance*, 6 vols. (Paris 1905–23); *Répertoire de reliefs grecs et romains*, 3 vols. (Paris 1909–12); *Répertoire de l'art quaternaire* (Paris 1913); *Cultes, mythes et religions*, 5 vols. (Paris 1905–23; vols. i–ii, 3rd ed., 1922–28), abridged translation in 1 vol. by Elizabeth Frost (London 1912); *Apollo; histoire générale des arts plastiques* (Paris 1904, 11th ed. 1926), tr. by Florence Simmonds (New York 1907); *Orpheus; histoire générale des religions* (Paris 1909, new ed. 1926), tr. by Florence Simmonds (New York 1909, rev. ed. New York 1930); *Lettres à Zoé sur l'histoire des philosophies*, 3 vols. (Paris 1926); *Chronologie de la guerre*, 10 vols. (Paris 1915–19); *Histoire de la Révolution russe (1905–1917)* (Paris 1917); *Amalthée; mélanges d'archéologie et d'histoire*, 3 vols. (Paris 1930–31).

Consult: Pottier, Edmond, in *Revue archéologique*, 5th ser., vol. xxxvi (1932) 137–54; Ricci, Seymour de, in *Revue des études juives*, vol. xciv (1933) 2–28, with bibliography.

REINACH, THÉODORE (1860–1928), French historian. Théodore Reinach was the youngest of the famous three Reinach brothers. His scientific interests were concentrated mainly upon the civilizations of ancient Greece and the Hebrews. He was active in Jewish communal affairs and was editor of the *Revue des études juives*. He contributed many short studies and articles on various aspects of Jewish history and culture and wrote a popular survey of Jewish history, *Histoire des Israélites* (Paris 1884, 5th ed. 1914), which was translated into several languages. His most important work in this field, however, was concerned with the history of the Jews in classical antiquity. His *Textes d'auteurs grecs et romains relatifs au judaïsme* (Paris 1895) is an important source for the study of the Jews in this period and his translation of and commentary upon the works of Flavius Josephus (vols. i–x, Paris 1900–29), which remained uncompleted at his death, are the standard authority for the life and works of this author.

Reinach's work was even more significant in the field of Greek history. He studied with extraordinary competence all phases of Greek civilization; numismatics, epigraphy, papyrology, philology, musicography, archaeology, science, law and history. He threw new light on the dynasties of Asia Minor by his studies on their coins. His *L'histoire par les monnaies* (Paris 1902) as well as his courses at the Sorbonne and at the Collège de France contributed greatly to stimulate the study of numismatics. Reinach also devoted himself to ancient music. He reconstituted the musical notations of the hymns preserved in the Delphic inscriptions and papyri, collaborated with Henri Weil on a study of a hitherto obscure treatise of Plutarch on music and published a more general study, *La musique grecque* (Paris 1926). In the field of archaeology his studies of the sarcophagi of the royal necropolis at Sidon demonstrated the fact that Hellenism had penetrated into Phoenicia before the Macedonian conquest. Reinach collaborated in the publication of the *Recueil des inscriptions juridiques grecques* and was editor of the *Revue des études grecques* and the *Gazette des beaux arts*.

GUSTAVE GLOTZ

Consult: Glotz, Gustave, in Académie des Inscriptions et Belles Lettres, *Comptes rendus des séances* (1928) 321–26; Ricci, S. de, "Écrits de Th. Reinach relatives au judaïsme" in *Revue des études juives*, vol. lxxxvi (1928) 113–30.

RELIGION. Most definitions of religion are advanced from the point of view of some particular religious creed, usually the Christian, and as a result fail to isolate the more universal essence of religion proper. In the search for a generally valid definition the etymology of the term itself is illuminating. The two most generally accepted derivations are those given by Cicero and by the "Christian Cicero," Lactantius, a teacher of Latin rhetoric in the first half of the fourth century. While the former derived the term from the verb *religere*, i.e. to execute painstakingly by means of repeated effort, the latter derived it from *religare*, to bind together, and interpreted religion as essentially a "bond of piety." These two interpretations suggest the twofold aspect of religion. On the objective side religion involves the recurring performance of certain human activities and thus belongs to the realm of external phenomena; on the subjective side it is part of the hidden experience of the psychic life. Although such a dichotomy is to a certain extent unrealistic, since the external manifestations of religion are organically rooted in the inner experience, an inquiry, such as the

present, undertaken primarily from the sociological point of view must presuppose a strictly objective phase of religion and throw its major emphasis there.

The problem of defining precisely the scope of religion is complicated by the fact that the more primitive the culture under consideration, the more pronounced the tendency of the religious sphere to absorb objects and activities which according to modern ways of thinking have no relation to religion. But however shifting the border between the religious and the non-religious, the consciousness of such a border usually exists: thus even in the Polynesian and Melanesian cultures, a distinction is made between *noa*, the ordinary or the profane, and *tabu*, the unusual and the mysterious. The border is sufficiently clear cut for man to become aware of the impact of an "otherness," of the presence of some power or powers which are superior to him, intrench upon his life and must be compounded with if he is to ward off the dangers emanating from them and receive the assistance they can bestow. Thus it is possible to arrive at a preliminary definition of religion as the complex of man's interrelations with the superhuman powers. Such a definition implies the fundamental truth that religion, as defined by C. A. Bernoulli in *Theologie und Wissenschaft* (Basel 1933), is "not an autonomous activity of man or a unilateral manifestation of the human spirit, but involves a process of vital and reciprocal interplay" between the human and the supernatural.

In analyzing more precisely the concept "superhuman powers" a dichotomy must be established between the purely impersonal-dynamistic type and the personal. This fundamental distinction, although not invariably clear cut, is well illustrated by the contrast between the Madagascan cult and Jacob's dream, both of which are concerned with the supernatural power of a particular rock. In the former the rock, which, according to tradition, must be ascended by the chieftain before he is popularly recognized as the incumbent of power, is thought to be itself imbued with force and capable of communicating this force by an impersonal automatic process to any individual coming into contact with it. In Jacob's dream, on the other hand, the rock harbors a divinity and owes its sacredness to the fact that it is a dwelling place of God (Beth-el), containing within itself a superhuman essence which is conceived as a person, subject to the variations and moods of a spiritual being and accessible to human influence. Quite as clearly as the rock of Madagascar represents a purely dynamistic conception, Jacob's dream typifies a personal or what might be called animistic-demonistic construct. The notion of the holiness of water is likewise capable of two distinct explanations. Sometimes water is invested with direct supernatural power: thus the Zoroastrians, who were completely dependent upon water for their agricultural pursuits, believed it to be replete with the mysterious fructifying substance, *hvarenah*. "O water, bestow thy glory upon him who sacrifices to thee," is the Zoroastrian's prayer in the *Avesta*. At other times, however, the sacredness of water is attributed to the presence of a particular deity. According to the report of the missionary Spieth, when a farmer among the Ewe tribe of southern Togoland found crimson water suddenly and mysteriously spurting out at him from a hole which he had made in the earth, he believed that a *trõ*, the native term for demon, had been revealed to him, and accordingly there grew up a cult concerning the presence of a spirit in the water.

In general it may be said that the dynamistic idea tends to accompany magic, whereas the idea of a personal God, or some derivative form of that idea, is associated with religion in its purer sense. But the exclusion of magic from the general field of religion can hardly be justified, inasmuch as magic is more or less clearly the corner stone of every historical religion. Early Brahmanism, and Buddhism in its original atheistic form, are typical examples of religions which at their inception conceived the supernatural power merely as abstract force and only in the later stages of their development became concerned with the idea of a personal God. The attributes and deeds ascribed to gods and sometimes incorporated into the cult, as illustrated by certain purification rites in the cult of Apollo, are often pure magic. In general, however, a distinction within the larger category of religion between magic and pure religion holds valid. The essential difference consists in the fact that the former, in keeping with its purely dynamistic character, involves an essentially automatic process, while the latter must reckon with the good or evil will of the divinity as an autonomous factor. The contrast emphasized by some sociologists between magic as an antisocial and egocentric force and religion as a social, collectivistic force usually takes into consideration only black magic to the exclusion of white. And

yet it is undeniable that black magic, in so far as it shrinks from the light of day, deviates from genuine religion, which has a public organization and practises cults recognized by all.

The problem thus raised as to whether religion in general centers about the individual or the collectivity is an extremely complex one, and it must be emphasized once again that the sociological approach may often fail to do justice to the inner experience of the individual. Attempts have been made to derive the origin of religion from clan or tribal consciousness; in accordance with this view the Semitic God, for instance, has been interpreted as merely the personification of tribal unity. But if as defined above religion is something more than a unilateral construct of the human spirit, its origins cannot be deduced exclusively from group experiences. The experiences from which religion springs are, as Hauer has rightly emphasized, essentially ecstatic in character and the subjects of such experiences are in the great majority of cases single individuals. And unless it is recognized that men are unequal as regards their capacity for the religious experience, it is impossible to understand the actual history of the origin and evolution of religion. Superior capacity inheres not only in the priesthood (*q.v.*), an institution which derives from the abnormal endowments of certain individuals, but also in founders of religion and in all religious reformers. In this respect religion may be compared with art, a field in which a differentiation between the layman and the artist is taken for granted. Similarly in religion certain men have the charismatic ability to see and hear with their inner eyes and ears what the ordinary man does not see and hear until it is revealed to him.

Yet despite the fact that this cleavage between individual and community is already apparent even in the lower stages of culture, primitive religion is predominantly collectivistic. The more primitive the culture, the greater the solidarity of the individual with the social group. Whereas in the modern period man is regarded as an individual who, although bound to his kinsmen, constitutes the basic unit of existence, human personality in the primitive world is completely identified with the group. In such a world the content of religion tends to be identical with the *sensus communis*. The importance of ancestor worship for cultural development consists in its being the most primitive and energetic attempt to preserve, with the aid of rigid ritual, the spiritual and intellectual treasures of a family or group as they have been assembled through decades, centuries or millennia. As the cult of the family or sib evolves into a cult of the tribe or primitive state, the religious fate of the individual remains closely interwoven with that of the collectivity. An example of this is furnished by the ancient Hebraic notion that the sins of the fathers are visited upon the children, even to the third and fourth generation (*Exodus* XX: 5). A similar proverb, "The fathers have eaten a sour grape, and the children's teeth are set on edge," is handed down in *Jeremiah* XXXI: 29 and in *Ezekiel* XVIII: 2, although both prophets took personal issue with its implications.

While the conception of religion as a purely private affair is on the whole foreign to primitive and ancient cultures, there is usually present a recurring clash between individual and institutional elements. This is best typified by the deep seated antagonism between the prophet and the priest, although even the Hebrew prophets, who epitomize in its extreme form the personal union between man and god, never freed themselves from the collectivistic attitudes inherent in all religion. The unequal struggle of individualistic against collectivistic forces is clearly manifested in the religion of Greece, where the relations between the political and the religious were particularly close. What the state demanded of the individual was strict fulfilment of the requirements of the public cult. On the other hand, with the spread of the Orphic mysteries, religion had come to revolve around the sin and atonement of the individual. The outcome of the tension which inevitably developed, consciously or unconsciously, between the individualistic-universalistic elements and the purely civic and local aspects was determined to a large extent by broader historical factors. The era of peace and consolidation following the Persian wars, by strengthening the power of the state, bolstered the official cult at the expense of individual communion. It was only in the late Hellenistic period, as a result of the dwindling of state power, that the latter gained the ascendancy. That religious individualism usually appears at a time when the power of the collectivity has been shattered is a fact borne out by present day events; for example, in China.

Even in the most highly personalized religion there is present, however veiled, such a powerful drive toward institutionalization that this tendency may be regarded as an essential characteristic of religion itself, a tendency which for

its complete realization, however, presupposes a fairly stable social system. Although some religions lay down a way of life, which, like the Hindu *jñāna-mārga*, can be pursued only by the individual, the forces making even here for organized association are well illustrated by the typical case of Buddhism. The congregation of the faithful, which arose in the earliest stages of Buddhism, was included, alongside the person of Buddha and the teaching, as the last of the "Three Gems" in the declaration of faith of the catechist; while as a result of the Mahāyāna reform the *jñāna-mārga* element itself tended to give way to *bhakti-mārga*, the original element of which was the communal worship of God.

A similar evolution may be traced in the history of Christianity. Although Jesus has been regarded as the outstanding exponent of individualistic religion, the conception of the church as the body of Christ is present even among the early apostles. The pronouncement of Cyprian that no one could claim God as a father who did not accept the church as a mother, adequately epitomizes the subsequent attitude of Catholicism, according to which the adherence of the individual to the Christian religion is dependent upon his baptism into the one holy Catholic and apostolic community (*see* RELIGIOUS INSTITUTIONS, CHRISTIAN, section on ROMAN CATHOLIC). The Reformation, it is true, through its doctrine of justification by faith established an immediate relationship between the individual and his Creator; but official Protestantism, definitely repudiating the individualistic principle of the Anabaptists, served, in spite of its numerous modifications of traditional doctrines regarding the church and the sacraments, to perpetuate the older faith in a community of saints, whether in the form of the church visible, the church invisible or merely the predestined band of the elect. The emphasis placed by Pietism on the more restricted religious sodalities within the church is often encountered among Christian sects and free churches. Despite its origin as a schismatic movement against a larger *ecclesia* the sect usually continues to adopt rites which express the idea of unity and to stress the deliberate act of association into a narrower unit performed with a view to displacing the older superpersonal "organization" by the "fellowship" of kindred-minded souls.

In the history of monasticism the collectivistic tendencies of religion are shown even more strikingly. To be sure this phenomenon, growing out of the need impelling the religious zealot to seek isolation as a means of freeing himself from worldly entanglements, may culminate in the extreme individualism of the anchorite. But in the form of monasticism, which is infinitely more significant from the historical point of view, the underlying principle of *monos* is conceived and applied as a collective rather than as an individual unity. Even in mysticism, which represents perhaps the most highly personalized variety of religious experience, the individual personality soon tends to become engulfed in the all inclusive godhead. The political and economic individualism of the modern period has of course been reflected in a corresponding resurgence of individualism in the sphere of religion; but even here it is true that the extent to which religion has been a vital force in the community has been determined by the degree of its effectiveness in establishing a solidarity between the religious individual and the religious collectivity.

In analyzing the individualistic elements in religion it should repeatedly be borne in mind that the work of the charismatic religious leader is heavily conditioned by the milieu in which he operates. It is conditioned in two ways: first, the milieu determines his own spiritual equipment; and, again, the milieu determines the manner in which his message is received and perpetuated. Since no religious innovator can defy the ethos of his native culture, his reforms must to a certain extent keep within the limits of a certain traditional continuity. For the masses of the people are capable of assimilating at best only those elements of his gospel which represent a grafting of the new on to the old. This conditioning influence of the milieu is no less important in the conceptual realm than in the sphere of ritualistic practise. Just as the magician of the hunting tribe in introducing an innovation in magic technique must of necessity make use of the technological resources at the disposal of his people, so the general conceptions of magic from which he proceeds are part and parcel of the common fund of beliefs. In the Mosaic code there are a number of commandments, such as that regarding the Sabbath, which by reason of their patent incongruity with the nomadic culture in which Moses lived can be understood only as the expression of that later, and much more stabilized, Hebraic culture when the oral tradition was converted into scripture.

The religion of Zoroaster is particularly illuminating as a reflection of the culture from

which it sprang. It could have grown up only at a time when the neighboring tribes were conscious of undergoing a transition from the nomadic to the settled stage. Agricultural and pastoral pursuits therefore became identified with religious duty, as is apparent in such sacred aphorisms as "He who sows corn, sows holiness," and "When corn is ground, the *Daêvas* [devils] groan." The injunction of the holy *Avesta* to "lay an abundance of fodder before the cow" is a familiar way of recommending the fulfilment of obligations in general; similarly the acquisition of a cow symbolized the attainment of heavenly bliss, while to the slaughter of the primeval ox Iranian cosmology attributes the creation of the entire plant and animal world. The dog as guardian of the herd is venerated as a virtually sacred animal, and for his mistreatment the religious law prescribes extremely severe penalties. But the influence of the milieu goes even deeper. The rigid dualism in the Zoroastrian religion between light and darkness was a direct reflection of the struggles of the inhabitants against a bleak climate and the vicissitudes of wringing a meager existence from the barren steppes and mountain lands.

This raises the question of the extent to which topographic and climatic factors in general may be said to condition the forms of religion. From this point of view the break up of the original Aryan religion into a Persian branch and an Indian branch is particularly illuminating. For while the Hindus at one time undoubtedly shared in that characteristically Aryan zest for deeds and human activity which is reflected in Persian Zoroastrianism, they lost these qualities as a result of their migration to the tropically luxuriant lands along the Ganges and in an enervating atmosphere of ease and abundance gradually surrendered themselves to a type of quietistic speculation and brooding which came to color their entire religious outlook.

In fact the determining influence of natural environment may be repeatedly detected not only in the general religious temper of a people but in the details of their theology, mythology and eschatology. Thus the preeminence of the moon god in most of the Semitic religions is to be ascribed to the nomad's preference for the coolness of the night when he may wander in comfort and ease, free from the blazing sun. The Babylonian designation of the king of the gods as "Great Mountain" and the characterization of his temple as "Mountain House"—to say nothing of the entire architecture of the temple towers with their spiraled approaches—suggest that the Sumerians, the progenitors of this entire culture, sought in the plains of Babylon to honor their gods in the same manner as in the mountainous homeland from which they had migrated. Maritime peoples, on the other hand, invest their deities with the attributes of the sea and of seafaring activities and consider the future state of bliss as an endless expanse of water abounding in fish. On the other hand, a great catastrophe on the sea may give rise to the notion of a universal flood, which is projected either backward into the remote past or forward to the end of the world, while the dread rigors of an arctic climate may give rise to the expectation of a *fimbul* winter to come at the end of time.

Natural human sympathies and antipathies are likewise transposed into the religious sphere, the foes and friends of the group becoming the foes and friends of the gods. The problem thus raised as to the influence exerted by human society upon the development of religion may be followed step by step, inasmuch as each transformation of the culture produces a corresponding modification of the religion. Even the effective use of a new tool requires the introduction of appropriate ritual ceremonies in order that spiritual mastery over the object may be established. Every step in cultural progress extends the sphere of the existing gods or creates new ones. For it widens the range of human needs, and human needs in turn call into being gods who can satisfy them. With the spread of artisanry and trade new types of gods appear; and where trade reaches into foreign lands, alien deities are often assimilated into the native pantheon, as the Phrygian divinity, for example, was taken over into Attica.

Similarly the natural evolution toward social differentiation produces a corresponding differentiation in the supernatural world. How the increasing rigidification of class structure is reflected in the characteristics of the gods is well illustrated by the Edda, *Hárbardsljód*, which depicts the antagonism between the crude peasant god, Thor, and the more refined god of the nobility, Odin. In taunting Thor, Odin's trump card is the jibe, "Odin is master of the nobles who fall on the field of battle. Thor is master only of slaves." Likewise the differentiation in occupation has its counterpart in the religious sphere. In India the god Agni tended to take on more and more the characteristics of the priestly caste, as Indra did of the warrior caste

and the close connection between Mithras and the mercenary soldier has often been noted. In the Orient as well as in the Occident—as Max Weber has pointed out in connection with the Kabīr-Panthis sect of India, which was founded by the weaver Kabīr and recruited its following among the weavers—the textile crafts, being limited to the home, were conducive to private meditation and therefore seem to have generated a type of worship practically free from ritualistic elements. The process whereby the form of religion is modified as a result of the breaking up of the monopoly exercised by narrow professional groups is clearly revealed in the *Upanishads*, which echo the sentiments of hitherto excluded and inarticulate types—kings as well as women and persons without established lineage.

With the progress of urban culture those religious festivals which were built around agriculture tended to dwindle in importance or to accrete new symbolisms. At the same time, as a result of growing precision in the calendar, festivals came to be held at definitely fixed intervals. Supremely important in the development of religion were the discovery and dissemination of writing. This is reflected not only in the express delegation of the guardianship of writing to such gods as the Egyptian Thoth, the Babylonian Nebo and Bēlit-sēri, the Japanese Tenjin-Sama, the Celtic Ogma and the Norse Odin but also in the momentous consequences attendant upon the transformation of Judaism from a prophetic religion to one based on codified scriptural law. It was merely the ultimate conclusion of such logic, in which both Christianity and Islamism followed Judaism, when the Hebrew rabbis portrayed God Himself as poring night and day over the Torah.

The development of religion is also permanently influenced by political and civic forces. It is always instructive to study the terminology and linguistic symbolism of a religion, in view of the tremendous power exercised by conceptual associations over the inner religious sense of the individual. The attributes and the names bestowed upon the gods automatically change in accordance with the form of the state. The god as king is merely a transposition of the human as king, the divine kingdom merely a transposition of the earthly kingdom. The characteristically Aryan conception of the *asuras* as divine might is an expression of the ancient Aryan political system. Moreover, since the prince or king is supreme judge, the deity is likewise clothed with the judicial function and vested with the final decision as to human guilt or innocence. The belief arises therefore that the gods are the natural avengers of human transgression. Juristic conceptions of this type, which emphasize the deity as punisher and judge, occupy a central place in the religious outlook not only of Judaism but also of Christianity and Islam. An interesting correlation might likewise be made between the prevalence of male gods and the patriarchal form of social organization on the one hand and between the female god, which is common in the religions of Asia Minor, and the matriarchal society on the other.

The even more pronounced tendency for changes in the political fortunes of a city, a province or a section to find a reflection in a corresponding rise or decline of the patron deities may be observed not only in the Egyptian and Babylonian pantheons but also among the Athenians. Thus the myth of Triptolemus —a name meaning literally "the plowman who plows three times a year"—was evolved by the Athenians as an expression of their own dominant position in Greece.

Religious development may be conditioned also by the broader impact of neighboring cultures. The classic example of the working of such influences from abroad is the gradual orientalization of the religions of antiquity as a phase of the general process whereby the cultures themselves were transformed under the impact of oriental infiltrations. Similarly in the history of the expansion of Christianity it is significant that whereas the English and most of the continental tribes, having been rapidly drawn into the Romanic culture, adopted the Roman form of Christianity with little modification, the Scandinavian tribes, which by comparison had clung jealously to Nordic ideals and Nordic ways of life, carried over into the new religion most of the crucial religious forms of the old.

In all cases the process of transplanting a religion to an alien environment brings into sharp relief the dependence of religion on culture. The change in the character of Hebrew religion which resulted from the migration of the nomadic Israelites from the desert to the arable lands of Palestine may be paralleled by that which took place in the case of Babylonian religious attitudes and practises as a result of contact with the culture of the Sumerians. This process of transformation is all the more manifest in the spread of the world religions. It may

even go to almost grotesque lengths, as when the Buddhist monks in the intensely militaristic atmosphere of tenth and eleventh century Japan so far lost sight of the essentially pacifistic nature of their own religion as to allow themselves to be exploited as an agency of war, whether defensive or offensive. Naturally enough the strong influences of the local cultures encountered by an expanding religion are to no small extent religious in themselves. For example, the development of an Islamic mystic sect in Persia could not be explained without reference to certain religious currents already existing in Persia. The way in which local cults preserve a certain identity of their own, even after their assimilation into a higher religion, and thereby change the character of the latter is most clearly revealed in the incorporation of local saints, with their attendant cults, into the professedly monotheistic ritual of Christianity, Islam and Buddhism. For the local saint is very often nothing more than an older local deity purified of his "heathen" attributes through "baptism." This perpetuation of the indigenous numina is an expression not only of the conservatism inherent in the religious process itself but of a widespread popular yearning to establish immediate contacts with some deity less remote than the supreme God of Christianity or Islam and less impersonal than the almost atheistic spirit originally proclaimed by Buddha.

The progress of culture in general is accompanied by a gradual refinement and spiritualization of religious and ethical concepts as well as of ceremony. The demonistic powers, whose actions are as a rule unpredictable, are either gradually replaced by friendly deities or the evil spirits are reduced to a position of malicious, but in the last analysis impotent, antagonists. As the primitive codes based on blood vengeance give way to a more orderly and peaceful legal system, the older notions of divine vengeance are displaced by a conception of divine law which throws its emphasis on the moral distinction between right and wrong.

It is true of course that in numerous regions which are more or less isolated as a result of topographical barriers or other natural factors the general backwardness of the culture is reflected in the persistence of primitive religious attitudes and practises. And only too often there may be encountered what is apparently a cleavage between culture and religion. The Promethean myth is clear enough evidence that under certain circumstances the gods may be set upon by heroic champions of humanity, who seek to wrest from them cultural elements denied to man. Instances may be multiplied to show that religion has repeatedly set itself across the path of cultural progress. In fact religion by its very nature develops in time a cult which zealously perpetuates older usages long since obsolete in daily life and in the performance of its religious rites, such as sacrifice and circumcision, still frequently makes use of instruments deriving from a past era of culture. The pronouncement from the powers that be in the Islamic church that under no conditions may a phonograph be used in summoning the faithful to daily worship is not to be dismissed as merely an instance of reactionary conservatism. For noted Christian ritualists have likewise opposed recourse to certain mechanical devices of the modern era on the historically plausible ground that these devices operate against the attentiveness and devotion essential in all ritualistic ceremony.

But by and large it is readily apparent, on the basis of the preceding analysis, that religion, in its more formative stages, is heavily conditioned by the society and culture from which it springs. It remains to be shown that religion is an equally powerful force in molding that society and culture. The further back one goes into the history of human culture, the greater the degree to which the life of human society, even in its purely external aspects, seems incased in the magico-religious. On every hand the primitive man comes into contact with objects which he believes to be laden with mana; so perilous do such contacts seem to him, that in trying to avoid them he forges an entire chain of tabus and with this chain imprisons himself. This conception of mana is so universally shared by the entire primitive community that no one would think of trying to escape from its sway. At this primitive stage therefore religious belief is a powerful sanction in the enforcement of a standardized community discipline, particularly from a negative point of view. Thus places which have been visited by a mana man are forbidden to other members of the tribe; just as food which he has left unfinished must not be eaten, since mana, like its counterpart tabu, is thought to have a contagious force, comparable in its dangers to a high tension electric wire. On the other hand, the individuals who are tabu are subjected to strict regulations. Lest harm befall the group, women in childbirth and at the time of their menstrual periods, young people passing through puberty as well as the victims of certain

diseases are isolated from society. An especially stringent tabu is associated with the corpse, contact with which is supposed to cause infection from the mysterious poison which it exudes.

By these and similar customs the primitive group regulates not only biological processes, particularly in the critical stages of physical change, but also diet, choice of clothing, economic activity, use and distribution of property and relations between the sexes. In some extreme cases certain types of persons are forbidden to meet; for instance, on the island of Santa Cruz a man and the wife of his mother's brother are not allowed to see each other, and in case they should accidentally violate the tabu the man must break some of his arrows and the woman smash one or two of her water bottles. The extreme lengths to which the systematic elaboration of tabus may lead are typified in the remarkable regulations of the Australian totem tribes for enforcing their rules of exogamy. Alongside such restrictions on the relations between the sexes there are also certain other types of tabu which relate to particular occupational groups; caste exclusiveness is an expression of such a type, despite the fact that caste does not invariably coincide with occupation.

As the tabu idea extends to the categories of space and time, it leads to conventions which may exert a wide influence on human society. The limits to which its magical faith in the utilization of space may occasionally extend are evident in the Chinese fêng-shui, a geomantic system based on a dualistic view of cosmic forces which dominates all of Chinese architecture; as well as in Zoroastrianism, which through fear of polluting the elements enjoins travelers to take a land route, even though it might be longer, so as to avoid going by sea. To a still greater extent human activity is affected by the belief that at particular times it is unpropitious to enter upon certain undertakings. This involves the broad question of "lucky days." The high value still attaching from a social point of view to Sunday as a day of rest reveals how age old usages may be perpetuated over thousands of years, having lost nothing but their original religious meaning.

Similar variations may be noticed in the reasons lying behind tabus on certain foods: the eating of certain meats may be forbidden in one cult merely by way of protest against the veneration in which the animal had been held at an earlier stage of the religion or in which it is still held by another cult—considerations which in the case of a people engaged in cattle breeding may determine the selection of animals for domestication. Ritual prescriptions with regard to the treatment of animals have had still more far reaching consequences. So strictly did the Jainas observe the prohibition (*ahimsā*) against killing animals that they refused to go through water for fear of killing insects, and because a Jainist king refused to let his army march during the rainy season he lost his crown and his life. The *ahimsā* also, by excluding the laity from certain occupations, was responsible for the increasing number of Jainas who turned to mercantile and other lines of business activity. The awe with which the Buddhistic formula of confession surrounds all tilling of the soil and, on the other hand, the glorification by Parsiism of the industrious pursuit of agriculture offer striking evidence of the influence which religion may exert on social activities. In a similar vein the Old Testament urges, "Be fruitful, and multiply, and replenish the earth, and subdue it" (*Genesis* 1: 28). The Indian Kabīr, in protest against the prevailing ritualism, cried out in the name of religion: "Better than statues are the millstones which grind the corn"; and Luther declared that the "stroke of a thresher in the granary was more acceptable than a psalter sung by a Carthusian."

The social incidence of religion may be said to continue the tendency observable in the most primitive stages of magic, where certain rituals are employed to wrest from nature the blessings necessary for mankind. This is the meaning of the sun, rain and fertility rites. As soon as the powers invoked for this purpose are personified as gods, who control first agriculture and in time all the other spheres of cultural activity, the way is open to the development of a cult which may exercise the most profound influence upon the structure of human society. The bond which unites the adherents of a cult is stronger than any other tie except that of blood. Through the dissemination of a cult the locality in which it has its center may acquire increased political prestige, as in the case of the cult of Astarte, which raised the city of Sidon to a position of such preeminence as a religious capital that Sidonian came to designate all Phoenicians.

The inner workings of ritual and cult may have even more significant ramifications. The more complex its structure the more imperative becomes the need for specialization on the part of its administrators, and in response to this requirement a professional class of clerics is

called into being and consolidates its position. The zeal to please the gods, by stimulating the most patient craftsmanship and endless refinement of technique and by contributing to the aesthetic education of the devotee, has enriched architecture, the plastic arts, music, dance and poetry. The beginnings of science are likewise to be traced to cult ceremonial. From the desire to hold the ceremonial at certain specified times arose precise computations of the calendar, which in their turn presupposed astrological observations. In India the laying out of the sacrificial clearing gave an impetus to geometry; while from the inspection of the slaughtered animals were gained the first ideas about anatomy. The priest was originally a medicine man; from his alchemistic speculations chemistry evolved. Concern for the correct pronunciation and use of words in sacrificial incantations and cult songs made of the early Brahmans the first phoneticists and grammarians. Since the temple was the earliest seat of law, the priests became jurists and their practises left an indelible impress on the science of law. Economic life was stimulated by the fairs which grew up in connection with the sacrificial festivals, while the origin of money is closely linked to the cult of the gods, described by B. Laum (*Heiliges Geld*, Tübingen 1924) as the "creator of standardized media of exchange." The temples were the oldest banks, serving not only as places of deposit but also, as in the case of the early Chinese temple, as lending agencies. Equally important from an economic point of view was the endowment of the temples with landed property. The close relation between religion and economic life is further illustrated by the recurring tendency of economic groups to become associated with a particular cult center, as did a merchants' guild with the temple of Mercury in Rome or the Hindu trading and banker sects (Vallabhāchārya, or Mahārājā) with one of the Krishna cults. Because of the aversion of the Moslem religion to nudity Islam made contributions of the first importance to the development of the textile industry, at least in so far as it provided a market for textile products; conversely, the Old Testament by banning the worship of idols served to impede the progress of Hebrew art.

As soon as the adherents of an evolving religion attempt to stay the processes of change by formulating a rigid body of dogma, that religion, reenforced by the pervasive power of doctrine, has the capacity to inspire in the faithful a fanatical zeal, which impels them not only to obey its precepts with meticulous care but to risk their lives in its defense. The stanch faith that "it is the will of God" has dispatched armies across angry seas; the harsh doctrine of predestination and the promise of immortality were decisive factors, if not the basic motive force, in the expansionist policy of the Islamic conquerors, while analogous tenets impelled the Christian Protestants toward an ascetic thriftiness which made them tireless and daring business men. On the other hand, through its emphasis upon the special divine grace visited upon the poor and weak Christianity as well as Judaism has also given a tremendous impetus to social betterment in the name of fraternal love. Very often, as in India and in the territories affected by the Hellenistic mysteries, religion has helped to redress the balance of social inequality: moreover some slight and imperfect solution of the social problem is offered by the doctrine of metempsychosis. Buddhism, by counseling its adherents to "conquer their thirst," undoubtedly has had a civilizing effect upon the peoples under its sway.

One of the most powerful and enduring aspects of the influence of religion upon human society lies in the sphere of ethics. The process is one of interaction rather than of unilateral causation: cultural progress by stimulating the introduction of ethical standards in society contributes to the development of an ethical conception of God, and the more exalted idea of God in turn intensifies the social concern for morality. The codification of religious sayings, in so far as it makes them more binding, operates in the same direction. The more anthropomorphic the conception of God, the more man will be constrained to pattern his life on the model of the deity: the idea of the *imitatio Christi* is only one manifestation of a normal trend. Thus the monotheistic cult of the sun in the Roman Empire was not merely a reflection of oriental imperialism but also a powerful factor in building up the imperialism of Rome itself. Herodotus' famous statement concerning the inculcation of truthfulness into the Persian youth is best explained against the background of a religion which views the conflict between the good and the evil deities essentially as a struggle against deception. Religion was also the mainspring in bringing about that economic well being and prestige which the Parsis in the course of their historical development came to achieve.

It should by now be evident that religious

devotion as the ultimate motive power of activity has contributed to the development of human society. The antithetical role wherein religion, as already noted, has blocked the path of progress and has even adopted deliberately retrogressive and antisocial attitudes is to be explained by the fact that socio-cultural progress and religion come gradually to operate on different planes. Although in this sense religion may be viewed as a world unto itself, any attempt to isolate its essential, universally present element tends to be thwarted by the presence of irrational factors which defy reasoned analysis. Moreover it is impossible to construct any convincing typology, since in any one religion there are at least as many variants as there are social layers participating in it. In addition to simultaneous variations it is necessary to reckon with variations which arise from the dynamic unfolding of a religion in time. Religion, however conservative in nature, has a history; and that history, as fluid and protean as human life itself, cannot be reduced to the inflexible categories exacted by the typological method of inquiry. An investigation of this kind can therefore achieve at best only a partial validity.

The overabstraction inherent in all such typological classifications may be exemplified by the distinction which C. P. Tiele draws between the theocratic and the theanthropic religions. In the theanthropic category, in which he brackets those religions which lack the conception of an omnipotent and transcendent God and tend toward a more or less mystical apotheosis of mankind, he includes the Indian religion on the strength of the doctrine of *jñāna-mārga*, or the idea of salvation through the avenue of knowledge. In so doing he entirely overlooks the fact that *jñāna-mārga* constitutes but one of the three ways of salvation offered by the Hindu religion. Similar pitfalls beset every attempt to confine the historical manifestations of religion in a neat system of rubrics, whether the classification be constructed on the basis of the personality or impersonality of the supernatural power; of the variations of the theistic conception; of the natural or ethical, popular or revealed, local or universal character of religion; of the degree of intimacy conceived as existing between man and the forces which he worships; or of the changing forms assumed by the ideal of piety.

While the striking lack of unanimity among modern students of comparative religion regarding the nature of the concept under analysis is a natural consequence of their wide divergence in intellectual orientation and perspective, their manifold differences may ultimately be reduced to the fundamental conflict between two opposing approaches: the one which assumes God to be an objective essence, and the one which regards religion merely as one aspect of the psychic life of man. At the one extreme stands Hegel's conception of religion as a process working itself out within the being of God; at the other, Feuerbach's conclusion that it is an illusion spun by man. Any intermediate view is at bottom either a modification of one of these extremes or a conscious synthesis of the two.

The difficulties of attaining a comprehensive and balanced view are emphasized by Joachim Wach, who in confessing the weaknesses of religious sociology acknowledged the intangible elements in the nature and purpose of religion, and the inevitable loss or distortion resulting from the translation of the idea into sociological forms as well as from the historical unfolding of religion in society. In the presence of these mysterious forces which have played such a tremendous role in social evolution, the true student of religion, resisting the temptation to dismiss the entire problem with an indulgent smile for the limitations of the human mind, will adopt instead an attitude of becoming humility.

ALFRED BERTHOLET

See: CHRISTIANITY; BUDDHISM; ISLAM; BRAHMANISM AND HINDUISM; JUDAISM; CONFUCIANISM; TAOISM; SHINTO; PRIESTHOOD; RELIGIOUS INSTITUTIONS, CHRISTIAN; MYSTERIES; MAGIC; ANIMISM; TABU; ANCESTOR WORSHIP; FETISHISM; DIABOLISM; TOTEMISM; CULTS; RITUAL; SACRIFICE; IDOLATRY; FESTIVALS; FERTILITY RITES; CEREMONY; DANCE; THEATER; MYTH; DOGMA; SACRED BOOKS; HOLY PLACES; HOLIDAYS; CONFESSION; BELIEF; CONVERSION, RELIGIOUS; PROSELYTISM; MISSIONS; MONASTICISM; ASCETICISM; MESSIANISM; MYSTICISM; CIVILIZATION; CULTURE; TRADITION; SANCTION, SOCIAL; SOCIAL PROCESS; LAW; PHILOSOPHY; SCIENCE; ETHICS; MORALS; SECULARISM; RATIONALISM; DEISM; ATHEISM; FREETHINKERS; HIGHER CRITICISM; COMPARATIVE RELIGION.

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RELIGIOUS EDUCATION. *See* EDUCATION, section on SECTARIAN EDUCATION.

RELIGIOUS FREEDOM belongs to that rather extensive category of terms which, in the process of gaining popular currency, have lost precise scientific meaning. Usually it is confused with one or another of a number of distinct but not unrelated concepts, such as freedom of thought, although here the difference should be obvious as soon as it is remembered that many of the so-called freethinkers were far from willing to grant full autonomy to the religious conscience. Whereas freedom of thought is a philosophic creed claiming an absolute and exclusive validity, religious liberty is merely a juridical principle concerned with the external relations of individuals and groups. Another common source of confusion is the identification of religious liberty with ecclesiastical or, more generally speaking, theological liberty; in this category may be subsumed a broad range of problems varying from the doctrinal question of free will to the more concrete issues centering about the internal constitution of an ecclesiastical body, as in the struggle of the Gallican church for local autonomy.

It is of first importance that the concept of religious liberty, as here understood, should be differentiated from the attitudes of the different confessions toward their members or toward humanity as a whole. Intolerance is of the essence of every church, an immediate consequence of its faith that it possesses the only effective means for the salvation of the soul. The degree of intolerance depends, it is true, upon the configuration of environmental factors and doctrinal tenets determining the structure of the particular religious institution. A purely national church, while jealous of any force threatening to diminish its prerogatives within the nation, will remain indifferent to the faith of peoples outside. A universal church, on the other hand, with an equal solicitude for the souls of all races and nationalities, will look upon all creeds as its competitors. A church which conceives human nature to be irremediably sinful and which claims to possess supernatural powers for binding and loosing will display greater intolerance than a church which has higher respect for human nature and human strength. Again, a rigidly monotheistic church will be less receptive than one professing polytheism; a church with a well defined and highly involved creed will be more exclusive than one with a vague and fluctuating creed. But whether manifested in an intense and uncompromising form or accompanied by mitigating restraints, these diverse examples of what might be called ecclesiastical intolerance are not necessarily inconsistent with religious liberty, provided that the individual subjects himself to the religious authority of his own volition and by an exercise of his liberty to choose. Religious liberty is violated by an ecclesiastical institution only when it attempts to enforce its intolerant prescriptions by invoking the sanctions of the civil power, either through the authority which it may itself possess under a theocratic form of government or through an external secular government.

From the point of view of its historical evolution the doctrine of religious liberty is the result of a reaction against such intolerance exercised by the civil power in union with the ecclesiastical. If its antithesis may be defined as a condition where a certain political community protects a religious institution as the dominant or official church and extends sufferance to other religious communities only with grudging restrictions, if at all, religious liberty may be said to inhere in the impartial treatment of all confessions by the state upon the theory that the individual has a right not only to choose for himself but to be safeguarded against potential coercion by any group. According to Ruffini, the purpose of religious liberty is to maintain such a condition in society that every individual will be able to pursue the highest spiritual aims without hindrance. Thus the prerequisites for its emergence include, in addition to the coexistence of a civil power and one or more ecclesiastical powers, a sufficiently developed moral culture so that the individual personality may be conceived as capable of exercising control over his own destiny.

Thus defined the phenomenon of religious liberty manifests three aspects: individual autonomy in the choice of creed, the autonomy of

the religious society in the pursuit of its collective activities and the legal equality of the different confessions before the state. To insure such equality two competing solutions have been developed, jurisdictionalism and separatism. According to the former system, which has prevailed chiefly on the European continent, the state aims to maintain equal status for the confessions within its dominion by exercising vigilant supervision of their activities. Separatism, a system of which America has been the typical example, aspires to attain the same end by relegating all religions to the sphere of private interests, to be invaded only when public safety appears to be involved. Each of them is supported by valid historical and doctrinal arguments and if broadly applied is adequate to sustain religious liberty.

Neither present day jurisdictionalism nor separatism was evolved without a long and arduous historical transition through successive stages of that partial or defective liberty which is generally known as religious toleration. Toleration, which in contrast to liberty connotes that whatever immunity is enjoyed is regarded merely as a revocable concession rather than as a defensible right, implies not only the existence of an established church but the denial of complete equality to certain or all of the dissenting religions. It may be restricted to the mere sufferance of the dissidents as individuals provided that they abstain from worship, public or private; or it may permit worship but inflict civil penalties, such as the English tests, which debarred from public office all who refused to take certain Anglican oaths. It may, on the other hand, be interpreted so liberally as to protect from discrimination all dissenters except those belonging to specified confessions.

No conspicuous examples of religious intolerance are to be found in antiquity. In Greece the absence of a rigid theology and of a distinct priestly caste and the comparative vagueness and instability of the popular religion combined with the prevailing critical and philosophic temper to prevent the rise of religious fanaticism. Rome remained equally aloof from the spirit of intolerance because of the purely ritualistic, institutional and civil character of national religious practises. As has frequently been pointed out, the persecution of Christianity during the first three centuries arose far less from any antipathy on the part of the pagans to the new religion as such than from the unwillingness or inability of the Christians themselves to participate in the external imperial rites which were considered an essential element in the civil obligations of all citizens. The more adaptable cults with which the Romans came into contact as they extended their domination over the ancient world were accorded a tolerance sufficiently indicated by the fact that many deities of the subject peoples were peacefully admitted into the Roman pantheon. The Jewish religion, by virtue of its strict monotheism and theocratic institutional organization, had a peculiar basis for intolerance but, although its adherents from the earliest times carried on an assiduous offensive against the rival cults of Palestine and Syria, Assyria and Babylonia, it remained a strictly national religion, never pursuing a sustained or official policy of proselytism.

Of the world religions Buddhism, with its nihilistic world view and ethical passivity, has been conspicuously free from intolerance, although on rare occasions in the course of its protean evolution its very adaptability has enabled it to become involved in a program of persecution. Thus in seventeenth century Japan it was decreed that the entire populace should profess some form of Buddhism; but the inspiration of this policy was entirely civil and political, deriving chiefly from fear of the disruptive effects of the activity of Christian missionaries. In Islam religious persecution was a far more important element, as might be expected from the monotheistic and theocratic character of its Hebraic traditions and the militant proselytism of its first adherents. In point of fact, however, Islam was never able to expand beyond the bounds of a national religion. Moreover as early as the lifetime of Mohammed a policy was initiated whereby non-Islamic peoples within the Moslem empire were allowed to retain their own religion at the price of paying tribute. So lucrative was this policy from a financial point of view that not infrequently the conversion of non-Arabians was frowned upon rather than solicited. The precedent established in the earlier centuries was followed by the Ottoman Empire, which in the fourteenth century proclaimed a regime of religious toleration but, while exempting Christians from military service, subjected them to certain legal inequalities and to the payment of an onerous poll tax, calculated to keep them, unless they lived in cities, in economic dependence upon the Moslem landowners. With the conquest of Constantinople in 1453 the Greek church was officially placed under the protection of the Ottoman authorities

and granted not only wide liberties in religious matters but extensive civil control over Christian subjects. In the nineteenth century, however, when the Ottoman Empire began to feel the full force of internal disintegration and external interference from European powers, its previous religious policy rapidly decayed, leaving the way clear for widely publicized persecutions and massacres of its Christian subjects.

The antagonist in the major struggle of mankind for religious freedom has been Christianity, which accentuated the elements of intolerance included in its Hebraic heritage and supplemented them by the introduction of new and potent incentives: the idea of a universal mission, a rigid dogma, the conception of the church as an indispensable mediator between God and man. The process by which these intrinsic bases for intolerance were reenforced by an external legal sanction was begun in the fourth century when, with the adoption of Christianity as the official religion of the Roman Empire, the church entered upon that phase of its evolution which ended in its attainment of a preponderant position in western politics and civilization. So long as the classical Roman Empire lasted, the function of the church remained somewhat restricted, but gradually it succeeded in insinuating itself into the political and administrative affairs of the empire and in educating the ruling classes in its new principles. Eventually it acquired sufficient strength to withhold from pagans and heretics the religious liberty which a few centuries before it had vociferously demanded from its own persecutors. Augustine, a supporter of religious liberty so long as heretics enjoyed a position of hegemony in Africa, bent all of his energies thereafter to the consolidation of orthodoxy. Appealing to the text *compelle intrare* in *Luke* XIV: 23, he developed the definitive doctrinal foundations for all subsequent persecutions in the name of Christianity. As summarized by Bluntschli, the Augustinian doctrine holds that "when error prevails it is right to invoke liberty of conscience; but when, on the contrary, the truth predominates, it is just to use coercion."

Although it evoked from Augustine's contemporary, Maximus of Madaura, and others, sporadic outbursts of dissent, some of which indicate a highly developed conception of true religious liberty, this doctrine came to dominate the empire policy of the church during the mediaeval period. Beginning with the Verona agreements of 1184 between Frederick Barbarossa and Pope Lucius III, a series of enactments in all the principal countries of Europe gave the sanction of the secular arm to the Catholic principle that religious unity must be imposed at any cost. Notwithstanding the severity of the methods of persecution devised in their typical mediaeval form by Innocent III, Gregory IX and Innocent IV, the complete denial of religious liberty aroused little concern because it was not confronted by any appreciable attachment to individual values. Among the few more sensitive and profound mediaeval spirits who did rebel perhaps the most prominent was Marsilius of Padua, who in the first half of the fourteenth century tried to show that Scripture exhorted the faithful not to coerce dissenters but to instruct them and on the basis of this doctrine demanded the elimination of the secular sanction from ecclesiastical censure.

The reawakening of individualism accompanying the rise of humanism, the Renaissance and the Reformation exerted a decisive influence upon the genesis of religious liberty in the modern world. By emphasizing secular values humanism and the Renaissance helped to undermine the theocratic and conformist attitudes of the Middle Ages; even the most devout among their representatives, such as Erasmus, being believers by virtue rather of innate religiosity than of subservience to ecclesiastical authority, furthered the cause of tolerance. The Reformation, on the other hand, could hardly be described as a liberal force on the basis of its actual historical and institutional development. But, as Laboulaye has correctly pointed out (*La liberté religieuse*, 5th ed. Paris 1875, p. 81), religious liberty received a powerful impetus through the formulation and dissemination of the underlying principles of the Reformation, such as the right to rebel against an established ecclesiastical authority and to examine the truths of religion without restriction and the idea of a direct relationship between God and man obviating the necessity of mediation by a charismatic church. It is true that the larger reformed confessions, driven by their struggles with the church and the Catholic states to counteract the disintegrating force inherent in the doctrine of free examination by imposing inflexible standards of conformism, were hardly less intransigent and inclined toward persecution than the orthodox church. But it is also true that the force of the Reformation, far from being dammed up in two or three great dogmatic confessions, overflowed into a thousand channels of heresy, some of

which preserved the initial impulse in purer form. It should be noted moreover that the mere establishment of the reformed churches, by rupturing the previous politico-ecclesiastical equilibrium and plunging Europe into a century of impassioned wars, transferred the problem of religious liberty from the sphere of pure theoretical discussion to one of practical urgency. Since neither side was willing to yield, the inevitable outcome was a series of transactions and compromises between the fanatical antagonists, which ended in the return of peace on the basis of the more humanitarian norms of toleration.

The intellectual advance in the direction of religious liberty under the immediate inspiration of the Reformation may best be illustrated by the Socinians, a sect which had its chief center in Poland, although its founders, Lelius and Faustus Socinus, were Italians. Since the Socinians rejected the Calvinistic dogma of predestination in favor of free will, they found it possible to set a higher value upon the individual personality and consequently upon freedom. At the same time, however, they showed sufficient deference to the political authority so that at a later date they could be charged with Erastianism, a doctrine which derived its name from the German doctor Erastus, and which eventually became a generic term for state supremacy in ecclesiastical affairs. In Holland the principal supporters of religious liberty were Coornhert, who attacked the dogma of original sin and the legitimacy of persecution; Arminius, who gave his name to the sect of the Arminians (called also Remonstrants, from the protest issued by them in 1610 against Calvinistic intransigence); and, finally, the great jurist Hugo Grotius, who inspired the first edict of toleration promulgated in 1614 by the Dutch States General. In England the outstanding theorists of religious liberty included Robert Browne, the founder of Congregationalism, who taught that the church derives solely from Christ and that the state, when it attempts to intervene in church affairs, is Antichrist; the poet Milton, who favored toleration for all Protestant sects, although not for Catholics; the latitudinarian, Jeremy Taylor, who believed that Christianity could be reduced to a few universal principles dictated by reason or by nature and constituting a simple body of doctrine on which all men could agree; and the eighteenth century deists, conspicuously represented by John Locke, whose celebrated *Letter concerning Toleration* (London 1689) summarized and systematized the arguments forged in the bitter controversies of the preceding centuries. With Locke liberty of conscience and of worship were natural rights and had not been surrendered by the social contract, which withheld religion from the sphere of the magistrate. However, by cautiously excluding from such freedom individuals or sects who professed either politically subversive doctrines or atheism, he left considerable scope for state intervention in ecclesiastical affairs. Despite the implications of his conception of the church as a voluntary association, his thought seems to have anticipated jurisdictionalism rather than separatism.

In France the emergence of a strong intellectual tradition in favor of religious liberalism, although apparently foreshadowed in a restricted sense by the monarchomachs and in a broader sense by Bodin, was prevented by the highly authoritarian policy of the seventeenth century monarchy. The first impetus came from a source hardly associated with the direct stream of French culture, the tracts of Bayle posthumously collected and published under the title *Traité de la tolérance universelle* (Rotterdam 1713). Here heterodoxy was defended from the syncretistic standpoint as a stimulus to emulation in the search of good and as the most appropriate, although still inadequate, expression of the infinite being, whose grandeur could be represented only in partial degree by any one religion. In contrast to Bayle's liberalism, which rested on an essentially religious appreciation of the positive and complementary value of all cults, the fulminations of the eighteenth century deists and *encyclopédistes* against intolerance arose from religious indifferentism. Yet the burning irony of a Voltaire, sometimes rising to impassioned denunciation, as on the occasions of the Calas and Sirven affairs (the pertinent documents are included in his *Traité sur la tolérance*, Geneva 1763), was of immense importance in furthering the progress of religious liberty.

The tardy appearance of a liberal school of thought in the German speaking countries may be attributed to the fierce religious struggles of the seventeenth century in Germany and to the success of the Counter-Reformation in Austria. Only the natural law school of Wolff and Thomasius ventured to present a theoretical defense of religious liberty. It was not until the enlightened despotisms of the eighteenth century succeeded in restraining religious fanaticism that the environment became propitious for the development of an extensive liberal litera-

ture. Among the notable documents of this period may be mentioned Lessing's drama *Nathan der Weise* (Berlin 1779) and Justinus Febronius' *De statu ecclesiae et legitima potestate romani pontificis* (Frankfort 1763), a combined plea for episcopalism and toleration which presented a liberal version of Erastianism and defined the basic principles of jurisdictionalism.

Spain and Italy, more firmly bound to the Counter-Reformation because of the activity of the Inquisition within their borders, remained outside the arena of conflict. Italy, which in the sixteenth century had been in the vanguard of the European intellectual renaissance, in the seventeenth contributed two great figures—Bruno and Galileo—to the martyrology of religious intolerance. In the eighteenth century, however, under the influence of the French Enlightenment, it began to resume its liberal function.

The practical realization of religious freedom in Europe, in the face of the resistance of established churches and of states interested in their perpetuation, lagged far behind the proclamations of the intellectual aristocracy. With the consolidation of the national states in the opening centuries of the modern era the mediaeval conception of the necessity of religious unity was incorporated in modified form into the grammar of statecraft, where it became indissociably linked with internal political unity. The basic premise that civil cohesion could not exist without religious unity, which received its classical although tardy expression in Hobbes, was implicit in the Peace of Augsburg of 1555, whereby Catholics and Lutherans in the German states effected a compromise according to the formula *cujus regio, ejus religio*; it was still discernible in the subsequent Peace of Westphalia of 1648, although the latter extended the formula to the Calvinists and mitigated some of the harsher practical measures of the Peace of Augsburg. Only gradually was this idea undermined by the more realistic theory, represented for instance by the French *politiques*, that an attempt to enforce religious unity would end not in political cohesion but in political disintegration. When in 1598 Henry IV of France issued the Edict of Nantes, which, although sanctioning the dominant position of Catholicism in the state, assured the Huguenots of security, freedom of conscience and admission to public office, it was in recognition of this opportunistic principle. The edict was, however, revoked in 1685 by Louis XIV, to be revived in a new and somewhat less liberal form in 1787 on the eve of the French Revolution. More permanent was the regime of toleration established with a similar objective in seventeenth century Holland, which became not only one of the foremost centers for the diffusion of liberal propaganda but an asylum for the persecuted of all European countries.

In England religious freedom underwent a vicissitudinous career. The Erastian policy of Elizabeth established a temporary settlement by permitting recusants to indulge in private worship but deprived them of certain civil rights. With the heightening of religious animosities in the seventeenth century, however, both Roman Catholics and nonconformist Protestants came to be looked upon with increasing suspicion, not only as opponents to the established Anglican church but as a menace to the political order by reason of the alleged papalism of the former and the anti-absolutistic doctrines of the latter. An important milestone was the constitution established by Cromwell in 1647, which, within the framework of jurisdictionalism, granted full liberty to all Protestant cults, while denying the slightest modicum of toleration to Catholics. The obsolescence of the theory of persecution was further foreshadowed by the Declaration of Indulgence issued by Charles II in 1672, benefiting both Catholics and Protestant dissenters and testifying to a growing conviction that a cessation of religious oppression was necessary both for internal peace and for the interests of commerce, because of the affiliation of a large section of the trading classes with nonconformism. The logical outcome of this conviction was the Act of Toleration issued by William III in 1689, which established a de facto toleration on the basis of jurisdictionalism for all except Catholics.

The enlightened despotism of Joseph II gave to the Austrian dominions, including the Austrian Netherlands and Lombardy, the Patent of Toleration of 1781, which while maintaining Catholicism as the official religion granted limited rights of worship and full civil liberties to adherents of the Augsburg and Helvetic confessions and of the Uniate Greek church. In Prussia the freethinking Frederick II introduced a regime of extensive toleration, which prepared for the territorial law of 1794, guaranteeing equal and full civil privileges to the Reformed, the Lutheran and the Catholic religions but withholding from other religious bodies the right to public worship and legal personality.

In America the convergence of the various liberal European currents under the changed conditions offered by a new continent produced a unique result. The Calvinist traditions of the Puritan settlers encompassed the two contradictory principles of theocracy and separatism, the choice between which had been conditioned by circumstances in the history of Calvinist sects. In Geneva, where the church had been able to attain an assured ascendancy, it had embraced the former principle; while in England under the tyranny of the Anglican church and in Holland, where they were confronted by more powerful native churches, Calvinist dissenters had renounced an impossible theocratic ideal for the independence inherent in separatism. Once in the comparative security of New England, however, the Calvinist fathers abandoned the liberal traditions of their immediate ancestry and instituted a regime of theocratic intolerance seldom paralleled. It remained for the more convinced apostles of liberty to revive the separatist doctrine. The first propagandizers of religious liberty in America were the Arminian Baptists, headed by Hanserd Knollys. More decisive was the work of Roger Williams, the indefatigable preacher and author of *The Bloudy Tenent, of Persecution* (London 1644), the most important separatist tract to appear in America. Providence, which Williams founded, became a refuge for all victims of religious persecution. In 1663 the colony of Rhode Island was able to obtain from Charles II a charter sanctioning complete toleration for all religions, even non-Christian, and full civil liberty for all Christians. Another center radiating the spirit of religious liberty was the Quaker sect, founded by George Fox, whose doctrines were finally fulfilled in the colony of Pennsylvania by William Penn. Hardly less significant was the example of the Catholic colony of Maryland, which in 1649 issued the famous act of toleration, the first decree granting complete religious liberty to emanate from an assembly.

The American and French revolutions shifted the emphasis from the principle of mere toleration under the aegis of enlightened despotism to that of a more effective freedom and equality of worship. Article VI of the Constitution of the United States guaranteed that no profession of faith should be required for any public office or charge, and in the First Amendment Congress was denied the right to pass any law curtailing freedom of worship. Thus was cemented the American tradition of complete separation between church and state. With Mirabeau as its spokesman the French Revolution, in its first liberal phase, rejected the absolutistic principle of toleration in favor of complete freedom and equality of worship. The Declaration of the Rights of Man provided that no man should be molested because of any opinions, religious or otherwise, which he might express, provided that such expression did not disturb public order. In the later stages of the revolution, however, the absolutistic tradition was revived, at first in the form of the Civil Constitution of the Clergy, which carried Erastianism to its extreme conclusion, and during the Terror by the establishment of the *hébertiste* lay religion and the Robespierrian cult of the Supreme Being and by the persecution of all who remained faithful to the old religions.

The Restoration at the beginning of the nineteenth century signified the rise of the Catholic church, still preserving the intolerance of the Counter-Reformation, to a new if transient ascendancy. In the course of the century a series of papal encyclicals were launched against the rising tide of liberalism. Gregory XVI's encyclical *Mirari vos* of 1832 declared freedom of conscience in the lay sense to be freedom of error; Pius IX's *Quanta cura* of 1864 defined it as *libertatem perditionis*. The Syllabus of 1864 condemned religious freedom with the greatest trenchancy. In somewhat more reserved phraseology, but without modifying the purport of these proclamations, Leo XIII's encyclical of 1888, *Libertas proestantissimum*, acknowledged freedom of speech, writing and instruction but only when exercised for the furtherance of truth, which, it goes without saying, meant the truths of the Catholic religion.

The growing inflexibility of the Catholic church accelerated rather than retarded the movement for a complete emancipation from restrictions upon religious beliefs. By the creation and consolidation of the constitutional states during the nineteenth century religious liberty was everywhere transformed from a mere concession which could be revoked at will by the prince into a solemnly guaranteed and inalienable right secured by charters and by parliaments; and although in some states the statutes granting religious freedom were not radically different from the older concessions, the constitutional and parliamentary practises of these same states tended in time to endow them with permanence. Under the German Empire it became a fundamental law that while the

Evangelical church remained the official church of Prussia and of the dynasty, full rights should be accorded to Catholicism in Prussia and each of the other states should be entitled to make its own laws regarding the relations of church and state. In Austria, following the creation of the Dual Monarchy, complete liberty of belief was enjoyed by all individuals, although Catholicism was retained as the official religion and certain restrictions were preserved upon the collective activities of sects not officially recognized. Throughout Europe the old political disabilities based upon confessional affiliations—such as those inflicted upon the Catholics in England and upon the Jews in certain continental countries—gradually disappeared. The external constitutional guaranties were supported by a constantly more vigilant consciousness of the values which they aimed to secure; thus liberalism, with its respect for individual autonomy, and democracy, with its unwavering concern for judicial equality, gave substance to religious freedom. So long as the genuine liberal mentality lasted, jurisdictionalism sincerely aimed to restrict interference to an external guardianship of the public order and peaceful relationships of the various cults.

With the triumph of democracy in Europe in the second half of the nineteenth century there was a powerful recrudescence of anticlerical sentiment as an inevitable reaction against the clericalism of the deposed governments of the Restoration. By placing a premium upon disbelief anticlerical policy often violated religious freedom. This was particularly true in France, where the anticlerical movement culminated in 1905 in the separation of church and state. The jurisdictional principle was also abandoned for separatism in Wales by the acts of 1914 and 1919, in Spain by the new constitution of 1931, in the German Republic (1919–33) and, likewise under the influence of Social Democracy, even in post-war Austria. In England a periodic clamor and an imposing polemical literature in behalf of disestablishment have failed to accomplish their purpose.

But although the many variations of modern European policy have not infrequently cast a shadow upon religious liberty, they have on the whole failed to compromise any of its more fundamental bases. If the exceptions to this generalization include such flagrant examples as the antireligious intolerance of Bolshevik Russia and the persecution of the Jews in Hitlerite Germany, where, however, the immediate target is rather a race than a religion, it nevertheless remains true that the principle of religious liberty as it affects both individuals and associated groups has in general resisted not only the clericalism which has cropped up in the post-war policies of many countries but the advent of dictatorial governments which have destroyed the foundations of modern liberalism and constitutionalism. No more eloquent testimony of the strength of religious freedom can be advanced than the fact that the Fascist government of Italy, despite its pro-Catholic policy, has improved the status of dissident religions by substituting for the mere toleration which they formerly enjoyed an explicit recognition of their liberties.

GUIDO DE RUGGIERO

See: CIVIL LIBERTIES; INTOLERANCE; PERSECUTION; RELIGIOUS INSTITUTIONS, CHRISTIAN; EDUCATION, section on SECTARIAN EDUCATION; SECULARISM; ANTI-RADICALISM; MONARCHOMACHS; REFORMATION; CATHOLIC EMANCIPATION; JEWISH EMANCIPATION; ISLAM; BUDDHISM.

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RELIGIOUS INSTITUTIONS, CHRISTIAN

ROMAN CATHOLIC ..... AUGUSTIN FLICHE
EASTERN ORTHODOX
Byzantine ..... V. LEONTOVICH
Russian ..... PAUL MILIUKOV
PROTESTANT ..... H. RICHARD NIEBUHR

ROMAN CATHOLIC. The Catholic church, as defined by its theologians, is the Christian society founded by Jesus Christ and governed after His death by the apostles and their successors. It is a society of the faithful organized under the authority of pope and bishops. The authority of the church, unlike that of civil society and of other religious associations, is defended not on the principles of natural law but rather on the basis of its supernatural origin, both in revelation and in the fact of its foundation by Christ. It does not represent a delegation of authority, either express or implicit, on the part of the Christian people; it derives from Christ through the mediation of the apostles. In the Middle Ages the bishops who exercised this authority were elected by clergy and people and in certain states at the present time they are appointed by the government; but neither procedure involves the conferment of ecclesiastical investiture. The latter can come only from consecration by another bishop, who alone is qualified to transmit the powers essential to the function and the divine mission received from Christ. Nor can any individual become a member of the ecclesiastical body except through baptism performed in the name of this authority. So long as the faithful remain in the church, they are subject to this authority, and they cease to belong to the church as soon as the authority excludes them. In brief, while the church is composed of two elements, the hierarchy and the laity, the latter are really part of the church only to the extent that they are admitted and maintained in this position by the pope and the bishops, in whom the sovereignty of the church is exclusively vested.

Such are the fundamental principles on which the constitution of the Catholic church rests and which make it, according to the terminology used by theologians, a monarchy headed by the pope. This monarchy is absolute in so far as papal authority is derived solely from Christ, but at the same time it is limited, to the extent that the pope must govern with the assistance of Christ and of the bishops. This organization is adapted to the peculiar purposes of the church. The church considers itself the depository of a revelation entrusted to it by Christ, and this revelation must be preserved from contamination by any alien influence. It would be impossible to maintain the purity of its doctrines unless the hierarchy were sheltered from the vacillations and inconstancy of human opinion. The church aims to transmit divine life to human beings by assuring their admission into a state of grace with the aid of the sacraments which Christ established for this purpose. It cannot therefore admit for its authority a human origin. It claims to hold its power from God through a regular succession going back to the apostles and through them to Christ. "As the Father hath sent me, I also send you," Christ had said to His apostles; in their turn the latter sent out their own disciples, and it is this transmission of the divine mandate from generation to generation which constitutes the basic justification of the constitution of the church. The Catholic church therefore believes itself to be perpetuating in a real sense the presence of Christ throughout the centuries; and the pope, its visible head, is only the vicar of its invisible head.

Hence the religious institutions of the Catholic church are unique. It is not a voluntary association like so many of the ancient sects or like the modern Jewish or Protestant groups, in which the adherents of a certain faith deliberately create a group organization and delegate power to certain of its members. Similarly it

must be differentiated from the official tribal or state type of religion, such as the primitive oriental religions and the cult of imperial Rome. Precisely because it considers itself the depository of the divine revelation transmitted through Christ at a particular historical moment, it must necessarily be universal; herein lies an additional fundamental characteristic, although essentially it is a derivation from those previously enumerated. While maintaining assiduously the integrity of its doctrines, the church at the same time attempts through its missionaries to diffuse them throughout the whole world in order to assure to all men the benefits of divine life. In such circumstances the church cannot be identified with any state or with any political power; to the latter it leaves temporal power, while for itself it demands the plenitude of spiritual power unlimited either by geographical frontier or by political authority.

These characteristics have been present in the constitution of the church from the very beginning. The framework which supports the Catholic edifice has never changed; it has merely been consolidated by the addition of certain materials which have left the primitive structure essentially intact. The distinction between the two categories of Christians, the clergy and the laity, or the church governing and the church governed, constituted the basic principle of organization in the earliest Christian communities. In its statements regarding the primitive community at Jerusalem *The Acts of the Apostles* shows very clearly the juxtaposition of the twelve disciples, whose group was soon enlarged by the inclusion of the deacons and the elders, and the lay brethren, who were subject to the authority of the former. The same two fundamental elements are found in the communities created by St. Paul; here control over the laity was vested in the bishops or the priests who performed the function of instructing and protecting the orthodox doctrine. Moreover the oldest Christian documents, notably the letter sent by Pope Clement I to the church of Corinth in the closing years of the first century, authorized the bishops or priests to exercise their powers as the successors of the apostles by divine transmission; although they were elected by the communities, it was not from the community that they derived the authority which was inherent in their functions but from God Himself.

These are the most remote origins of the ecclesiastical hierarchy. In the course of the second century the organization of the college of bishops and priests, although preserving its essential characteristics, became more clearly defined and simplified. In the first Christian churches, as is manifest from the epistles of St. Paul, the apostle who founded the community continued to supervise its activities from a distance. But the expansion of Christianity and the constantly growing demands upon the time of the apostles soon necessitated the creation of a permanent local leadership: hence one of the members of the college of elders, the bishop, was authorized to govern the church, while the other members, priests and deacons, became his councilors and under his authority exercised more or less specialized powers in the spiritual and the temporal sphere. Because of the scantiness of documentary evidence it is impossible to trace the stages of this development, which came to an end in the middle of the second century. In the letters of St. Ignatius each church is represented as being governed by a bishop, assisted by priests and deacons. By the third century the priests had come to concentrate chiefly on spiritual duties, while the deacons had charge of temporal administration. In the large churches there also existed at this time certain inferior classes of clergy: lectors, subdeacons, acolytes and ostiaries.

As the numerous individual Christian communities established relations with one another, certain churches began to assert their hegemony. In Africa, for instance, the church of Carthage acquired undisputed supremacy, as did that of Alexandria in Egypt. Sometimes such supremacy was defended on the ground that the church had been founded by an apostle; at other times it grew up merely because the church was located in the capital of a Roman province. By the fifth century the hierarchy of churches had become clearly outlined, at least in the east. There the bishoprics or dioceses were grouped into provinces, which in their turn were united into four patriarchates: those of Alexandria, Antioch, Jerusalem and Constantinople. Constantinople became preeminent among the other oriental patriarchates because of its position as the "new Rome." The west developed no real counterpart of the patriarchs or even of the primates, but the same division into provinces prevailed.

The process by which the Roman church established its primacy over all other ecclesiastical dignitaries, including the bishops, the metropolitans and the patriarchs, had its origins in the apostolic period. During the closing years of the

first century Clement (92–101), bishop of Rome, intervened to end a dispute among the members of the community at Corinth. At the beginning of the second century St. Ignatius of Antioch referred to the Roman church as "the church which presides over the brotherhood of love," that is, of the faithful. About 180 St. Irenaeus declared that the Roman church possessed *potentior principalitas*, because it had been founded by the apostle Peter, and he advised the other churches to follow its leadership. This assertion anticipated the decision of the council of Sardica (343), which vested in the Roman bishop the right to ratify or veto ecclesiastical pronouncements.

While the various branches of the ecclesiastical hierarchy were thus developing, another essential institution came into existence, the council or synod, which may be defined as an assembly of the heads of the church, convened for the purpose of deliberating and legislating on religious affairs. It was only after the Edict of Milan and the official recognition of Christianity by the Roman Empire in 313 that the institution became well established. After that date in addition to provincial councils, made up of the bishops of the particular province, and general councils, either Latin or Greek, there began to emerge universal, or oecumenical, councils, such as those held at Nicaea in 325 and at Constantinople in 381, which included the bishops of all lands. The rise of these assemblies is closely related to the great doctrinal controversies and schisms, which made it necessary for the church to define its beliefs in order to maintain the purity of the dogma.

The last of the ecclesiastical institutions to emerge was the parish. Although rural churches are occasionally mentioned in documents of the third century, they failed to become numerous until after the Edict of Milan. The reason for their tardy appearance is obvious: it was in the great municipal centers that Christianity first gained a foothold, and each one of these centers was originally organized into a bishopric in such a way that church and diocese coincided. But when other communities began to develop outside the municipality where the bishop resided, it became necessary to provide them with an organization. Apparently the first solution attempted was the installation of a bishop in each rural community, but the excessive parceling of authority involved in such a system had serious disadvantages. It therefore became the custom for the municipal center to send out from time to time priests entrusted with temporary missions in the rural districts. But since this mode of evangelization proved inadequate for the purpose of coping with a persistent paganism, there was gradually created in the country areas a permanent clergy subordinated to the bishop. The city itself, the capital of the diocese, remained under the direct authority of the bishop until the urban revival of the tenth and eleventh centuries, when it became subdivided into a number of parishes, each administered by a priest.

The organization of the church in both the primitive period and the Middle Ages was adapted to the functions which it sought to perform and conditioned by certain recurring or acute problems which it faced in the performance of those functions. The primary objective of the church was the instruction and guidance of the faithful in the path of salvation. This it attempted to accomplish through preaching and the administration of the seven sacraments—baptism, communion, anointment or confirmation, ordination into the clergy, marriage, extreme unction and penance—all of which were based on the desire to perpetuate the teaching of Christ and to maintain among the faithful the moral discipline prescribed by the Gospel. At the same time it vigilantly guarded the traditional faith and discipline against innovation or non-conformism. Heresy, in the form of gnosticism, Marcionism, Montanism and Arianism, held far more peril for the early church than the imperial persecutions; and one of the gravest problems of the mediaeval church was its periodic reemergence, under the guise, for instance, of Catharism, Waldensianism, Albigensianism, Hussitism, Wycliffism and countless less famous or less widespread movements.

In addition to heresy the church was confronted by the problem of schism, which involved the withdrawal of certain Christians from its communion for reasons of discipline rather than of dogma. In the early centuries schisms were rife in Rome, Carthage and Egypt, but with the exception of the Donatist schism all were of brief duration. Far more serious consequences resulted from the permanent schism between the church of Rome and that of Constantinople. The origins of the eastern schism may be traced to the Council of Chalcedon in 451. Although recognizing the primacy of Rome, the council justified it on the basis of Rome's position as the capital of the empire; whereas the papal theory, as defined for instance by Pope

Leo the Great, based the primacy on the descent of the Roman bishopric from St. Peter. After 476, when Constantinople became the exclusive capital of the empire, its patriarchs, supported by the Byzantine emperors, quite naturally cited the Chalcedonian doctrine to prove their succession to the primacy formerly enjoyed by the fallen capital of the west. In the course of the protracted quarrel which followed between the churches of Rome and Constantinople, the Roman primacy was on several occasions confirmed by oecumenical councils, notably that held at Constantinople in 680. Yet the church of Constantinople obstinately clung to its aspirations for independence. The progressive orientalization of the Byzantine Empire and the Islamic conquests of the Mediterranean basin, by erecting further impediments to economic traffic between the two sections of the Christian world, ultimately prepared the east for ecclesiastical separation. The schism, effected for a brief time by Photius during the pontificate of Nicholas I (858–67), was consummated in 1053 under the leadership of the patriarch Michael Caerularius.

In breaking away, the church of Constantinople took with it all of the other eastern churches grouped about it. As a result of the first crusade the patriarchate of Jerusalem was drawn under the sovereignty of the Latin church, but after the fall of the Holy City in 1187 and particularly after the Moslem conquest of Acre, the last Christian salient in the Holy Land, this amounted to no more than an empty title. A similar fate befell the other patriarchates at the end of the thirteenth century, when the disappearance of the Latin Empire in Constantinople destroyed the last vestiges of western influence in the east. During the succeeding centuries several attempts were made to reestablish unity between east and west, but none of them met with more than ephemeral success.

The problems of heresy and of schism together with the struggles between Rome and the Byzantine and Germanic empires go far to explain the various modifications which were introduced into ecclesiastical institutions during the Middle Ages, not by way of altering the essential features of the primitive structure but by way of clarifying and enriching it. The process of development was also conditioned by the expansion of Christianity in the west. Not satisfied with winning back those German tribes, such as the Goths, the Burgundians and the Lombards, who had ranged themselves with heretics, the church set out to proselytize pagan peoples like the Franks. The difficulties which they encountered in the east obliged the popes to place increasing reliance on the west; during the pontificate of Gregory the Great (590–604) therefore the Roman church resolutely grasped the leadership of the missionary movement, which until that time had lacked method and coordination. The apostles who converted the English in the seventh century and the Germans in the eighth remained in constant touch with the papacy. The Slavic peoples were at first proselytized by both east and west, but after the eleventh century the work of evangelization in these regions was carried on exclusively by the German church in cooperation with the Holy See. In the thirteenth century the Christianization of Europe was completed and in the fourteenth the mendicant orders, the Dominicans and the Franciscans, having penetrated into Asia, won Georgians, Persians and Chinese for the Christian faith.

The most far reaching of the changes which took place in ecclesiastical structure under the impact of these various factors was the extension of the papal authority on which the constitution of the church rests. The Roman church had first, however, to secure its own independence by freeing papal elections from any interference on the part of the temporal powers (*see* PAPACY). Deferred for many centuries in the face of opposition from the Roman, the Byzantine, the Carolingian and the German emperors, who successively controlled appointments to the papacy, this objective was finally accomplished in the course of the reform movement of the eleventh century. Through the decree whereby Nicholas II in 1059 definitively transferred the right of papal election to the College of Cardinals, the Holy See gained the freedom from lay society which enabled it to consolidate its power over the universal church. Yet the succeeding development toward ecclesiastical centralization was but a continuation of a previous trend: it is in fact the dominant feature of the whole period between the sixth and the fourteenth century.

From the sixth century on, the expansion of Christianity was accompanied by the progressive accentuation of the tendency on the part of the various churches to consult the pope with regard to their problems and to abide by his decisions. Justinian himself recognized that the Roman church was head of all churches (*caput omnium ecclesiarum*) and the source of the sacerdotal

power (*fons sacerdotii*). Thus decisions emanating from the Roman pontiffs became the law of the church and in the canonical collections, such as that made by Dionysius the Little, papal decretals were vested with an authority equal to that of the conciliar canons.

These papal prerogatives antedated the False Decretals, which merely served to reenforce them by documentary material previously unknown or at least to provide the Holy See with an arsenal of trenchant formulae well adapted to aid it in the arrogation of power. The movement toward ecclesiastical centralization was foreshadowed under Nicholas I (858–67) and began to proceed with rapidity and intensity during the pontificate of Gregory VII (1073–85). After proclaiming that the Roman church had been founded by "the Lord alone" and invested in the person of Peter with power to "bind and loose" and with infallibility, the *Dictatus papae* issued by Gregory in 1075 asserted in principle the immunity of the pope to earthly criticism, the finality of his decisions and the absoluteness and universality of his power over the church and Christendom. Further it set forth the right of the pope to organize the dioceses in whatever way the enforcement of these principles seemed, in his opinion, to require: without recourse to a council the pope could depose bishops on his own authority, while the bishops were forbidden to render judgments on general matters except in the presence of the pope or his legates. Thus the *Dictatus papae* really contained a complete theory of the ecclesiastical hierarchy. In contemporary collections of canons, notably those made by Anselm of Lucca and Deusdedit, this theory was buttressed by a series of documents taken from the church fathers, the conciliar canons and the False Decretals.

The officials immediately subordinate to the pope were the patriarchs in the east, so long as the pope retained control in those regions, and the primates in the west. In the western church the only patriarch was the bishop of Aquileia, who retained his title until 1751 but enjoyed no real power. Although the office of primate existed, the powers accompanying the dignity never became clearly defined. From the pontificate of Gregory VIII on, both the patriarchate and the primacy were purely honorary. Beginning with the eleventh century the authority of the metropolitans also declined. The comparatively extensive powers previously enjoyed by the metropolitans or archbishops included the right to confirm bishops within their respective provinces, to convene and preside over provincial synods, to censure the suffragans and to hear appeals. At the end of the eleventh century all these prerogatives were transferred to the Holy See and the office of metropolitan became an insignificant cog in the ecclesiastical machinery.

The real intermediaries between Rome and the local churches were henceforth the legates, who acted as the plenipotentiary representatives of the pope. The origin of the legate goes back to the earliest times, for popes had always been accustomed to appoint members of the clergy as emissaries to distant lands or to select bishops, called in this capacity apostolic vicars, as the local representatives of the Holy See. In the eleventh century the enforcement of the reform decrees necessitated the more extensive use of legates. After the time of Gregory VII the institution was expanded to include, in addition to temporary legates appointed ad hoc for a particular mission, permanent legates who were chosen from the episcopate of a realm and took over the authority formerly exercised by the metropolitans. In the thirteenth century a distinction grew up between three types of legates: *legati a latere*, who were usually selected from the cardinalate and sent from Rome to direct important business in the name of the pope; the *legati missi*, who were generally recruited among the bishops and acted as permanent delegates of the Holy See; and the *legati nati*, purely honorary officials attached to some particular place. Not satisfied with supplanting the metropolitans, the papal legates played a crucial part in the progressive weakening of episcopal authority between the eleventh and fourteenth centuries.

As head of the local administrative unit, or diocese, the bishops, who represent the successors of the apostles, are, next to the pope, the most powerful officials in the church: the old adage *In episcopo ecclesia est* does not overstate the case. The bishop has exclusive right to ordain the clergy, to administer the sacrament of confirmation, to bless the sacramental oil and to consecrate churches. In addition he serves as diocesan administrator and judge of ecclesiastical cases, and as incumbent of the *potestas magisterii* he is entitled to instruct and to supervise instruction, although he usually delegates this function to a special official.

While by law the bishop is elected by the clergy and people of his diocese, confirmed by the king and consecrated by the metropolitan, this procedure has not always been followed in

practise. As soon as the temporal powers recognized the church, they claimed the right to appoint bishops and were more and more successful in imposing their demands until the tenth century, when the consolidation of the feudal regime throughout the west led to the alienation of this prerogative along with the other regalia. The inevitable effects of the incorporation of episcopal appointments into feudal procedure became apparent with the spread of simony and of Nicolaitanism, or moral laxity among the clergy, which sprang directly from simony. To eliminate these abuses and to raise the caliber of the clergy ecclesiastical reformers began to insist upon a return to the canonical modes of election. Such was the intention of Gregory's decree on lay investiture of 1075, forbidding any bishop to receive investiture from a layman and any temporal prince to invest with a bishopric or abbey. The resulting investiture conflict (*q.v.*) produced in the end a more precise definition of the respective rights of spiritual and temporal power. According to the terms of the concordats negotiated in the early years of the twelfth century between the church and the various European states, clergy and people retained the right to elect bishops, while the metropolitans consecrated them and the king or lord invested them with the temporal property attached to the bishopric. Subsequently the laity was divested of any share in episcopal appointments, which passed exclusively into the hands of the canons.

As early as the time of Gregory VII the place of the metropolitan as consecrator of episcopal elections was frequently taken by the pope or one of his legates. Such intervention on the part of the Holy See led gradually to a far more profound modification of the electoral system. The popes assumed the right to decide between rival candidates in the case of contested elections and to nominate a bishop in any city which they happened to visit while the office was vacant. In 1265 Clement IV arrogated to himself the right of conferring those benefices whose bishops died during their visits *ad limen* or within two days' journey from the city where the pope was at the moment residing. In the course of the fourteenth century the Holy See acquired control of episcopal appointments throughout most of the west and in addition nominated many of the subordinate officials within the dioceses. On the eve of the Great Schism the local authorities in the church had become closely dependent upon the Roman Curia.

The rapid progress of centralization had resulted in the diminution of conciliar activity. Although the long interlude following the Council of Constantinople in 870 was interrupted by the convocation of the First Lateran Council (1123), which confirmed the papal reform legislation, both the Lateran Council and the seven oecumenical councils which followed it in the course of the next two centuries were summoned and directed exclusively by the papacy and had to be satisfied with affixing their seals to the decisions of the Roman church. The provincial councils, generally convoked by the papal legates, were restricted to promulgating the rules laid down by the Curia and providing sanctions against the refractory and the insurgent.

Although the popes of the thirteenth and fourteenth centuries had exclusive control over the general policy of the church, the bishops continued to wield considerable power as the undisputed heads of the local diocesan administration. In addition to the bishop the diocesan governmental machinery consisted of the canons, whom he usually nominated and who constituted his advisory council, and of subordinate officials, whom he named and discharged at will. The most important of these minor official posts was set up about 1180, the chief duty of the incumbent being to take charge of certain judicial affairs and to preside over the episcopal tribunal. The diocese was subdivided into archdeaconries and the latter in turn into deaneries. A local priest entrusted by the bishop with the task of transmitting his orders to a definite group of parishes, the dean supervised other local priests and periodically convoked a *synodus decanalis*, or rural chapter. The institution of the deanery was not, however, universal, and some parishes stood under the direct control of the bishop.

In the case of the parishes, which were the basic units within the diocese, a distinction must be drawn between those located in the cities and those in the rural districts. The growth of the urban parishes began with the economic renaissance and the attendant development of towns in the eleventh century. Since the cathedral could no longer adequately supply the religious needs of the community, subsidiary places of worship were established: the collegiate churches administered by the canons and the district churches, whose priests were appointed by the bishop with the consent of the municipality, if the town was organized as a commune. The rural parishes, on the other hand, were descended from the old private

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churches. With the development of feudalism their patrons, the landowners, who had formerly reserved to themselves the right of naming the priests, adopted the custom of granting this right as a benefice along with other seigniorial rights. Thus the rural churches became fiefs exempt from all but very limited episcopal control. It therefore became one of the important objectives of the protagonists of the investiture struggle to free the rural parish from lay jurisdiction. Their efforts were crowned with success: the laity restored the churches which they had usurped and renounced their former extensive right of *dominium*, except in the very attenuated form of *jus patronatus*, which allowed them at the most to recommend to the bishop the nomination of a certain priest. During this period also, new rural parishes, distinct from those which had grown out of the old private churches, began to spring up; here either the bishop or the chapter or one of the chapter officials acquired the undisputed right of nomination.

The functions of the parish priest included not only the celebration of mass, the administration of the sacraments and preaching but the maintenance of order in the church and the parish, the latter involving certain judicial and policing activities. He enjoyed no fixed salary, deriving his income rather from the ecclesiastical revenue associated with each church and from certain extraordinary and variable emoluments. The tithe which was established to aid in his support was often alienated by infeudation, and the laity struggled vigorously before they surrendered it after the close of the investiture conflict.

A rigid hierarchical pyramid controlled entirely by the Holy See, the organization of the secular church became constantly more cohesive and closely knit between the eleventh and the fourteenth century. The social influence which radiated with increasing intensity from the church may be ascribed in part to these qualities, but in part also to the monks. At the beginning of the thirteenth century, when the expansion of Christianity and the progress of urbanization found the secular clergy unable to perform adequately the apostolic function of the church, the Benedictine ideal, which had fixed the pattern of western monasticism (*q.v.*) since the sixth century, was superseded by that of the mendicant orders, Dominicans and Franciscans. The prescription of stability and isolation gave way to that of constant mingling with the masses; the ideal of personal holiness to be attained through the mortification of flesh and spirit was supplanted by that of service in lay society. The Dominicans, as preachers and educators, and the Franciscans, primarily through their dissemination of the spirit of Christian charity, became valued lieutenants in the service of the papacy and were of tremendous assistance to the church during the period of its most profound influence upon secular life.

In the Middle Ages the two major problems with which the church had to contend were the preservation of internal unity and the opposition of the temporal powers. After the consummation of the eastern schism in the eleventh century the first problem came to revolve chiefly about the maintenance of the traditional dogma and discipline against the threat of innovation or nonconformism in the west. In the earliest centuries the church had developed the custom of punishing the repudiation of a fundamental dogma as well as the infraction of Christian morality with exclusion from the Christian community. Out of the primitive systems of punishments and censures there grew up the mediaeval institutions of excommunication (*q.v.*), which amounted to exile from the Christian world, and of interdict, which suspended the performance of all religious rites in a specified region, sometimes an entire kingdom. Excommunication and interdict were employed against heresy, while transgressions of discipline on the part of the clergy were punishable only with suspension or removal from office.

Because spiritual sanctions did not suffice to prevent heresy, the church early had recourse to temporal sanctions. As early as the fourth century the Roman emperor intervened to enforce conformity and Constantine, Valentinian I and Theodosius issued a number of edicts against doctrinal rebels. The social radicalism associated with certain heresies served as an added stimulus to the civil power to intervene in a sphere which today appears entirely foreign to it. According to the theory of the "secular arm," which was generally accepted throughout the mediaeval period, the emperor or king, in his capacity as protector of the faith against error, was required to inflict corporal punishment upon those heretics turned over to him by the spiritual power, since a cleric himself is forbidden to shed blood. Greater regularity and system were introduced into the practise in the thirteenth century with the creation of the Inquisition (*q.v.*).

While the theory of the secular arm assumed cooperation between church and state, there

were other forces making for a far less amicable relationship. The collision between the interests of the church and those of the state was an inevitable consequence of Catholic doctrine and institutional organization and, more immediately, of the circumstances accompanying the official recognition of Christianity under Constantine. The precept of Christ "Render to Caesar the things that are Caesar's, and to God the things that are God's" implied that the church was to exercise its power only in the spiritual realm; but the very exercise of such power raised questions to which the temporal authorities could not remain indifferent. At the very outset the simple fact of Christian monotheism provoked a conflict with the Roman Empire. The stubborn refusal of the Christian cult to be assimilated into the Roman pantheon set it off from other sects in the empire and brought upon it official persecution. Furthermore Christian ethics involves a social ethic (*see* CHRISTIANITY), which inevitably has had repercussions in the political domain. Finally, the insistence of the church on the supremacy of the spiritual power over the temporal was a serious threat to established political institutions, while the organization of the Christian empire itself contained germs of incurable dissension.

After the recognition of Christianity by Constantine the church became a state institution, and the emperors in exchange for their protection assumed a right to interfere in ecclesiastical affairs and to act as judges in controversies, even of a doctrinal nature, which arose among the bishops. During the period after the Council of Nicaea in 325 Caesaropapism became more and more firmly established. At this stage, because the emperors held the Christian religion and the ecclesiastical hierarchy in high respect, harmonious relations generally prevailed between church and state and the transient conflicts were resolved in a manner which left intact the rights of the spiritual authority. But at the same time a precedent had been established which in the future was to exert an increasingly formidable and less beneficent influence upon the relations between the spiritual and temporal powers.

In the course of the fifth century the Roman Empire in the west virtually disappeared; the church had done little to save it. In spite of the benefits which had accrued to it from the protection accorded by the empire, the church had been compelled to set out upon an independent course of development. The work of evangelization, which was its chief preoccupation, forced it to enter into relations with the barbarians. In the east, however, the Roman Empire persisted: the Byzantine *basileus* became the direct heir of the Caesars and perpetuated their ideas as to ecclesiastical politics. In the manner of Constantine and Theodosius, Justinian placed at the disposal of the Christian faith the imperial authority as well as the agencies and institutions through which it operated. But if he showed himself respectful and deferential toward the Roman church, whose assistance was useful to him in the realization of his project for a territorial reestablishment of the empire, he made it plain that he intended to dominate the church and subject it to his absolutism. Regarding himself as "emperor and priest," "vicar of God" and "supreme master of beliefs," the emperor felt free to intervene at will in ecclesiastical affairs: he promulgated laws governing the election of bishops and clerical ordinations, regulated the organization of convents, supervised the maintenance of discipline and even took part in doctrinal controversies. It was the emperor who convoked the oecumenical councils, determined their agenda and sanctioned or refused to sanction the enforcement of their decisions, although the papal legates, who occupied a conspicuous place at every conciliar meeting, also confirmed the decisions and tried to see that no one except the bishops meddled in questions involving doctrine.

Such far reaching claims resulted inevitably in a conflict with the papacy, which had been steadily gaining in power since the early years of the fifth century. The conflict was precipitated by the so-called "affair of the Three Chapters," in which Justinian set himself up as judge between the conflicting doctrines of the Monophysites and the Nestorians. In order to break down the opposition of Pope Vigilius the emperor made him a captive, had him conducted to Constantinople and in 548 forcibly wrung from him the *Judicatum*, a statement which gave approval to the imperial decree. Thus dramatically placing himself above the Roman church, the emperor set out to subordinate it to his sovereign authority and manifested his determination to be the supreme head of Christianity in the spiritual as well as the temporal realm.

The successors of Justinian maintained the same claims, but they came into conflict with a more determined papacy, which, thanks to the work accomplished by Gregory the Great, had at its disposal in the west new and valuable supports. Eventually the Holy See emerged vic-

torious in the violent conflicts which were waged between Rome and Constantinople during the seventh and the first half of the eighth century. The fall of Byzantine domination in Italy put an end to this first phase of the fight between *sacerdotium* and *imperium*.

The restoration of the Western Empire by Charlemagne in 800 revived Caesaropapism and thus restored the relations of church and state to the situation which prevailed in the days of Constantine, Theodosius and Justinian. In a famous letter addressed to Leo III shortly before 800 Charlemagne defined his conception of the reciprocal role of the two powers: the pope, he said, "will raise his hands toward God in order that by his intercession the Christian people shall be victorious in every quarter and at all times over the enemies of His Holy Name." By thus minimizing the role of the Roman pontiff Charlemagne felt himself free to assume many of the traditional papal functions; he drew up laws regulating the administration of sacraments, presided over the synods and imposed his own doctrinal definitions. In short, the emperor directed the church as he did the state.

After 962, when the Carolingian Empire, following its disintegration, was revived by Otto the Great, Caesaropapism again made its appearance. At times, as in the case of Otto III (983–1002), it might take a conciliatory form; on the other hand, as under Henry III (1039–56), it might be vigorous and aggressive, invading the rights of the church to the point of provoking a reaction on the part of churchmen. The action of Henry III in 1046 in deposing the three popes provoked Wazo, bishop of Liége, to remind the emperor that no one had ever enjoyed the right to depose the pope, since "the writings as well as the words of the Holy Fathers stipulated that the Sovereign Pontiff can be judged by no one except by God." New ideas were emerging as to the relations between the Roman church and the empire. Soon these ideas were systematically articulated and transformed into action. In the *Dictatus papae* Gregory VII proclaimed that the Roman pontiff was authorized, by reason of his powers to bind and to loose, to deprive emperors and kings of their crowns and to release their subjects from the oath of allegiance. It was no longer a question simply of the independence of *sacerdotium* from *imperium*, but rather a question of the subordination of the empire and other Christian kingdoms to the *sacerdotium*. Imperial Caesaropapism, determined to preserve its prerogatives intact, was confronted henceforth with the antithetical doctrine of Roman supremacy.

The fight between *sacerdotium* and *imperium*, which was to last for more than two centuries, was merely a continuation of the struggle precipitated by the *Dictatus papae*. The German emperor Henry IV, refusing to recognize the doctrine of Roman supremacy postulated by Gregory VII, forced the German bishops assembled at Worms in 1076 to depose the pope; the pope in return formally deposed and excommunicated the emperor. The famous denouement at Canossa, although significant temporarily, did not resolve the basic antagonism which had arisen between the doctrines of imperial Caesaropapism and those of Roman supremacy.

This antagonism was reflected in the realm of ideas as well as in the sphere of action. In a variety of intellectual quarters the two divergent theses as to the relation between church and state were bolstered with the appropriate theological and legal arguments. The imperial thesis rested primarily on the formulae of Roman law which exalt the absolute power of the prince, as, for example, *Quidquid principi placuit lex esto*. Since, however, this argument was not sufficient to justify the imperial claims against the church, the theory of divine right was formulated on the basis of St. Paul's statement, *Omnis potestas a Deo*. Attributing to the imperial power divine origin, the theory concluded that the sovereign, holding his power directly from God, could not be subordinated to any other authority, even to that of the Holy See.

In opposition to the imperial doctrine of divine right the doctrine of Roman supremacy, first outlined in the *Dictatus papae*, was further developed by the canonists during the late eleventh and the early twelfth century with the aid of texts culled from the writings of the church fathers, from the conciliar decrees and from the False Decretals. According to the canonists and the polemists the absolute power of the Roman authority to bind and to loose extends to the laity as well as to clerics, to kings as well as to bishops. They maintained that since excommunication involved the cessation of all relations with the excommunicated person, the excommunication of a temporal ruler must of necessity imply his deposition.

Although the doctrine of Roman supremacy rested primarily on a canonical type of argument, the Holy See also affirmed its power by making use of feudal law. From the second half of the eleventh century a certain number of

states which had no suzerain, as, for example, the Norman states of southern Italy, the kingdom of Aragon, the principalities of Kiev and Croatia and the seigniory of Barcelona, became vassals of the Holy See and in recognition of this feudal relationship contributed a census. With the spread of this practise in the twelfth century the majority of the smaller states of Europe placed themselves under the suzerainty of the Holy See. Even some of the great kingdoms, such as England, proclaimed themselves, either willingly or unwillingly, vassals of the pope. The pseudo-Donation of Constantine was similarly used as a means of extending the temporal authority of the Holy See, which found solemn expression in the writings and acts of Innocent III and his successors. "I received from Rome," wrote Innocent, "the mitre, symbol of my religious function, and the tiara which confers upon me earthly domination." Pope Gregory IX reminded Frederick II in 1236 that by reason of the Donation of Constantine the pope not only exercised unlimited power over the souls of men, but that he had also obtained throughout the entire world *rerum et corporum principatum*, a temporal domination which made the emperor merely the delegate of the pope. The idea of papal supremacy quickly permeated mediaeval theology. Thomas Aquinas held that the "secular power should be subordinated to the spiritual power, as the body is to the soul." Humbert of Romans, in more explicit terms, declared that the emperors "receive from the Church the honor of their dignity"; and St. Bonaventura, after having recalled that the popes had deposed kings and emperors, concluded that the latter were merely auxiliaries of the Holy See in the administration of temporal affairs.

The fortunes of the struggle between church and state shifted back and forth. Under Urban II (1088–99) the papacy appeared to have conquered when the invasion of Italy by the German emperors was checked and the Christian Occident rallied enthusiastically to the pontifical appeal for the first crusade. Two later offensives, one by Henry V (1106–25), the other by Frederick Barbarossa (1152–90), began successfully but finally ended in defeat. The Roman power emerged from this latter crisis, which had seemed for a time to imperil its very existence, with greater strength than ever; and under the pontificate of Innocent III (1198–1216) the claims of the papacy were imposed with unprecedented vigor. Not content with affirming abstract theses, Innocent arrogated to himself the right to act as arbitrator between the two princes then disputing the German crown and made it plain that the pope, being commissioned to consecrate the emperor, must satisfy himself as to the qualifications of the candidate.

Following the death of Innocent III the Roman supremacy suffered another rude assault, this time from Emperor Frederick II, the most redoubtable adversary encountered by the papacy during the Middle Ages. Drawing upon such students of Roman law as the legists Peter de Vinea and Thaddeus of Suessa, Frederick formulated a program of *dominium mundi* still more far reaching than that of Frederick Barbarossa in the preceding century. As Roman legal ideas fused with conceptions of oriental despotism, the emperor was led to consider himself a priestly ruler before whom the entire world should bow, one commissioned by God to lead the church in both the temporal and the spiritual spheres.

It is easy therefore to understand the bitterness of the fight between *sacerdotium* and *imperium* during the second quarter of the thirteenth century. After several severe clashes the papacy attained the most complete triumph which it has ever enjoyed over the temporal power; but at the very moment when imperial Caesaropapism seemed definitely crushed, the papacy found itself in conflict with newly formed national monarchies, which in their turn were loath to admit the doctrines of Roman supremacy.

The conflict with the national monarchies was of a different nature. The question of the *dominium mundi* was no longer involved; henceforth the pope claimed control over the king as well as over the emperor, *ratione peccati*. The new argument ran as follows: all kings, whoever they may be, are Christians, and as Christians they are called upon to submit to the orders of the church and to accept without question the authority of the universal pastor. As a corollary the pope felt justified in intervening in various ways in both private and public law. The church condemned the French kings Philip I (1060–1108) and Philip Augustus (1180–1223) for having presumed to dissolve their marriages. It also stepped in to make the princes respect the peace, in accordance with the Peace of God as promulgated in the tenth century; in the twelfth century at a time when the newly consolidated national monarchies were seeking to liquidate their quarrels through war, the papacy either

tried to prevent the conflicts or, as in the case of several clashes between France and England, served as arbiter.

But the issue which still continued to provoke the great majority of conflicts between church and state involved the question of what immunity, if any, was to be accorded ecclesiastical persons and property. Since the fourth century the clergy had been exempted by the Christian emperors from the obligation of performing municipal services and of paying extraordinary taxes; they had in addition the privilege of being tried only before ecclesiastical tribunals and of being exempt from lay jurisdiction of any kind. This privilege was carried over into the barbarian kingdoms, and in addition churches and monasteries received the right of imposing dues and taxes upon the inhabitants of exempt lands. Thus the church was freed from all obligations as regards both its personnel and its property and at the same time retained complete independence in matters of jurisdiction.

When in the twelfth century the national monarchies developed into absolutistic states, with administrative systems which needed ever greater financial resources, these privileges of the church began to appear unreasonable. The courts of the king, having absorbed the various local courts of the older seigniors, set out to supplant the ecclesiastical courts. Thus in England Henry II, by the Constitutions of Clarendon in 1164, ordered the clerics to appear when summoned before the royal judges. After a long conflict, however, the church succeeded in maintaining all of its claims, and in 1172 Henry II was forced to annul the act by which he had sought to suppress the privileges of the clergy.

Other conflicts broke out in the twelfth and thirteenth centuries, notably in the financial sphere. The tithes for the crusades were strongly opposed by certain rulers, notably by Edward I of England. In 1294 Edward ordered a subsidy equivalent to half of the ecclesiastical revenue; and in the same year Philip the Fair of France, in order to meet the expenses of his campaign against England, received from the bishops of the realm authorization to levy tithes over a period of two years to be used as he might see fit. A part of the clergy appealed to Rome; Boniface VIII, by the bull *Clericis laicos* of 1296, vigorously reminded the rulers of the privileges of the church and forbade such subsidies without the approval of the Holy See. The bitter fight which resulted between the pope and the king of France degenerated into a more general conflict, which once again posed the question of the respective rights of church and state. In defending the traditional immunities of the clergy Boniface VIII reformulated, in even more trenchant terms, the doctrines of his predecessors as to Roman supremacy.

The bull *Unam sanctam* of 1302 contains in fact a theory of direct power more aggressive than that advanced by the popes of the thirteenth century. Boniface forcefully affirmed that the church controlled both swords, the spiritual and the temporal; and that if the civil power was distinct from the ecclesiastical power, it was nevertheless subordinate to it, since it was derived from the church. Boniface did not confine the sacerdotal power to the function of supervising the exercise of royal authority, *ratione peccati*. The state, he contended, was an organic part of the church and it was from the pope as vicar of Christ that all of its powers proceeded. Such theologians as Aegidius Colonna and James of Viterbo likewise proclaimed according to the formula *ad nutum, non ad usum* that the temporal power, even though it may not rest in the hands of the pope, is at least dependent upon his orders.

Such doctrines naturally aroused violent resistance. In the face of the papal theory the legists of the Capetian king took over from the jurists of the Holy Roman Empire the theory of absolutism based on divine right. At the beginning of the fourteenth century the two theses which had been arrayed against each other uninterruptedly since the time of Gregory VII were still in conflict; but the sphere of the debate had become enlarged. While the Holy See maintained its right to govern the world in both the spiritual and temporal spheres, the absolutistic national monarchies were seeking to emancipate themselves from its supervision, and in this endeavor they were to be aided by historical conditions. During the Avignonese period (1305–78) the only positive success registered by the nationalistic antagonists of the papacy was the Golden Bull, which freed the empire from all interference on the part of the popes. But the Great Schism of the west involved the papacy in a crisis of unprecedented gravity. This schism was basically responsible for the conciliar movement, which for a time seriously threatened the papal institution, as well as for the successful efforts of many temporal sovereigns to place the national churches under their strict supervision.

The origins of this crisis are to be traced to the double election in 1378 of Urban VI and of

Clement VII. Since it was impossible to establish in canonical terms the legitimacy of either of these claimants, there followed throughout the Christian world a period of grievous uncertainty. Inasmuch as the two pontiffs consistently refused to abdicate simultaneously, a number of theological leaders decided that the only way to restore unity was by means of an oecumenical council. Their recommendation to this effect, although patently contrary to canon law, which recognizes no oecumenical council unless presided over by the pope and no conciliar decisions unless promulgated by him, resulted in the Council of Constance (1414–18) and the election of a pope who was accepted by the entire Christian community. The pontifical authority, already weakened by these prolonged disturbances, was further threatened by other factors, particularly the spread of heresy, which was particularly aggressive in its antipathy to the papacy. Wycliffe, for example, advocated the suppression of the Apostolic See, repudiating its infallibility and advocating the substitution of the authority of Scripture.

The conciliar movement became increasingly strong during the years which followed the Council of Constance. The Council of Constance, in adopting the principle that oecumenical councils should be held at stated intervals, in itself represented a limitation on the exercise of papal discretion; and had gone even further in proclaiming the superiority of the general council over the pope. The Council of Basel (1431–49) attempted to carry over into practise the principles adopted at Constance. It soon became involved in a stubborn conflict with Pope Eugene IV, who finally dissolved the now openly schismatic assembly. Although orthodoxy was finally restored, the effect of this bitter controversy had been distinctly injurious; the temporal powers quickly took advantage of it to usurp from Rome a goodly measure of the control of the national churches.

During its final sessions the Council of Constance had approved various concordats designed to regulate the position of the church in Italy, Spain, France, Germany and England. In every case a part of the revenue and of the prerogatives of the Holy See had been turned over to the temporal princes. Although originally concluded for only five years, these concordats were renewed and their general tone became increasingly antipapal. In 1438 the French king Charles VII, profiting by the crisis at Basel, convoked at Bourges a large assembly of the clergy, which confirmed the decrees of Basel and declared that it saw no good reason why the king or the princes should not occasionally interfere in episcopal elections "through tender prayers or well intentioned recommendations." The decisions of the assembly, promulgated as the Pragmatic Sanction of Bourges, remained in effect, despite Louis XI's formal annulment in 1461, until 1516 and paved the way for the increasing participation of the temporal power in the affairs of the church, notably in the matter of episcopal elections.

A similar evolution may be traced in Germany and in England. In Germany the convention of Vienna in 1448 limited to six months of the year the power of the pope to dispose of benefices which had been vacated by bishops who had died while making a visit to the papal court; and at the same time ratified the usurpations made by the princes during the crisis. In England the papacy was likewise forced to accept the king's incursions into the sphere of ecclesiastical property. Throughout Europe centralization declined; and as royalty extended its jurisdiction, the authority of the pope over the local churches became perceptibly weaker.

At the beginning of the sixteenth century this decline in the power of the Holy See became even more marked. The prestige which the Catholic church had enjoyed throughout the Middle Ages was seriously undermined by the nepotism which prevailed under Alexander VI (1492–1503), Julius II (1503–13) and Leo X (1513–21), by the pagan atmosphere which often saturated the pontifical court during the High Renaissance and by the reappearance of older abuses. The situation was greatly aggravated by the Reformation (*q.v.*) and the attendant defection of a huge number of the faithful. Accordingly the pontiffs beginning with Adrian VI (1522–23) made a vigorous effort to regenerate the church. In the thorough overhauling of ecclesiastical institutions the Curia was reformed, the cardinals and the bishops were recruited with much greater care and instructed to take up actual residence, and the itinerant monks were ordered to return to their convents. The Council of Trent (1545–63) completed the work of the popes by introducing a standardized dogma and inaugurating a general reform of the church. According to the decrees of this famous assembly the bishops were instructed to maintain strict residence, to have themselves consecrated during the first three months following their election, to pay regular visits to their

dioceses and to supervise the benefices belonging to exempt chapters. Diocesan synods were to be summoned annually; seminaries were to be created for the education of young clerics; plurality of benefices was prohibited; and a goodly number of taxes which had led to abusive modes of collection were suppressed. As regards the regular clergy the council forbade monks to have any property, prescribed an investigation into the condition of monasteries and decreed that abbeys should not be given in commendation. The regeneration of existing religious orders—for instance, the reform of the Carmelites by St. Teresa de Avila—and in particular the foundation in 1534 of the militant Jesuit order (*see* JESUITS) were of tremendous importance for the prosecution of the work of the Counter-Reformation.

Although a new and more vital period in the history of Catholic religious institutions was thus ushered in by the Protestant Reformation, no essential element of the constitution of the church was changed and the authority of the papacy was fully restored. The Council of Trent, before adjournment, submitted all of its decisions to Pope Pius IV for his approval and turned over to the papacy the task of settling any questions that might arise in the execution of the conciliar decrees. More than ever the church preserved its character of a highly centralized monarchy; and as the administrative and judicial machinery set up in the twelfth and thirteenth centuries became antiquated, new machinery was constructed which fortified still further the authority of Rome. The most striking characteristic of Catholic religious institutions in the modern period is the appearance—alongside of the Consistory, the body of cardinals serving as advisers of the papacy—of Roman congregations which tended more and more to take over the actual administration of the church. A congregation may be defined as a group of cardinals designated by the pope to supervise a particular branch of ecclesiastical administration and to serve as specialized heads of the administrative bureaus. In general the organization is analogous to that of a ministry in a modern state. The effect of the Roman congregations, which number eleven at the present time, has been to accentuate centralization.

During the modern period therefore even more than in the Middle Ages the church exists only as a reflection of the Holy See. The Council of Trent introduced no modification in the relations existing between the pope and the local churches, but it did forcefully affirm that it was the pope who conferred the episcopal office. Although it has been decided, as, for example, in such concordats as those of 1516 and 1801 with France, that this right of nomination under certain circumstances can be delegated, neither nomination by secular officials nor election by the local clergy has been a normal practise in recent times. Today the great majority of episcopal seats are filled by free pontifical collation; the concordats of the twentieth century have made it plain that the right of the national governments extends only to review, that is, to the expression of a demurrer in the case of a nominee who for political reasons may be unacceptable. This system, which obtains practically everywhere at the present day, has made the bishops more dependent upon the Holy See. Papal intervention in the government of the local churches is far more extensive than in the Middle Ages: the bishops are required to present themselves at regular intervals at the papal court in Rome and every five years they must furnish a detailed report as to the situation in their dioceses. The Holy See exercises an even more direct authority in countries recently won to the Catholic faith through missionary enterprise, which is organized and administered under the jurisdiction of the Congregation of Propaganda.

Thus the church is a spiritual monarchy of which the pope is absolute sovereign. But inasmuch as Catholics are also subject to national states, which are in a position to grant or withhold religious liberty, and since these states have become progressively secularized, the papacy has been forced to erect machinery for regulating its relations with the political powers. One of the distinguishing characteristics of the modern period has been the existence of a pontifical diplomatic corps, closely resembling those of the secular states. The secretary of state, an office created in the sixteenth century, heads the corps and supervises the activity of the nuncios, permanent ambassadors who have superseded the mediaeval *legati a latere*.

Since this double organization, at once religious and political, has produced happy results, the Catholic church has made notable progress during the modern period. The various clashes which have inevitably arisen with the nation states have been neither as bitter nor as prolonged as those of the Middle Ages. The first of these conflicts was fomented by the Council of Trent itself, which through its decrees reestablishing the Catholic discipline ap-

peared to encroach upon the authority of the state. Although accepted without difficulty in Italy, Poland, Spain and the other countries subject to Philip II, these decrees aroused opposition elsewhere. In Germany, where a counter offensive against the Reformation was particularly imperative, the Catholic rulers were acquiescent enough but the bishops themselves resisted the orders, which bade them renounce temporal interests in order to identify themselves with the intellectual and moral elevation of the clergy. The greatest opposition to the decrees of the Council of Trent emanated from France, where the clergy, supported by the king, charged that the decrees were contrary to the liberties of the Gallican church. The papacy had to be satisfied with a rather vague, and never officially promulgated, promise of conformity on the part of the assembly of the clergy in 1615.

The Gallicanism which prompted the French opposition to the decrees of the Council of Trent was developed into a systematic theory at the end of the sixteenth and the beginning of the seventeenth century by Pierre Pithou, Edmond Richer, Pierre and Jacques Dupuy. The formulation of such theses was appreciably forwarded by the progress of monarchical absolutism, which was consistently hostile to ultramontanism. In 1682, under Louis XIV, an assembly of the clergy in order to comply with the wishes of the king, who had had difficulties with the Holy See, adopted the Declaration of the Four Articles, which proclaimed the superiority of the council over the pope and the independence of the French clergy from the Holy See. Gallican doctrines eventuated in a genuine schism. Although in the end Louis XIV had to give in to Rome and the schism was healed, the Gallican spirit still continued to animate the French monarchy. Traces of it may be detected in the controversy over Jansenism, which, having been condemned by Rome, gave the French government the opportunity of attacking the papal authority without adopting an altogether clear position. The suppression of the Jesuits in France in 1762 was the result of pressure which was exerted by the Jansenists in alliance with the *parlements*.

A similar opposition to ultramontanism may be traced in the other Catholic states. At the end of the eighteenth century the German bishops came under the influence of Johann Nikolaus von Hontheim, more familiarly known as Justinus Febronius, who maintained that ecclesiastical authority inhered not in the pope but in the assembled bishops. During this same period Emperor Joseph II sought to detach the Austrian church from pontifical authority with a view to bringing it under his own control, and Pope Pius VI was unable to suppress these measures, which were so manifestly directed against his position. Tendencies similar to Gallicanism and Josephism appeared also in Spain, in Portugal and in the Kingdom of Naples, where the rulers attempted to supplant the pope as head of the church and to prohibit the bishops from corresponding with Rome. Under Grand Duke Leopold an attempt was made to introduce Josephism into Tuscany.

The offensive against ultramontanism is intimately related to the spread of religious skepticism. In seventeenth century England the deists began to deny the supernatural character of Christianity and to formulate a religion based exclusively upon human reason. In crossing to the continent these anti-Christian ideas eventuated in pure atheism. Although such theologians as Le Franc de Pompignan and St. Alphonsus de Liguori attempted to defend the position of the church in the fields of philosophy, history and exegetics, the clergy itself was not sufficiently enlightened to help and the episcopate, controlled by the great families, was not equal to the task. The controversy against the atheists was carried on far more effectively by the religious orders. Dominicans, Benedictines, Oratorians and Jesuits rivaled each other in the intensity of their counter offensive. But even so the church was not able to forestall the crisis.

The French Revolution wrought serious havoc on the religious institutions of France. On the night of August 4, 1789, the Constituent Assembly by abolishing feudal rights suppressed the tithe; and on November 2 the remaining ecclesiastical properties, upon the proposal of Talleyrand, bishop of Autun, were nationalized. In 1790 the religious orders were suppressed. The Civil Constitution of the Clergy adopted the same year recast the ecclesiastical map of France and gave the electors the power to choose the priests and bishops, who in addition were forbidden to receive canonical investiture from the pope. The resulting overthrow of canonical law precipitated a civil war which lasted until 18 Brumaire. The revolutionary crisis broke out also in the countries overrun by the French revolutionary armies, particularly Germany, where the church was despoiled through the secularization of ecclesiastical property completed in 1803. The invasion of the Papal States

by the French armies in 1796 resulted in further loss of papal properties.

Although the papacy itself suffered a serious crisis under the later Napoleonic empire, a settlement of most of the major issues was reached by the Concordat of 1801 between Napoleon and Rome. By guaranteeing state support for the secular clergy in return for the renunciation by the church of its ecclesiastical properties the concordat facilitated the resumption of amicable relations between church and state. A similar solution was reached in the concordats with other countries: with Bavaria in 1817, the Kingdom of Naples in 1818, and Russia, Switzerland and most of the German states during the course of the nineteenth century.

In general the effect of the concordats was highly beneficial. Momentary misunderstandings of various kinds subsequently arose with Catholic as well as with Protestant countries, but invariably, after a few years of tension, a satisfactory solution was evolved. On several occasions such difficulties appeared in Germany, notably the affair of the mixed marriages in Prussia during the reign of Frederick William III, and the *Kulturkampf*, which broke out after the proclamation of the German Empire in 1871. As a result of the revolutionary movement of 1848 certain Italian states imposed limitations upon ecclesiastical jurisdiction and suppressed religious congregations. The entrance of King Victor Emmanuel into Rome created a delicate situation which continued down to 1929. In France by way of reaction against certain royalist demonstrations and the coup d'état of May 16, 1877, the republican government adopted an anticlerical policy, which found its most striking expression in the law of 1901 relating to religious congregations, in the severance of diplomatic relations with the Holy See and in the separation of church and state in 1905. Diplomatic relations were resumed in 1921 and an acceptable modus vivendi was established under the separatist system.

In spite of these conflicts with the various national governments the power of the Holy See has increased during the course of the nineteenth and twentieth centuries. The proclamation of papal infallibility by the Vatican Council in 1869–70 strengthened its religious authority, while its attitude toward contemporary social, intellectual and international problems has served to augment its general prestige. Thus Leo XIII (1878–1903), in an effort to mitigate the hardships of the working classes, issued his encyclical *Rerum novarum* (1891), which denounced "the new forms of usury" and advised the workers to organize into trade unions in order to obtain fair salaries, Sunday rest and other advantages demanded by justice and charity. The same pope advanced the interests of science by founding the Biblical Commission for the study of Holy Scripture, by opening the Vatican for general research purposes and by creating numerous chairs of philosophy. The social and intellectual reforms of Leo XIII were carried further by the work of Benedict XV (1914–22) and Pius XI (1922–) in promoting international good will. Benedict, after making repeated attempts to act as arbitrator during the World War, issued the encyclical *Pacem Dei* in 1920, which pleaded for reconciliation between the Christian nations of the world—a goal which Pius XI has of late been zealously pursuing. In the intellectual realm Benedict was responsible for the *Codex juris canonicis* of 1917 and for the creation of the Congregation of Seminaries and Universities. Pius XI has given a powerful impetus to missionary work; the fact that the pope personally consecrated six Chinese bishops in 1925 is indicative of a new trend in this respect.

The Catholic church has thus become a powerful influence in the present day world. Although it is in fact as well as in name a universal church, its influence obviously varies in different regions. In Italy, where the population is almost entirely Catholic, Catholicism is the state religion and, particularly since the entente of 1929, enjoys a most privileged position. Religious instruction is given in the schools, and since 1921 there has been a Catholic university in Milan. In Spain also, at least until quite recently, Catholicism was the state religion and the immense majority of the population had received baptism. The recent revolution, however, was anticlerical in temper, and a number of convents and churches were burned. But at the present time there are prospects of a new statute which will guarantee religious liberty. France, for all its aggressive anticlericalism during the opening years of the twentieth century, has preserved an intense religious vitality. The generosity of the Catholic laity not only assures the support of the secular clergy, who no longer enjoy state support and at the same time are deprived of the revenues deriving from pious foundations, but also maintains charitable and apostolic organizations. There are few countries in which Catholic societies are more prosperous.

In Belgium, where the majority of the population is Catholic, Catholicism exerts a political influence greater than in any other country. An extensive program of social legislation, incorporating Christian ideas, was sponsored and passed through the efforts of the Belgian Catholic party. The Catholic University of Louvain since its reopening in 1834 has rendered immense services to science, particularly in the fields of religious philosophy and history.

Elsewhere in western Europe—except in Portugal, where the church has suffered as a result of the revolution of 1910—Protestantism is in the ascendancy; but even in Protestant countries Catholicism as a rule enjoys real liberty of action. In the Netherlands, since the law of 1853 inaugurating complete religious liberty, the Catholic hierarchy has become reestablished and the security of ecclesiastical property has been guaranteed. Catholicism may be taught in the schools, and in recent years a Catholic university has been founded at Nijmegen. In the United Kingdom of Great Britain and Ireland the position of Catholics has gradually improved. The Catholic hierarchy was restored in England in 1850 and in Scotland in 1878; but since the law forbade the presence of a Catholic bishop in the cities where Anglican bishops were already in residence, the Catholic archbishops have been located in the newer urban centers, such as Liverpool, Birmingham or Cardiff. The dioceses are divided not as formerly into parishes but into missions, the clergy of which, regular as well as secular, are appointed by the bishops. Catholics are allowed to have the so-called "incorporated schools," three quarters of whose expenses are paid by the government in exchange for governmental control. Ireland has remained predominantly Catholic and its dioceses are divided into parishes.

In Germany the majority of the inhabitants in the Rhineland provinces and in Westphalia, Silesia and Bavaria are Catholic. Formerly each of the states determined its own religious organization, but, as a result of recent developments consecrated in the Concordat of 1933 between the Hitler government and the Holy See, a striking unification of religious institutions has been brought about. In Switzerland each canton is free to adopt whatever religious organization it may prefer, although it must accord at least a minimum degree of liberty. The religious situation in most of the succession states as well as in Rumania and Poland is regulated by recent concordats. In Austria, Czechoslovakia and Poland the population is still predominantly Catholic. In 1925 Latvia and Lithuania were erected into ecclesiastical provinces; while Finland and Estonia as well as the overwhelmingly Protestant Scandinavian countries are administered by apostolic vicars and treated as missionary areas.

In the New World the Dominion of Canada has a large proportion of Catholics in the French speaking provinces. Catholic schools are particularly prosperous and Laval University at Quebec and Montreal is a famous center of higher Catholic culture. In the United States, where the constitution prescribes religious liberty, the actual legislation is in the hands of the states, which as a rule have manifested an extremely liberal temper. Freedom of instruction is universal, and the state recognizes the degrees conferred by Catholic universities. As a result of this tolerant regime the number of Catholics has grown from 40,000 in 1790 to around 20,000,000 in 1934.

The situation in Mexico is quite different and has recently moved the Holy See to vigorous protests. Similarly in the other Latin American countries the recurring revolutions during the nineteenth and twentieth centuries have hindered the progress of Catholicism, although in certain countries, notably Brazil, it is still fairly alive. Asia, Africa, with the exception of French north Africa, and most of the islands of the Oceania archipelago fall within the category of missionary regions. The work of proselytization in these areas is being carried on with extreme vigor (*see* MISSIONS), although because of the tremendous obstacles in its path the numerical results are not uniformly impressive.

Missionary activity is only one manifestation of the vitality of the Catholic church at the present time. Catholic societies of all kinds were never so numerous or so active as in the twentieth century. Charitable organizations deserve especial mention because they embody the essential precept of Catholicism. The Society of Saint Vincent de Paul, founded by Ozanam in 1833, and now extending throughout the world, has done much to improve the lot of the working classes. In addition there are the Association of the Holy Childhood, which cares for 500,000 children annually; numerous organizations for the moral and social training of youth and for the furtherance of education; press associations; and professional organizations, such as the Christian trade unions; as well as the huge propaganda societies and the various associations for religious and pious purposes.

In recent years the Catholic church has made conciliatory overtures both to the Greek Orthodox and to the Anglican churches. These efforts, however, have as yet proved abortive. The great stumblingblock in the way of all reconciliation is the theory of Roman primacy, which the Catholic church cannot sacrifice, even in the smallest degree, without endangering the entire ecclesiastical structure. But this doctrinal intransigence does not prevent the church from collaborating for humanitarian and cultural purposes, both with other Christian churches and with lay institutions which are interested in the preservation of peace or in the improvement of the lot of the working classes. By its cooperative spirit it has won the respect of many non-believers; and if today, as a result of past revolutions and the confiscations which not infrequently accompanied them, the material position of the church is weaker than it once was, its moral influence has perceptibly increased.

AUGUSTIN FLICHE

EASTERN ORTHODOX. *Byzantine.* In the east the organization of the primitive church followed the administrative divisions of the Roman Empire even more closely than it did in the west. By the end of the third century every community which was accorded the status of a town (*civitas*) under the Roman administrative system was served by a single bishop, who acted as head of the one local church; independent churches in all other communities were suppressed, along with the bishops (*episcopoi*) in charge. In further conformity with the principle of adaptation to existing administrative divisions ecclesiastical provinces were set up which corresponded exactly to the political. The oecumenical and local councils of the fourth century decreed that the various episcopal seats in the province should be represented in a synod and that the bishop of the capital city, under the title of metropolitan, should preside over the new unit.

With the establishment at a somewhat later date of larger administrative areas within the empire there grew up in the east five ecclesiastical divisions (called dioceses): Egypt, Orient, Asia, Pontus and Thrace. At the head of these dioceses stood the bishops of the respective chief cities: Alexandria, Antioch, Ephesus, Caesarea (in Cappadocia) and Heraclea. These bishops, or "exarchs," as they were called, summoned and regulated the local councils in addition to appointing and consecrating the metropolitans. The exarch of Alexandria by reason of his special prerogatives appointed all bishops as well. As a mark of special respect this exarch was called pope and judge of the world, while the exarch of Antioch had the title of patriarch, the name which was later to be assumed by the bishops who headed the most important autocephalous churches of the east.

The rapid political rise of Constantinople, however, soon brought to an end the regime of the five exarchs, which was eventually replaced by four patriarchates: Constantinople, Alexandria, Antioch and Jerusalem. Asia, Pontus and Thrace became part of Constantinople; Antioch rapidly lost power, particularly after the separation of Jerusalem; and by the fifth century Alexandria alone was powerful enough to stand out against the aggressive patriarch of Constantinople. After a protracted struggle, which involved such distinguished hierarchs as Gregory of Nazianza, John Chrysostom, Nestorius and Flavian, the patriarchs of Constantinople emerged victorius and by the provisions of the canons of Chalcedon were accorded concurrent jurisdiction throughout the Eastern church. From the sixth century on the patriarch of Constantinople like the pope of Rome began to advance claims to hierarchical primacy.

After the conquest of Alexandria, Antioch and Jerusalem by the Arabs in the seventh century and the consequent elimination of all rivalry in the east, the chief opposition to the claims of the patriarch of Constantinople came from the west. The bitter controversy between Rome and Constantinople, which goes back to the days of Pope Leo the Great (440–61), and which from 484 to 518 created an open schism between the Western and Eastern churches, failed to weaken the power of the patriarch. During the iconoclast struggle he even profited by the opposition of Rome, since it provoked Emperor Leo the Isaurian (717–41) to transfer to him the dioceses of Illyricum, Calabria, Sicily and Crete previously under papal control. The same emperor detached Isauria from the jurisdiction of the patriarch of Antioch and subordinated it to the patriarch of Constantinople. He further decreed that all churches in territories whose inhabitants had recently been converted should be subject to the authority of the patriarch of Constantinople. Yet, while he was undeniably the most powerful religious leader in the east, the patriarch of Constantinople held, even in theory, a less exalted position than that of the pope. Aspiring only to primacy in the east, he was willing to grant, in the event of union between the two

branches of the church, the papal pretensions to primacy over both east and west, although he interpreted the latter as a primacy of rank and not of jurisdiction.

Nor did the patriarch ever acquire the actual authority over the other eastern churches which the pope exercised in the west. None of the other autocephalous churches was subject to his direct superior jurisdiction, and at best he was allowed merely concurrent jurisdiction. Whereas no other ecclesiastic or body of ecclesiastics was entitled to judge the actions and dicta of the pope, the patriarch of Constantinople like other patriarchs could be judged by a council consisting of the dignitaries of his own territory together with the other patriarchs. In general the supreme organ of the Eastern church was the council, not the patriarch. Even in its juristic basis the power of the patriarch of Constantinople was less exalted than that of the pope. In contrast to the papal authority, which was buttressed by divine law, the priority of the patriarch rested only on human law and was defended in the canons on the basis of the political importance of the capital city, in which the seat of his office was located.

In its relations with the state the Byzantine church, both in its characteristic theory and in practise, aimed at cooperative harmony, so interpreted that normally no line of demarcation existed between the sphere of the ecclesiastical power and that of the political. At various periods the Byzantine emperors not only supervised the maintenance of ecclesiastical discipline but even controlled matters of church doctrine. In addition to the emperors the various subordinate civil officials participated in the direction of ecclesiastical affairs, while on the other hand purely political functions were performed by the bishops.

This overlapping of the two spheres did not remain, however, entirely free from criticism. Particularly at the beginning of the Byzantine epoch, various eminent hierarchs, such as Chrysostom and Gregory of Nazianza, insisted upon the superiority of the sacerdotal power over the political. But, although Arcadius and Honorius as well as many other early emperors did in fact renounce their right to interfere in purely ecclesiastical affairs, at a later period disturbances arising from the prevalence of heresy impelled the emperors to revive the practise of intervention. Thereafter the system of Caesaropapism, characterized by the dominance of the emperor in both ecclesiastical discipline and doctrine, became firmly intrenched. Following out a precedent established as early as the Arian and Monophysitic controversies, Justinian asserted his authority over doctrinal questions by condemning the Origenists and the "three chapters" in a series of edicts, which were provided with a thoroughgoing theological rationale. The system of Caesaropapism was completely formulated in the *Ecloga* of the eighth century. One of the lawgivers who compiled the *Ecloga* referred to himself as king and priest, identifying his will with canon: in the introduction to the work it was affirmed that the emperor derived his imperial power from God, who had also enjoined him through the medium of Peter to tend the flock entrusted to him. The learned commentator Theodore Balsamon, writing in the twelfth century, ascribed to the emperor sacerdotal and doctrinal authority, carrying with it the duty to safeguard the souls as well as the bodies of his subjects and the right to reform the canons by law.

Even before this extreme statement, however, the system of Caesaropapism had been challenged by a number of apologists of the church, who, in a group of writings represented principally by the tenth century *Epanagoge*, had gone so far as to deny to the emperor any participation whatsoever in the formulation of doctrine. After establishing the principle that both patriarch and emperor were representatives of the one supreme and universal ruler, Jesus Christ, the *Epanagoge* attributed to the patriarch exclusive power to interpret the canons, on the basis of which he ruled the church. While the formulation and interpretation of the laws of the state rested entirely with the emperor, these laws, according to the *Epanagoge*, should not conflict with the canons. The patriarch, who should be the visible symbol of Christ, should not hesitate to defend the dogmas and the truth before the emperor. Apparently the *Epanagoge* represented merely an unofficial proposal for reform, but their prescriptions were included in all the juristic compendia from the tenth to the fifteenth centuries and had a decisive influence down to the dissolution of the Byzantine Empire. As a result of their insistence upon the subordination of the emperor to the canons a series of conflicts occurred between patriarch and emperor, such as the clash precipitated between Leo VI, the Wise, and Nicholas Mysticus, after the former had contracted his fourth marriage.

Yet, so far as matters of ecclesiastical discipline were concerned, the ultimate authority of

the emperor was never questioned in the east. By summoning and dissolving synods he wielded considerable influence on their activity; he was also empowered to issue laws regulating ecclesiastical conditions, to supervise the execution of ecclesiastical rules and to pronounce the church autocephalous. From the tenth century on he regularly filled the bishoprics and could promote the bishops to metropolitans. The patriarch of Constantinople was customarily selected by the emperor from a list of three candidates proposed by the synod of metropolitans; if he so desired, however, the emperor could reject the entire list and present his own candidate for ratification by the synod, which naturally followed his wishes. After the final consummation of the schism between east and west in 1054 under the patriarch Michael Cerularius and Pope Leo IX the emperor encountered still less resistance to his policy of intervention in the church. What opposition persisted gradually came to emanate not as formerly from the episcopate but from the monasteries and such monastic leaders as Theodore of Studium; for the monasteries were the centers of religious life.

For its financial resources the early church depended upon an annual allowance first granted by Constantine the Great. After the final abolition of the state stipend by Justinian the parish priests derived their support from voluntary gifts on the part of the laity and from periodic obligatory collections, supplemented by the fees which they collected for official services and by the income from the immovable property donated to the church. The bishops tapped the same sources of income and in addition enjoyed the yield of church taxes, levied on the laity and the parish priests alike. From the name *embatoikion* (meaning literally entrance fee; later used interchangeably with *emphyteusis*), by which the taxes imposed upon the parish priests came to be known, it is clear that the bishops of this period regarded themselves as the lessors of the parish posts. Analogous taxes were imposed upon the bishops by the metropolitans and patriarchs who installed them.

The sources of ecclesiastical law in the east are the canons of the apostles, of synods and of the tenth century church fathers. Among the canonical collections the most important is the *Nomokanon*, or, as it is called, the *Nomokanon* of Photius; while the commentaries on the *Nomokanon* by Aristinus Zonaras and Balsamon, the subsequent collections of the *Syntagma* by Matthew Blastaris and the *Hexabiblos* of Constantine Armenopoulos are also essential documents in eastern canon law.

The organization of the church underwent considerable modification as a result of the fall of the Byzantine Empire in 1453 and the disappearance of the imperial office. With the subjection of the Christian population to Turkish domination the patriarch came to assume leadership over his people in the secular as well as the religious sphere. By the newly installed Turkish government he was given extensive authority over the administration of civil and criminal law and held responsible for the policing of his followers. The other patriarchates, which had likewise been overrun by the Turks, were made subordinate to the patriarch of Constantinople, who was to act as mediator between them and the Turkish authorities. The Christians were accorded full freedom of belief and worship, even to the extent of indulging on certain of their holy days in anathemas against the Moslems. The clergy were exempt from state taxes, but the normal taxes within the church itself, which flowed from the lower clergy to the higher and finally to the patriarch, were enormously increased. At this period the patriarch was elected by an ad hoc assembly of clerical and lay leaders. In making his decisions the patriarch was in many cases forced to secure the approval of a synod, which sat permanently and which had the right to depose him. During the patriarchate of Samuel I in the eighteenth century a special body, called the Gerusia and composed of four laymen and eight metropolitans, was set up for the purpose of supervising secular affairs. In the 1860's the holy synod was reorganized and the Gerusia replaced by a council consisting of four bishops and eight laymen.

In Alexandria most of the native Copts were Monophysites; in Antioch the Syrians were in the majority, and in Jerusalem the Arabs. All these patriarchates were Greek, however, in the sense that all the higher offices in the church were monopolized by Greeks. It was not until 1899 that an Arab became patriarch of Antioch. The ancient heresies, such as the Nestorian, the Monophysite and the Monolite, were perpetuated in six patriarchates, which are united with Rome: the Coptic, the Cilician (i.e. the Armenian Catholic), the Chaldean, the Melchite, the Maronite and the Syro-Jacobite. As a result of the territorial principle operating in the Eastern church the creation of new independent political units—usually nations—led to a corresponding number of autocephalous churches. In

the nineteenth century, when this tendency was at its height, there were fifteen such churches. At the present day the most important autocephalous churches in the east are the Serbian, the Greek, the Rumanian, the Orthodox church in Poland and the Russian.

V. LEONTOVICH

Russian. As early as the ninth century the Holy Scriptures had been translated by two Macedonian Slavs of Salonica and in that form had passed over into Russia. But Christianity did not become the official religion until 988, when the grand duke Vladimir of Kiev, otherwise known as "the Saint," introduced from Byzantium the doctrines and institutions prevailing in the Eastern branch of the Christian church. Under the leadership of Vladimir and his successors churches and monasteries were built, schools and libraries were founded in the chief towns and pagan idols were destroyed. In the main, however, the new faith did not spread beyond the ruling classes. The clergy, being exclusively Greek, had few points of contact with the masses of the people, who continued for the most part in their pagan ways; and, since the monks were mostly illiterate and unversed in doctrinal matters, worship seldom amounted to more than performance of the simplest rites.

In the course of time, however, particularly in the period after the fourth crusade, the patriarch in Constantinople gradually lost control over the Russian church and more and more of the clergy came to be recruited from the native population. Beginning with the fourteenth century Christianity began to take firmer root among the masses, and with the decline of learning among the clergy the gap between priesthood and congregation became rapidly less pronounced. As a result of this transformation there emerged the ideal of a Holy Russia, and from the fifteenth to the seventeenth century a wave of Christian enthusiasm manifested itself in the eager performance of ritual, the building of churches, the ringing of bells, the worship of saints and, among the upper classes, prolonged fasts. Although the masses of the people still remained ignorant of even the most elementary forms of prayer and sacrament, the church served as a humanizing influence, particularly in the sphere of personal relationships, such as those between husband and wife, father and children, master and slave. Byzantine canon exerted a marked influence on the development of Russian law. Moreover the existence of a common faith and cult was a major factor in welding together the scattered population and in breaking down the regional divisions which were so characteristic of the period prior to the sixteenth century. The new ideal of a unified Russia was symbolized in the person of the metropolitan, who was located first at Kiev and then successively at Vladimir and Moscow.

The work of actual unification, however, was carried out by the grand dukes of Moscow. Assuming the Byzantine title of czar the new "autocrat of all the Russias" claimed recognition from the church as the supreme head of Russian Christianity. Before such claims could be established the relationship between church and state had to become far more intimate. The opportunity came with the fall of Constantinople in 1453. Shortly after that event a delegation of Bulgarian and Serbian clergy, seeking assistance in their efforts to throw off Turkish domination, exhorted the czar to assume the role of universal leader of the Orthodox church, which, according to them, the Byzantine *basileus* had surrendered by his action of 1439 in acceding to the Catholic schism. The theory of the universal leadership of the Russian church was given concrete form a century later by the creation (1589) of a new patriarch, specially assigned to the nationalized church of Russia. Moscow was hailed as a "Third Rome," destined to carry on the work abandoned by its two corrupted predecessors. In return for its acquiescence in these new claims of the Russian czar the church was guaranteed the inviolability of its goods and estates.

Since the Byzantine church was now looked down upon as tainted with heresy, those elements, however insignificant, in the Russian ritual which deviated from the Greek were deliberately emphasized as proof of the greater antiquity and purity of the Russian religion. But although an independent national church had been created, religious worship in Russia still remained at a rather low level. Even as late as the seventeenth century most of the candidates for the priesthood were not only illiterate but barely able to recite the services which they had memorized, while the masses of the people had no acquaintance whatsoever with religious books.

In the seventeenth century a profound schism took place in the Russian church. In spite of strenuous efforts to keep out heretical influences from the west Protestant Biblical criticism gradually filtered into Russia. As a result it became apparent to the more educated leaders that the Russian Bible and prayer books were filled with glaring deviations from the Greek originals. Not-

withstanding the insistence of the patriarch of Constantinople that these deviations did not affect the essentials of the faith, the Russian patriarch Nikon and the czar Alexis Mikhailovich forced through a rather drastic revision, which was officially approved by the Councils of Moscow summoned by the czar in 1666 and 1667. These councils were attended by the patriarchs of Alexandria and Antioch, who acknowledged the leadership of Moscow. The "old believers" who out of a feeling of nationalistic pride refused to abandon the traditional texts were proclaimed schismatics and severely persecuted by the government. Since the masses aligned themselves with the "old believers," the official clergy lost all contact with the people and their erudite theological treatises written in Latin exerted little real influence. With the reforms of Peter the Great the cleavage between the educated upper classes and the masses became complete. Since the official church had lost its vitality, the czar's work of Europeanization encountered but little opposition. His first and perhaps most important reform was the abolition of the office of patriarch, on the ground that a strong patriarch, like Nikon, for example, who championed the superiority of the spiritual power over the temporal, constituted a threat to the state and a dangerous rival to the emperor for the allegiance of the people. In the place of the patriarch the czar substituted a Protestant type of collegiate body, called the Holy Synod, and placed it under the supervision of a secular official, known as procurator general, who was chosen from the military caste; this secular supervisor was gradually transformed into a minister of cult. The subordination of the church to the state was facilitated by the fact that since the decisions of the Seven Oecumenical Councils were accepted as a rigid and unchangeable body of dogma little need was felt for a legislative organ. In the Eastern Orthodox churches generally the administration of the ecclesiastical system by the national state has come to be accepted as the most convenient arrangement.

Peter's reforms did not succeed, however, in restoring the inner vitality of the Russian church. The parish gradually abandoned the practise of choosing its priest and with a feeling of relief considered itself freed from the obligation of supporting him. In general the parishioners did not look upon the priest as an authority on doctrine or as a guide in matters of Christian conduct; their only concern was "that the churches should not remain without singing and the deceased without burial." Hence priests were selected from the lower classes and enjoyed no social standing. Eventually the priesthood developed into a caste, the office being transmitted from father to son or to son-in-law. Deeper religious feelings were preserved only among the "old believers" or among the new types of evangelical, mystical or rationalistic sects (*q.v.*) which in the face of severe official persecution began to spring up around the end of the seventeenth century. The widening breach between the educated classes and the church was reflected in the rapid spread of secularism and rationalism. In the period after 1700 attempts at reinterpretation and refinement of dogma were limited to secular philosophers like Khomyakov, Vladimir Solovev and Berdyaev. Under the influence of romantic currents from western Europe during the years from 1830 to 1850 the Slavophiles initiated an intellectual and religious revival, and in the period of political reaction at the end of the nineteenth century there was a similar spiritual ferment, which extended also to the more educated clergy.

In the revolution of 1905 and again in 1917 attempts were made to reestablish the office of patriarch as a symbol of the independence of the church. In August, 1917, a council was summoned and in November a patriarch was elected. But the Bolsheviks were already in power. Although their constitution provided for the separation of church and state and freedom of religious teaching, their distrust of religion as the "opiate of the people" led them immediately to launch a campaign of extermination. When the council and the patriarch urged the faithful to resist to the utmost, Tikhon was arrested and severe limitations were imposed on freedom of worship. Tikhon's opponents within the church were protected by the government and were permitted to summon a council. This council deposed Tikhon, pronounced capitalism a "deadly sin," recommended communism as a realization of Biblical teaching and declared that it was the duty of every Christian to obey the Bolsheviks. Eventually a compromise was reached with Tikhon, who after declaring himself loyal to the government was released from prison and reinaugurated a persecution of the Old Church. Exile and imprisonment were frequently resorted to. Subsequently permission was given to organize a temporary Holy Synod, but the Communists through their representative Tuchkov exercised strict control over nominations of bishops and priests. Once again the church was

made completely dependent upon the state.

In carrying through their program of exterminating all religion the Communist leaders urged the people to demand the destruction of churches and the burning of icons. Most of the churches were converted into museums, clubs, motion picture houses and the like. The performance of religious ceremonies was made increasingly difficult and the very existence of the clergy became precarious. Atheism was officially taught in the schools. Millions of children and adolescents were organized into a Union of Atheists, and any kind of celebration of religious feasts was rigorously discouraged. Propaganda of this type has been on the whole successful, although in secret many of the people cling to their religion. Gradually official persecution has been extended to Catholics, Protestants, Jews, Moslems and to Russian sectarians who proved more steadfast in their belief. The pacts with Germany and the United States have tended to restore religious liberty to the nationals of these two countries in the Soviet Union.

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PROTESTANT. The religious institutions of Protestantism (*q.v.*) are less readily identifiable with the churches than is the case in Roman or Greek Catholicism. Protestant religion centers less in the ecclesiastical establishment than in the Bible and the proclamation of its message and in the personal religious experiences and attitudes of its adherents. In addition to Bible and preaching ministry the religious institutions of Protestantism include rites, or sacraments, especially baptism and the Lord's Supper, the observance of Sunday as the Sabbath, the customary meeting for worship or instruction, the ministry, the discipline, the propaganda, the modes of worship, educational establishments, creeds and confessions of faith and the established relations of the religious institutions to the political, economic and educational forms of social life. The organization of these diverse religious customs into synthetic wholes is itself institutional and forms the pattern of the churches as the religious institutions proper. There is no one pattern of organization that is common to all the Protestant churches, but there are characteristic features which distinguish them and the institutions of which they are composed from other forms of Christianity.

A primary feature of the religious institutions of Protestantism is their comparative simplicity, both taken singly and in their syntheses. This simplicity is apparent first of all in the small number of rites which are accepted and practised. Of the seven sacraments observed in Roman Catholicism, Protestantism acknowledges and observes only two, baptism and the Lord's Supper, although occasionally other ancient rites are perpetuated in modified form. The organization of the clergy is equally simple, since in general, aside from a few vestiges of gradation remaining in some of the churches, only one grade of orders is recognized. The number of holy and festival days observed in older forms of Christianity has been greatly reduced and the Sabbath, or Lord's Day, has been singled out as the one significant religious institution in the calendar. The simplicity characterizing Protestant churches may be explained as a reaction against the overdeveloped institutionalism of the mediaeval church, as an expression of the customs and tastes of those middle classes which were attracted to and supported the Reformation movements and, finally, as a reflection of the fact that many spheres of social life were excluded from ecclesiastical sanction and control. Among the Baptists, Quakers and the other branches of Protestantism which represented the religious interests of the lower classes in the economic scale this simplicity has been carried to even greater lengths.

A second feature which, except for the Anglican establishment and a few sects, is typical of Protestant institutionalism is the predominant role played by the Scriptures. In his early days Luther was interested not only in substituting the Bible for the hierarchy and the pope but in replacing the entire ecclesiastical establishment by the simple preaching of the "Word of God." In other quarters of Protestantism the doctrine of the invisible church represented a similar desire for a wholly spiritual society, whose members, unknown to one another, owned a common allegiance only to Christ and His revelation. Although the necessity of formulating and enforcing a common interpretation of the Scriptures led inevitably to the creation of other institutions, the dominant position of the Bible as the Word of God or as the vehicle of the Word continued to be recognized by almost all sections of Protestantism. In this respect the Protestant movement reflected an actual social change which had taken place during the later Middle Ages when, in many sections of Europe and among many social groups, reliance upon the Bible had replaced dependence upon the church and its officers. This far reaching trans-

formation may be attributed to a variety of factors: theological developments, as in nominalism; certain sectarian movements, as represented by the Waldenses and Lollards; the wider distribution of the text made possible by the development of printing; and the revival of Greek and Hebrew studies. The substitution of the Scriptural sermon for the Mass, the reinterpretation of the sacraments in conformity with the doctrine of the Scriptures, the organization of the churches along supposedly New Testament lines and in general the effort to make all religious practises and beliefs contribute to the end of teaching the Bible gave to the Protestant churches much of their peculiar character.

Another characteristic of Protestant institutions as distinguished from Roman Catholic is their greater subordination to the reason, conscience or desire of the individual. The spiritualist, rationalist and revolutionary sects representing the extreme left of the Protestant movement developed a contract theory of religious institutions and tended to make individual inspiration or conviction the basis of religious life. And although Anglicanism, Lutheranism and Calvinism continued to regard both religious and secular institutions as possessing superindividual and non-utilitarian character, they were forced, in so far as they placed the Bible in the position of ultimate authority, to make some concessions to the right of individual interpretation and to allow considerable freedom in spheres where Biblical authority was not available. Furthermore the importance of the subjective element in all religious processes was recognized. Institutions were regarded as deriving their effectiveness not solely from their own inherent power but in some degree from the attitudes of the individual participants. The Word must be heard in faith; sacraments are dependent for their efficacy upon the individual's state of mind; when the authority of the Bible gives no clear direction the forms of church government and non-sacramental rites are subject to the common reason. It was natural that at this point marked divergences should enter into Protestantism, according as the compromise between the institutional and authoritarian principle on the one hand and the individual principle on the other inclined more to the side of objective authority or to the side of subjective interpretation. The differences became especially apparent in the theory and observation of the sacraments. Lutheranism took the most conservative position; the Anabaptists and Quakers were highly individualistic; while Calvinism occupied an intermediate place.

The multiplicity of institutional systems is another striking characteristic of the Protestant churches. This tendency toward pluralism is attributable in part to the individualism noted above but even more to the national, cultural and racial sources of the Protestant movement. In the course of the movement religious institutions which developed in more or less isolated societies under the general influence of the Scriptures were often successful in gaining recognition. The question at issue for the Protestant churches has never been whether universal uniformity should be established throughout the Christian world but only whether uniformity should be established within a nation. The religious institutions of Protestantism are often, in this sense at least, national as well as Biblical; in many cases, however, they are merely local and do not become national or international until a homogeneous culture is evolved.

The pluralism of Protestantism is evident in its creeds. Although the Apostles' Creed is widely accepted as a ritual form and although the Nicene and Athanasian creeds are received by the Lutheran and Anglican churches, there is no common Protestant creed; instead there are numerous confessions of faith representing the convictions or the doctrines prevailing in certain regions at certain periods. In polity as well as in belief diversity is the rule. Since the primary authority of most forms of Protestantism, the Bible, offers no developed system of church organization, the tendency has been to recognize both local custom and reason in the construction of church governments, either with clear recognition of the silence of the Scriptures or with the attempt to deduce the desired system from the acknowledged authority. Thus Protestant institutions may be regarded as the products of the principle of individuality—whether personal, cultural or national—in interaction with the principle of Biblical authority. The resulting diversity is illustrated by reference to some of the main types of Protestant institutional systems which have emerged since the Reformation.

In so far as it was a negative reaction against mediaeval religious institutions Lutheranism began by eliminating the Mass, the observance of numerous holy days, monastic institutions, the celibacy of the clergy, the hierarchy and many minor customs. On the positive side it exalted the authority of the Scriptures, not as a book of

laws but as the revelation necessary for the spiritual salvation of man. It retained the traditional Catholic creeds and beliefs but subordinated these along with the two sacraments to the doctrine of the Word of God. Its conception of the church was primarily that of a congregation in which the Word was preached and the sacraments observed. It tended to replace the clergy by teachers or preachers who were empowered to administer the sacraments but were not set apart from other men save as they exercised their special function.

Yet this essentially non-institutional tendency eventuated, under the impact of various needs and influences, in the development of a number of institutions. The confession of faith which was designed merely to serve the Lutheran cause at the Diet of Augsburg became the authoritative creed of later generations, as did to a lesser extent those of Luther's catechisms which were written to instruct the people of his generation in the Christian faith. As a result of conflicts with spiritualist and revolutionary groups—which in addition to sharing Luther's hostility to Roman Catholic institutions were also antagonistic to the civil powers and sought to organize religious life on the basis of personal inspirations—Lutheranism tended more and more to emphasize the objective, non-personal elements in the Christian life, particularly the Bible and the sacraments. The fact that the revolt led not to the reformation of the Roman church but to the separation of the churches in many parts of Germany from Catholicism made the regulation of church affairs imperative and therefore forwarded the establishment of creeds, the recognition of certain forms of worship and the organization of the preachers.

But of greatest importance for the formation of Lutheran institutions was the part played by the civil power in the reform. Lutheranism had no interest in the divorce of the church from the political state. Sharing the Catholic conception of religion as an inclusive and uniform affair, it did not seek to establish the church as an independent society. Moreover it drew heavily upon the widespread desire for home rule in political as well as in religious matters and received its most important support from the princes. Under these circumstances the ambition of the princes and the antagonism of lower clergy and laity to hierarchical control led naturally to the development of the state church with the prince as its recognized head. In theory there was a distinction between the external and internal government of the church, the former being entrusted to the civil power, the latter being subject to the Word of God. In fact the political power not only regulated the organization of the church but also came to decide, in accordance with the principle *cujus regio, ejus religio*, upon the creed of the state church.

In several respects, however, the autocratic principle was modified as a result of Luther's interest in a wholly spiritual conception of the church and of his insistence on the primacy of the Word of God. For example, where the episcopacy was maintained it functioned only as a superintendency, while the preaching ministry was exalted and given considerable freedom in the exercise of its "spiritual" function. Efforts on the part of the state to infringe upon the latter function have frequently provoked, as in 1817 and in 1933, determined resistance from the Lutheran church. Because of its political principles Lutheranism has been divided into many provincial churches in central Europe and Scandinavia. Despite modifications of the state church principle which were introduced after the German revolution of 1918 and the attempted separation of political and ecclesiastical institutions, the church continued dependent on the state for financial support, for the education of its ministry in state controlled universities and in part for the general administration of its affairs. The nationalist reorganization of the German government in 1933 nullified to a large extent the tentative movements toward separation of the two institutional systems and subjected the church to a larger measure of civil control than prevailed even before the revolution of 1918. The migration of German and Scandinavian Lutherans to America has led to the development of independent Lutheran churches with voluntary membership but with otherwise characteristically Lutheran attitudes of submission to the civil power and allegiance to the Word of God interpreted through the Lutheran creeds. These two principles form the poles of the Lutheran institutional system.

In comparison with the Lutheran church the Church of England is far more similar in its structure to the Roman Catholic. The process of institutional simplification was not carried to the same lengths as in Germany. The English Protestant movement was first of all political and economic. The substitution of the English king for the Roman pope as the supreme head of the church and the confiscation of ecclesiastical endowments led to the nationalization of the insti-

tution, while the ceremonies, the hierarchy and the creeds remained essentially unchanged. In the course of time, however, reform influences from the continent, combining with English movements and the anticlericalism of the emergent middle class radicals who constituted the backbone of the Puritan movement, brought about various modifications of the mediaeval system. The Catholic creeds were supplemented by a mildly Protestant creed, the Thirty-nine Articles; the sacraments were reduced to two; the vernacular was adopted in the services of the church; and the marriage of priests was permitted. But the principle of the institutional church was maintained and the Scriptures remained subordinate to the church; episcopacy and apostolic succession also continued to be recognized. The organization of the church remained monarchical even after the storms of the seventeenth century, and with the development of religious toleration the dependence of the church upon the state instead of being diminished was increased. The substitution of Parliament for the king as the actual head of the church meant in theory self-determination for the church, in view of the identification of church and state. But the secularization of the state and the admission of non-Anglicans to Parliament and cabinet left the church dependent upon a rulership which it could elect only in part. Furthermore in structure the church remained monarchical, the initiative in government coming in theory not from members of the church—which is not a society—but from the supreme head, the king or the king in Parliament. In 1919 an enabling act was passed to deal with the anomalous situation. It provided for a national assembly entrusted with ecclesiastical legislation but reserving to Parliament ultimate control of church affairs; the prayer book controversy of 1927 and 1928 indicated that this control remained effective. The migration of Anglicans to countries in which church and state are separated has led, as with the Lutherans, to the adoption of new principles of organization. Although the episcopacy is maintained, the church is constituted as a society whose officers are elected by the members. The other institutions of the Church of England retain their effectiveness under the new conditions which have arisen.

As in the case of Lutheranism the Calvinistic (or Reformed) churches are built primarily upon the Scriptures and the preaching ministry. But there are significant differences between the two types of organization, and both Scriptures and ministry function differently in Calvinism than in Lutheranism. The presbyterian organization of the church may be traced to the persisting influence of the conciliar tradition (*see* CONCILIAR MOVEMENT), to the character of political organization prevailing in the free cities in which Calvinism arose, to a widespread interest in jurisprudence and to Calvin's own legal training and administrative genius. The presbyterian type of Protestant religious institution is characterized by its constitutionalism and parliamentarism. It looks upon the Scriptures not so much as the Word of God regarding salvation but rather as the revelation of the will of God and therefore as the fundamental constitution of both ecclesiastical and civil government. This constitution is formed not only by the Bible but by the will of God revealed to human reason as natural law; whichever approach is made the will of God is no unknown quantity.

Church and state are therefore set alongside each other as equal powers with different functions, and their cooperation is insured by their common allegiance to the same constitution. While Presbyterianism maintains the doctrine of obedience to civil power, it qualifies that obedience by appeal to the superior constitutional principle and has frequently brought pressure to bear upon the state to acknowledge and put into effect the clergy's interpretation of this constitution. If mediaeval Catholicism tended to subordinate the state to the church and Lutheranism and Anglicanism subordinated the church to the state, Calvinism was enabled by reason of its attitude toward the Scriptures and the will of God to seek a correlation of the two powers. In fact, however, the theocratic conception led to various efforts on the part of the clergy, notably in Geneva and in New England, to control civic affairs. In Geneva the municipal council, initiating the work of reformation, displaced the bishop and undertook to appoint pastors and reform the rites. After various conflicts the moral and religious guidance of the city was entrusted to a church organization headed by a congregation, consisting of all the clergy, and a consistory, appointed by the congregation and the civil council. Thus was recognized the parity of church and state, or of clergy and municipal councilors. The ascendancy of the clergy and their interest in moral guidance and discipline brought about the development of a church-state. This pattern greatly influenced the attempts to establish Calvinist

Protestantism in Scotland, England and New England. While theocracies of the Genevan type have been short lived, the view of the will of God as the common constitution of church and state and of the Bible as the revelation of the will of God has continued to make Presbyterian or Reformed churches more independent in their relations to the state than Lutheranism and Anglicanism have been.

The church itself under this constitution was regarded not only as a place or group in which the Word of God was preached but also as a society governed by the will of God. Hence under Calvinism the church became not only an institution of worship and of the preaching of the gospel of salvation but an agency of moral instruction and control, while the ministry exercised not only a teaching and preaching but also a ruling function. Discipline no less than doctrine became a primary consideration. In conformity with the theocratic idea the ministry was regarded as deriving its rights and powers not from the citizens or church members but from the declared will of God. The central agency of Calvinist churches was the teaching and ruling ministry or eldership. In accordance with the anti-hierarchical doctrine of the equality of all presbyters and with the constitutional idea, these churches were organized on conciliar lines with delegated synods or general assemblies as the highest governing agencies. Because of the close relation of Presbyterian churches to the states no general assembly of all Presbyterian churches has been possible; yet they are not so greatly limited by the civil powers as is the case with Lutheran and Anglican churches. The constitutional theory of the church, combined with the interests of that burgher class which furnished the bulk of its adherents, impelled the Calvinist reformers to deal more radically with the institutions of the mediaeval church than was the case in the other great Protestant movements. The elimination of holy days, special vows, ornate ceremonies, episcopacy and hierarchy was carried on with unusual vigor. Similarly on the positive side the observance of the Sabbath, moral and religious instruction and church attendance were established by an equally rigorous insistence on the part of the clergy.

Still another type of institutional system was represented in the sixteenth and seventeenth centuries by such minor protestant groups as the Anabaptists, the Quakers and the Independents. This type of Protestant church is regarded as a society rather than as a public corporation, and all religious institutions are interpreted as being contractual in origin and essence. Neither the state nor the Bible but the religious society organized by its members is the primary religious institution, while the ultimate source of authority is the individual religious experience. The activity of God is thought of as direct and spiritual rather than as confined to the Scriptures or to the clergy or to the state. Emphasis is placed upon the qualifications for membership in the society, which may be interpreted more in moral or more in religious terms. The task of the society lies in the instruction, edification and discipline of its members and in the gaining of new converts. It rejects all institutional rites and creeds as such. In so far as old ritual customs are maintained they are reinterpreted as initiations into the group or as reaffirmations of loyalty, although some of the older institutional overtones doubtless remain, particularly where such groups are surrounded by other types of Protestantism and by Catholicism. Creeds are statements of conviction on the part of the society and may therefore be readily amended.

Each local society is a self-governing unit choosing its own officers, including the clergy, who are simply leaders appointed by the group by reason of their superior qualifications. The central institutions of the society are the meeting for mutual instruction and edification, the rite of reception of new members—frequently by baptism—and the rite of fellowship in the Lord's Supper. In its relation to the state such a society conceived itself in extreme cases as an alternative to the political unit, which likewise was regarded as contractual in nature. The society, assuming responsibility for disciplining its members without appeal to the police powers of the state and for settling intramural disputes in its own courts, forbade recourse to state courts as well as participation in the military, judicial or administrative functions of the state. In such radical societies there has also been manifest a tendency toward an independent economic organization, which sometimes has taken a communistic form. These extreme features appeared not only among the sixteenth and the seventeenth century revolutionary groups but also, with modifications, among eighteenth century Moravians and nineteenth century Mormons. In general the influences which have played upon this type of Protestantism have been the economic and cultural character of its adherents,

usually proletarian, the appeal of the New Testament ideal of the church and the revolutionary hope of the establishment of the Kingdom of God.

While the extreme forms of voluntary, lay Protestantism have had a short history, their general pattern of organization has exerted a more enduring influence, as, for example, in Methodism and in those branches of the Lutheran, Anglican and Presbyterian churches which operate in countries where there is a separation of church and state. Even such groups as the Anabaptists and the Independents after abandoning their more radical principles have been perpetuated in modified form as effective churches (Baptist and Congregational). In these cases the practical interest of the religious society in politics has been directed toward the elimination of state control of religious functions and, by necessary implication, toward the guaranty of general tolerance in religion. The broader interest of the members in political or economic affairs has led to the formation of additional associations, more or less loosely connected with the church, such as societies for the abolition of slavery, for temperance, for prison reform or for the promotion of education. The religious society as such tended to concentrate upon the narrower functions of religious and moral instruction, worship and the stimulation of religious experience. With the rise of new generations which were not parties to the original contract constituting the church, these societies have necessarily taken on more of an institutional character. Conversion was established as a custom, confessions of faith became creeds for testing the qualifications of applicants for membership and the lay leadership assumed a professional character. Yet the basic pattern of the voluntary association persists.

The highest development of Protestant religious societies has taken place in the United States, where it was furthered by the modification which the presbyterian Protestantism of the early Puritans underwent as a result of the influence of sectarians and the conditions of settlement in small towns. Other contributing factors in this process of modification were the influx of Baptist and Quaker elements, the separation of church and state and particularly the necessity of developing religious organizations on new frontiers. The society form of organization was best adapted to these conditions. Intermediate forms between the institutional church and the voluntary association have arisen in consequence of the later development of societies and the readjustment of the churches. The most important of these intermediate forms are Congregationalism, which is a product of Presbyterianism and the societal form, and Methodism, in which episcopalism united with the voluntary principle. In European countries as well as in the United States the transformation of churches into religious societies has proceeded and is being accelerated at the present time. While the Pietist movement with its interest in religious experience, and idealistic theology with its emphasis on religion as a concern of the inner life, have played their part in this trend, the separation of church and state, whether on the initiative of the church or the state, has been an even more important factor.

Because of the growing discreteness of Protestantism as a result of the spread of the voluntary societies, and in view of the increasing intercourse between national groups in the modern world, repeated efforts have been made, particularly in the twentieth century, to organize the denominations into effective unions. The Federal Council of the Churches of Christ in America (uniting twenty-five groups with 21,000,000 members), the National Council of Evangelical Free Churches in England and, prior to 1933, the German Evangelical Church Federation represent relatively loose organizations. The tendency toward organic unification of churches across national boundaries has been markedly on the increase since the World War. International conferences of Presbyterians, Lutherans and many of the other Protestant churches have been held in recent years, but no effective international organization has been achieved. In special areas or tasks, particularly in the foreign mission enterprise, which it has promoted with great energy, Protestantism has been able to gain some measure of unity, partly no doubt as a result of economic pressure. A further result of the growth of the societal principle in Protestantism has been the multiplication of national and international societies, which although not organically connected with the churches are loosely associated with them, for the promotion of political and social ends. Young Men's and Young Women's Christian associations, the International Missionary Council, the World Alliance for International Friendship through the Churches, are representative of a large number of such agencies.

H. Richard Niebuhr

See: Religion; Christianity; Buddhism, section on

INSTITUTIONAL ORGANIZATION; ISLAM; BRAHMANISM AND HINDUISM; JUDAISM; CONFUCIANISM; TAOISM; MYSTICISM; SHINTO; PRIESTHOOD; PAPACY; CHURCH FATHERS; MONASTICISM; MISSIONS; CLUNIAC MOVEMENT; MILITARY ORDERS; DOMINICAN FRIARS; FRANCISCAN MOVEMENT; JESUITS; RELIGIOUS ORDERS; DOGMA; CONFESSION; APOSTASY AND HERESY; EXCOMMUNICATION; INQUISITION; CANON LAW; ECCLESIASTICAL COURTS; BENEFIT OF CLERGY; MORTMAIN; MARRIAGE; CELIBACY; SCHOLASTICISM; HOLY ROMAN EMPIRE; INVESTITURE CONFLICT; CONCILIAR MOVEMENT; CONCORDAT; GALLICANISM; JANSENISM; REFORMATION; PROTESTANTISM; SECTS; PURITANISM; REVIVALS, RELIGIOUS; QUAKERS; MORMONISM; CHRISTIAN SCIENCE; SECULARISM; RELIGIOUS FREEDOM; ANTIRADICALISM; SOCIAL CHRISTIANITY; CATHOLIC PARTIES; EDUCATION, section on SECTARIAN EDUCATION.

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RELIGIOUS ORDERS. As closely integrated associations of likeminded individuals religious orders represent a manifestation of the collectivistic tendency inherent in all religions. Their premises are derived ultimately from the most primitive conception of religion: the view that the supernatural is essentially a force in either an active or a passive sense and that once an individual is possessed by this force, he becomes its appointed instrument. Because of the contagious quality of this force its full potency can be realized and communicated only through association. To the member of the order the force seems to emanate from a sphere entirely distinct from the profane realm of civil society. Hence most religious orders and all forms of monasticism rest on a dualistic world view and are characterized by more or less rigorous ascetic tendencies. At any rate they aim to withdraw into a world apart, where their members may enjoy the greatest possible degree of freedom from earthly interests and pursue a life of renunciation and sacrifice.

With respect to internal organization a typical feature of the religious order is the rigid standardization of all activity, in some cases so thoroughgoing as to require from the individual complete self-abnegation. This is perhaps the essential distinction between the priesthood and the religious order, for the priest, being the chosen mediator between God and man, is a charismatic personality and, by the premises of his office, remains conscious of his individual role and functions. The way of life to which the member of the order subjects himself is patterned upon a particular religious ideal, finding its prototype perhaps in the life of the founder of the religion: thus the Franciscans sought to imitate the poverty of Christ. But in addition to being bound by an abstract rule the member must usually surrender himself also to the personal authority of the order's directors.

The type of association represented by the religious order is deeply embedded in the essence of religion. The dim outlines of its structural features may be discerned even in primitive secret societies. Although the initial function of these societies is frequently obscured, particularly among Melanesian and African peoples, in the subsequent course of their development, they often originate as associations of the guardians of certain magical or religious rites. The more advanced civilizations of ancient Mexico and Peru developed religious orders similar to the familiar Christian type. In Mexico and particularly among the adherents of the cult of Quetzalcoatl there were cloisters for both men and women, and even children were enrolled in them either temporarily or for life. Those who had been admitted were distinguished by a special mode of dress and observed an ascetic diet. Their services consisted in nocturnal vigils, the singing of sacred hymns, penitential exercises, the upkeep of the temple and exacting toil. In Peru the members of the Order of the Virgins of the Sun were also immured in cloisters, where they guarded the sacred flame in addition to weaving and embroidering for the temple and the Incas. Like the Roman vestal virgins, they were buried alive when they violated the vow of chastity.

Because of the Hindu propensity for the contemplative life India has offered a particularly propitious environment for the development of religious orders. Both Jainism and Buddhism are in reality nothing but huge religious orders, preserving in however modified form the vestiges of age old usages and ideas. In the passage in which the *Rigveda* (x: 136) refers to the long haired zealots who "wear the yellow dirty (vestments of bark)" and "follow the course of the wind when they have assumed the power of gods," Oldenberg long ago detected a reference to a self-contained association possessing carefully guarded secrets. A prominent place in both religious organizations is accorded to the lay brethren, although the relationship of the latter to the monks is less intimate in the case of Buddhism than in Jainism. The lay brethren are expected to provide for the material necessities of the monks, but they themselves assume only a part of the obligations of the monastic way of life and therefore attain correspondingly limited religious rewards. The Christian

Premonstratensian and mendicant orders similarly adapted their rigorous ideals to the needs of daily life by constructing Third Orders of laymen, which complemented the first orders of regular monks and the second orders of nuns. Each of these lay associations was subject to the authority of the order concerned; and its members, while remaining in the world, obeyed a rule, based on an ideal of relative perfection.

The Hebraic *nebiim* mentioned in the Old Testament were fundamentally similar to the Hindu zealots; this group, which certain modern scholars have described as an order of the faithful devotees of Yahweh, consisted of fanatics organized into rigidly exclusive societies with their own leaders and settlements; they were subject to a definite code of rules and participated in the political as well as the religious life of the people. The Rechabites and the Nazarites, other associations of ancient Israel which fall under the category of religious orders, were in accord in their condemnation of the civilizing process which Judaism had undergone in the land of Canaan. Reacting against the corruption which they attributed to this cultural advance, they sought to realize the original nomadic ideal of primitive Judaism by abandoning the domestic life and the pursuit of agriculture and viniculture. In the more advanced religious culture of Palestinian Judaism the outstanding secret order was that of the Essenes, who practised agriculture and the handicrafts but proscribed trade. Although organized according to the hierarchical principle, they lived a communal monastic life and satisfied their material needs by a collectivistic mode of production and distribution. The observance of sacred fasts and the pursuit of purity through frequent bathing were typical of the Essenes. Their orientation, however, was not strictly Hebraic, since in keeping with the syncretistic tendencies of the time they incorporated foreign elements into their doctrine.

While the Koran attributed to Mohammed the saying that "there is no monasticism in Islam, the monasticism of this community is the religious war," the religious order was nevertheless to play a great role in the history of Islam. The existence in 1929 of 275,800 members of religious orders in Algiers out of a total Moslem population of 5,174,000 testifies to the often underestimated capacity of Islam—as well as of other religions—to adapt itself to changing circumstances. Partly through the development of intrinsic elements in the Islamic religion, partly under the influence of neo-Platonism, Christianity and Hinduism, there emerged those intense mystics whose classic centers were the monasteries of the Persian Sufis (so-called because of their woolen vestments). The Kādirīya, the oldest of these orders, was founded in 1166 by 'Abd al-Kādir al-Djīlānī and from its center at Bagdad spread as far as China and Morocco. Subsequently numerous other orders came into existence, including the Rifā 'īya ("the howling dervishes"), the Badawīya, the Shādhilīya, the 'Isawīya, the Bektāshīya and the Sanūsīya.

The Islamic orders characteristically require unconditional obedience to the head of the order. The latter claims to have derived his authority through an unbroken tradition going back through Ali and Mohammed to Gabriel and finally to Allah, but actually the rule or way of life (*tarîka*) which he imposes is determined by his personal outlook and predilections. For this reason the attitudes of the Islamic orders toward the Islamic law, politics and other questions reveal a considerable degree of diversity. In general, however, the central practise of the orders is the *dhikr*, or the repetition of the sacred formula in chorus and to the accompaniment of rhythmic bodily movements until a state of hypnotic ecstasy is attained. The observance of such customs establishes the continuity between the early Hebraic *nebiim* and, for instance, the dancing dervishes. But while certain Islamic orders place exaggerated emphasis on a fantastic occultism not easily distinguishable from pure charlatanism, others are explicitly missionary and philanthropic in tendency and by such pursuits enhance the popularity which accrues to them through the supposed miraculous powers of their individual members. Usually membership in an order does not preclude activity in civil society for the purpose of supplying the material needs of the order, although genuine mendicant orders also exist.

The Catholic church, on the basis of the nature of the vows required, draws a distinction between strict religious orders, congregations and societies. In the case of the first, vows are public and solemn: public and simple in the congregations and non-public in the societies. The official categories run parallel to the varying degrees of asceticism; thus the solemn vows require the complete renunciation of property, sometimes merely on the part of the individual members, at other times, as in the case of the mendicant orders, on the part of the order as

well as of its members. The line of differentiation between the monastic type and such non-monastic associations as the canons regular and the Third Orders depends also upon the lengths to which asceticism is carried. But even the monastic orders are far from uniform in structure, and the history of religious orders is characterized by oscillation between the rigorous pursuit of extreme asceticism and a more easily attainable way of life. Some orders, such as those under the Benedictine Rule, have stressed silent contemplation and piety and, while allowing their members to perform manual labor for the maintenance of the order, have enjoined strict stability and permanent seclusion within the cloister. The isolated pursuit of self-perfection is, however, only one aspect of the activities of Christian religious orders. As preachers, confessors, teachers, sponsors of the poor, nurses of the sick, foreign missionaries, scientists, public servants and even commercial entrepreneurs members of the Christian religious orders have played and continue to play a role of decisive social significance.

Some of these functions, particularly education, the copying of manuscripts, the dispensation of charity, missionary work, the maintenance of a refuge for travelers and in the case of the Cistercians the development of trade, were performed more or less incidentally by the monasteries subject to the Benedictine Rule. But, if the military and hospitaler orders be left out of account, it was not until the thirteenth century when the new orders of friars reacted against the Benedictine ideal, which had previously dominated western monasticism, that active service in lay society became a paramount objective of the religious life. The Dominicans and Franciscans, the Augustinians and Carmelites together with other minor mendicant orders paved the way for the clerks regular, notably represented by the Society of Jesus, which without abandoning ascetic practises definitely adapted its way of life to the purpose of enabling its members to make a militant assault upon the enemies of the church in every sphere of secular life. An outgrowth and at the same time one of the most successful agents of the Counter-Reformation, the Jesuit order produced preachers, confessors to princes, royal councilors, educators, writers on political theory, historians, natural scientists, missionaries and organizers of economic enterprise. The resurgence of religious vitality accompanying the Counter-Reformation was reflected, however, not only in an increased stress upon propagandistic activity in the lay world but in the accentuation of personal piety or of asceticism. This latter tendency was the dominant note in the reforms within many of the older orders, such as the Carmelites, the Cistercians and the Franciscans, as well as in some of the totally new associations, such as the Congregation of the Oratory and the Theatine Hermitesses. Since the Counter-Reformation the subordination of Catholic religious orders to papal control—a relationship foreshadowed in the military orders and promoted successively by the friars and Jesuits—has been far more marked than before. Similarly the fortunes of the orders have in general, although not uniformly, paralleled those of the church. Rationalism, revolution and anticlericalism have led to suppressions of the orders and confiscations of their properties, as they have to warfare against the church as a whole. But at the present time throughout most of Europe and America the Catholic orders are free to pursue the various ideals by which they were originally inspired.

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See: RELIGION; RELIGIOUS INSTITUTIONS, CHRISTIAN; MONASTICISM; CLUNIAC MOVEMENT; DOMINICAN FRIARS; FRANCISCAN MOVEMENT; JESUITS; MILITARY ORDERS; BUDDHISM, section on INSTITUTIONAL ORGANIZATION; ISLAM; SECRET SOCIETIES.

Consult: Webster, H., *Primitive Secret Societies* (2nd ed. New York 1932); Depont, O., and Coppolani, X., *Les confréries religieuses musulmanes* (Algiers 1897); Montet, Édouard, *Les confréries religieuses de l'Islam marocain* (Paris 1902); Berque, A., "Essai d'une bibliographie critique des confréries musulmanes algériennes" in Société de Géographie et d'Archéologie de la Province d'Oran, *Bulletin trimestriel*, vol. xxxix (1919) 135–74, 193–223; Heimbücher, M., *Die Orden und Kongregationen der katholischen Kirche*, 3 vols. (2nd ed. Paderborn 1907–08); Workman, H. B., *The Evolution of the Monastic Ideal* (2nd ed. London 1927); Deries, Léon, *Les congrégations religieuses au temps de Napoléon* (Paris 1929); "Religious Orders" in Hastings' *Encyclopaedia of Religion and Ethics*, vol. x (Edinburgh 1922) p. 693–726. See also bibliographies on MONASTICISM, CHRISTIAN; BUDDHISM.

REMEDIES, LEGAL. *See* PROCEDURE, LEGAL.

RENAISSANCE.

No historical epoch has been so difficult to characterize or has given rise to such extensive controversy as the Renaissance. Vasari in the sixteenth century referred to a *renascita* of art, but it was not until the nineteenth century, especially in the writings of Stendhal and Michelet, that the period between the thirteenth and seventeenth centuries came

to be regarded widely as a distinct cultural epoch. Burckhardt must be credited primarily with the spread of the idea of the Renaissance as an age of liberation from the shackles of mediaevalism and as the beginning of the modern era of individualism. As a reaction to the views of Michelet and Burckhardt came the works of such writers as Émile Gebhart, Henry Thode, Paul Sabatier and Louis Courajod, who tended to demolish the lines of demarcation between the Renaissance and the Middle Ages and who brought out the lyric, subjective and individualistic tendencies in the late Middle Ages. Some writers, notably Carl Neumann, turned to a study of the Byzantine roots of Renaissance art. In the light of these conflicting opinions it is best to characterize the period of the Renaissance not as a wholly distinct cultural epoch, but rather as a transition period between the mediaeval and modern ages in which old and new, religious and profane, authoritarian and individualistic principles and concepts existed side by side, while at the same time certain marked transformations and changes in ideas and ways of living took place in Italy, the Netherlands, Spain, France, Germany and England. Politically the Renaissance saw the rise of the modern national state; in the economic sphere it witnessed the development of early capitalism and the emergence of a new leisure class. These political and economic changes were a part of the general transformation and at the same time served to inaugurate and intensify certain other aspects of the general cultural and intellectual change. The transformations during the Renaissance did not find expression in definite theories or firmly established values. They manifested themselves much more as shifts of emphasis, on the basis of which certain evaluations and concepts were found insufficient to interpret the changes brought about in social and individual life, whereas others acquired an independent significance. This was characteristic above all of thirteenth century Italy. For the problem here was not one of new systems or even of a conscious negation of mediaeval Christian values. The fact was that the traditional mediaeval ideas no longer gave satisfactory meaning to life. Men now attempted to represent and understand their existence without recourse to a concept of God or a given world view, holding that it was unnecessary to go beyond the view of life as autonomous and humanly constituted. Secular human values were accorded an independent interest for their own sake. Petrarch affords an outstanding illustration of this turn of mind; for him the decisive fact was the individual experience of life and its representation without reference to the Christological concepts of the Middle Ages. The experience of a soul, still essentially Christian, finds its expression without consideration of sin or merit. To represent the human moods of suffering and joy, yearning and love, and to transfigure them into poetic form are sufficient. This immediate interest followed another approach in the work of Boccaccio, whose main theme was the manifoldness of human life and human existence regardless of any religious significance or evaluation. The sovereign force in this world is not divine Providence but Fortuna.

The background for the poets and thinkers of the *trecento* emerged largely from mediaeval constructions. The only solutions possible for the individual who sought an explanation of his fate or who searched for some ultimate goal were those represented by the traditional religious conceptions. The present world had meaning only in terms of the world to come. Such explanations, however, no longer forced themselves on the mind. Man could now live and understand himself without recourse to the traditional religious concepts.

Only during the later period, and primarily among the Florentines, did there develop a new conception of the world and man independent of the Christian mediaeval world view. The cleavage between this world and the next was obliterated; the other world was in a measure absorbed into the present. Through beauty the higher world is revealed on earth. The transcendent world is now posited in the soul of man, expressing itself in man's ceaseless striving. This striving, it was held, particularly by Ficino and Pico della Mirandola, represents the dignity of man.

The school of Padua, on the other hand, looked to those elements which were by nature common to all as a key to man's worth. The question was not to sublimate man but to determine the essential character of the genus Homo. Man cannot go beyond himself. He is bound by the world which surrounds him. Every individual is but a part of a higher humanity, in its turn a part of the universe, all embracing and definitely ordered. This approach was characteristic especially of Pomponazzi and Cremonini.

Man's return to himself was characteristic also of the development of the Renaissance in the other lands. Thus Erasmus became the

representative of a new humanity. The personal and human were divorced from the cosmic, and the immediate experiences of life were no longer subject to speculation. Man turned away from all problems transcending the human. Permanence and stability were found in human factors apparent to man. A conscious worldliness posited upon man's own purposes thus developed and humanism was transformed into a feeling of humanity, self-sufficient and without need of appeal to specifically religious Christian concepts.

In this development of new conceptions there were certain transformations and revaluations which were of decisive significance for the creation of new social types. The Florentine idea of an intellectual and spiritual superman led to a new ideal of education. Men looked to a sort of intellectual and spiritual aristocracy, whose claims to social primacy were no longer based on feudal sovereign rights but rather on superiority of culture.

There was an earlier and more effective fusion of classes in the Italian communes of the *duocento* than elsewhere. The nobles who had come into the cities became in turn the representatives of the new urban spirit, and the distinction between burgher and aristocrat became less sharp. Nobles also engaged in trade, investing it with dignity and wealth. In time there emerged a new upper stratum of society founded on acquired wealth. The educational ideal of the Renaissance contributed to the process of consolidation and legitimization of this new upper class. It was not because of their wealth but rather by reason of their culture, made possible by their material well being, that its members enjoyed a natural superiority over the uncultured toiling masses. Humanism supplied the material basis for this new educational ideology. The educated were distinguished from the uneducated by their knowledge of the classical languages and by the acquisition of a certain erudition.

The new educational ideal found its highest expression in the Florentine Renaissance. Here the doctrine of cultural superiority, based on the ideas of Plato, was metaphysically and cosmically grounded. In a sense it represented the legitimizing of a natural cultural aristocracy conditioned by the psychophysical character of man and the relative values of soul and body as representative of human nature. Just as the spirit was placed above the body, so the man who represented the highest development of the intellect and the spirit was more highly valued than he who still remained in the realm of the sensual and corporeal. When aesthetic values were associated with this aristocratic cultural ideal, there arose the concept of the intellectual, spiritual and aesthetic type, representing the superior type of man as opposed to the mass of people.

At the same time the mediaeval hierarchical classification of priestly and lay was also materially modified. In place of the ascetic divorced completely from worldly life there emerged the intellectual and secularized man who identified himself with this world and filled his place in it. No longer was the problem one of overcoming the nature of man but of developing it to the highest degree within a secular society. Spirituality and corporeality were no longer distributed between two worlds but were together conceived as providing the principle of orderly classification within a unified profane world. In place of the saint there appeared the philosopher in whom, as the representative of pure spirituality, mankind reaches the highest achievement of the contemplative life.

The emphasis upon intellectuality presupposed leisure. Those individuals therefore who are occupied with the economic aspects of society are from the start excluded from this educational ideal. The intellectuals are the chosen few. Opposed to them stand the uncultured masses, the people. Since the intellectual and contemplative life was considered superior to the manifold duties of everyday existence, there developed the principle of social stratification, whereby the non-laboring intellectuals enjoyed a natural preeminence over the uncultured working masses.

The Florentine ideal of education was distinctly individual and aristocratic in character. There is an ideal type of intellect representing the peak of man's development. This ideal type is of decided significance for the development of the idea of pure intellect and beauty as expressed in the works of the poets and artists. The possibilities, on the other hand, of setting up educational norms which would serve to determine the intellectual standard of an entire class, particularly of the bourgeoisie, were limited. The emphasis on the value of the contemplative and aesthetic served to lower the value of the everyday activities of the burghers. The cultural ideal therefore must ultimately lead to the formation of a limited circle of intellectuals from which not only the masses but also the burghers were excluded (Castiglione).

In the Netherlands there arose a different

form of culture, rooted in the bourgeoisie and adapted to the middle classes. The Platonic and neo-Platonic sublimation of the intellectual and spiritual life and the development of a learning oriented toward antiquity found here a counterpoise in the rational and practical spirit of a rising bourgeoisie which discovered in the traditions of antiquity rules of conduct for its own use and which thus established the foundations of a morality at once Christian and free, in large measure, from dogma. The everyday life of the bourgeoisie here came into its own and was exemplified above all in Erasmus.

In France the new ideal of culture led to the evolution of a new aristocratic type having its foundation not in a recently arisen upper layer of society, as in Florence, but in the existing social order. In the ruling upper class there developed in time a definite worldly mode of life and a regulated social culture, which reached its apogee in the seventeenth century and which, borrowing from the classical tradition, led to the concept of the cultured and aristocratic *honnête homme*.

In Italy too a reaction soon set in against the exclusive character of the Florentine cultural ideal. The representatives of the Paduan school taught that moral worth and not intellectual superiority was all important. They were interested not in speculations of man but in his actions. It is interesting in this connection to note the contrast between the Platonic-aristocratic intellectualism of the Florentines and the Aristotelian-bourgeois conception of the Paduan school, which received their full development only later in the humanist philosophers of the Enlightenment. The decisive consideration for the evaluation of man was a morality independent not only of all religion but also of all metaphysical speculation. In contrast to the intellectual and aesthetic Florentine type appeared the normal man whose significance was measured by his moral accomplishments.

This transfer of values from the aristocratic intellectual to the moral bourgeois did not, however, lead to the recognition of the worth of human activities as practised by the mass of people. For the Paduan school man's value inhered in his very nature. Proceeding upon this premise Pomponazzi held, however, that the individual who devotes himself to a definite activity no longer reveals his nature as a man. He pursues particular aims which divert him from what is purely human. The division of labor involved in daily activity impresses a particularistic stamp on the individual, which turns him away from the development of general human values.

Thus both the Florentine intellectual aristocrat and the Paduan moral bourgeois stood in opposition to the mass of the working people. The recognition by the Paduans of generally applicable moral values altered nothing in this respect. In fact it was rather among the Florentines that tendencies toward the recognition of the value of human activity developed. This did not, however, take the form of an appreciation of manual work, but was here likewise related to the problem of the intellectual superman. This superman is not a being who strives toward pure contemplation. His intellectual supremacy gives him power over nature as well. It is the task of the human spirit to create order everywhere and to reveal man's power in everything. The one-sided character of pure contemplation was thus overcome, and the concept of creative activity, invention and control of the material world by the intellect received independent significance. Assumption of power over the earthly world was viewed cosmically as an essential function of man.

Recognition of free creative activity by the Florentines was restricted, however, only to the intellectual ideal type. The superman is the individual who excels all his fellow men in their daily material functions. His value rests in his universality and intellectual superiority as revealed in all spheres of human activity (Alberti). His own consciousness of power is of greater significance than his actual activity, since he incorporates in his person the symbol of the intellectual and spiritual superiority of the free man over nature.

In Germany the problem of the value of general activity assumed a different form. Here the principle of the differentiation of an intellectual upper class from the mass of people on the basis of divergences in cultural development found only incomplete expression. The artisan spirit was not displaced by the ancient ideal of the purely intellectual man. The creatively active man, as Paracelsus conceived him to be, did not, like the Florentines, look upon his activity as a means of self-glorification. He was a Christian wizard in the service of God and man, related to all who carry on in the world below.

It was in the English Renaissance alone, however, that human activity in the modern sense of the word attained recognition. The intellectual superman seeking to express his individual

superiority gave rise to the conception of the philosopher, as Bacon saw him, who grasps the entire relationship of human achievements and who as leader and organizer opens new vistas and sets up new tasks. The type of the great entrepreneur directing the differentiated functions of all other men supersedes the isolated, self-sufficient individual whose goal is the many sided development of his own talents. In this way the active man as such received a new evaluation. In place of contemplation primacy was accorded to human capabilities and achievements and scientifically regulated concrete activity.

In all these forms there emerged a new consciousness of man which was represented in the manifold aspects of human life. The Renaissance did not, however, bring about a new science of man in any real sense. Far more important was the development of new standards. Works of art, myths, stories, autobiographies, philosophical reflections, all served to arouse the self-consciousness of man. In no other epoch was the demand "know thyself" of such fundamental significance as in the Renaissance period, during which man looked to himself for the answers to questions which tradition no longer served to explain.

It would be incorrect, however, to underestimate the importance of tradition in the development of the Renaissance spirit. Of basic importance in this connection was the relation of the men of the Renaissance to antiquity. It is indeed false to reduce the Renaissance simply to a rediscovery of antiquity. Classical ideas and theories had wielded a steady influence all through the Middle Ages. A continuously progressive separation of classical traditions from their mediaeval Christian context was already apparent toward the end of the mediaeval period. However, the classical traditions which persisted during the Renaissance must be treated separately.

Of crucial significance is the Greco-Roman philosophy of life. The influence of the works of Cicero and Seneca made itself felt from Petrarch to Bacon. The man of the Renaissance found available in ancient philosophy a secular view of life independent not only of religious preconceptions but also in a large measure of all metaphysical ideas. Here was a combination of views on life, as well as of certain ever recurring themes susceptible of numerous variations, a ready made vocabulary whereby the individual could put a purely human construction upon his experiences. At the same time there were certain literary forms, such as letters, orations, dialogues, essays, in which man could express himself. Not certain fixed theories but primarily free variable ideas were applied according to the circumstances; these are reechoed in philosophy and literature, in political addresses and historical presentations.

Greco-Roman philosophy thus transmitted to the Renaissance a comprehensive and thoroughly secularized view of life. This fact must be borne in mind in any attempt to determine the relation of the Renaissance to antiquity. The man of the Renaissance should not be conceived simply as an independent and self-determining individual who displaced the mediaeval belief in authority with the principles of autonomous thought. He was always in search of evidence which he could call upon for support of his own views. He did not therefore attempt to proclaim anything new but continued to value the sanction of the ancients. He felt the need of tradition and authority. In a certain sense he merely substituted one tradition for another. But the tradition of antiquity which he invoked did not present a unified system of doctrine. He could exercise his choice as determined by his own needs and inclinations. He looked to the thinkers of the past for a reply to his questions, which were those of a modern man, living under very different circumstances.

Thus there was no merely passive reception of tradition. In the colloquy of the modern man with the figures of antiquity, which was continued throughout the Renaissance period, modern man found an outlet of expression. He dared not speak only for himself. He did not have sufficient assurance to give independent expression to his own experiences of life. He sought to integrate them and anchor his ideas in tradition. But in so far as he exercised choice and applied the tradition to his own experience he preserved a certain independence toward traditional culture. He thus made use of antiquity for his own purposes, ordered the learning of antiquity in accord with his own problems, and his own individual bent became the deciding factor (Petrarch, Erasmus, Montaigne).

In this way the foundations were established for a secularized self-consciousness oriented toward the philosophic views of antiquity in place of the Christian view of life. The Renaissance development of Platonic and neo-Platonic ideas presents a different problem. The Platonic and neo-Platonic values and concepts represent

a continuously active factor in the development of mediaeval Christianity itself. The ancient idea of the soul as found in Plato and Plotinus asserted itself always anew against the specifically Christian conceptions of a personal God, of the concrete form of Christ and of the Christian account of the redemption as an actual historical event. This idea of the soul attained independent development in the Renaissance and led to a total transformation of the specifically Christian values. The human soul, no longer burdened with sin or repressed by the consciousness of guilt, rose to higher ascendancy. Human consciousness of power replaced Christian humility, *eros* took the place of *caritas*, human dignity of the consciousness of sin and trust in the dynamic power of the soul itself replaced the grace of God. God was no longer conceived as a personal being but as simply the infinite and absolute. The highest ideal of man was pure intellect and spirit, in which he found the fulfilment of his destiny.

There thus developed an independent secularized ideal, finding support in the Platonic and neo-Platonic philosophy, in which the ideal spheres were liberated from the mediaeval counterpoise of Christological principles and were to a certain degree secularized. The world of man itself became transfigured. A new cult of beauty arose which for a long time stood in contrast to the values and concepts of Christianity.

There was another series of ideas from antiquity which had a marked influence on the thought of the Renaissance, and which led to a change in the relation of man to the world. The mediaeval Christian looked upon this world as a transitory one that had to be extinguished before man could reach any immediate relation to God. In the Renaissance the cosmological conceptions of the ancients received independent significance. The classical affirmation of the world, of its spatial form, of its order and system, became dominant. Man belongs to this world, is a part of it and is an integral element of the whole. Such a cosmological view had been a continuous factor during the Middle Ages, but the religious feeling of the dependence of man on a personal God had remained supreme. In the Renaissance the world was simply taken for granted and looked upon as all embracing. Man considered himself essentially a creature of nature. The idea of divine creation, the question of the religiously determined meaning of the structure of the world, the conception of the world as the scene of the redemption, all receded into the background. Man no longer wondered whence he came and whither he was going. He sought to look at the world itself and to find his place in it.

This view of the universe does not belong particularly to any Greek system. It was characteristic of all antiquity. In modern times it became of fundamental significance for scientific thought. During the Renaissance there was a new realization of the concrete multiplicity of things. The thought of antiquity was not sufficient for this view. The ancient philosophers indeed subscribed to the conception of a universal order, but it was the possibility of applying this idea of a general orderliness to individual phenomena which constituted modern scientific thought. The preparatory work of the Renaissance in the direction of explaining concrete individual phenomena in their general relationships was brought about by the artistic perception of the concrete and its descriptive presentation. Nevertheless, the Renaissance was unable to harmonize these two ideas: the traditional, carried over from antiquity, of a general order; and the new sense of the individual and concrete.

The man of the Renaissance looked upon the world as a vast complex of phenomena. In this world, which appeared to him as more or less chaotic and miraculous and whose laws were unknown to him, nothing seemed impossible. In place of the faith of the Middle Ages the Renaissance substituted a general belief in wonders, which did not exclude Christian miracles. The world of the miraculous was merely expanded into infinity and the miraculous conceptions were decentralized. The Renaissance man conceived of a universal magical tradition embracing the ancient peoples and ages, of which the various religions are only more or less partial revelations (Pico della Mirandola, Bodin, Campanella).

The break up of the mediaeval Christian world in the Renaissance therefore did not signify the development of a secular view of the world in the modern sense, for which the scientific conditions were as yet non-existent. It is likewise incorrect to assume that within the Renaissance there was a progressive development of a scientific spirit bent on creating these conditions. In fact the *trecento*, during which a secular conception of the world, to a certain degree excluding the miraculous from its sphere, developed alongside the religious view of the wonder world, was more modern than either the *quattrocento* or *cinquecento*, during which all

those wonder concepts hitherto related to the Christian other world penetrated into the life of man and developed freely outside the bounds of any divine world order within the spheres of the astrological and magical concepts of the Renaissance. The general credulousness of the Renaissance must, however, be distinguished from the dogmatic faith of the Middle Ages. The mysteries of the world which the man of the Renaissance sought everywhere did not represent a set of facts that could be definitely determined. The mediaeval faith became transformed into a more or less vague perception of secret forces at work throughout the world. It is also quite possible that here too man was eclectic, deciding in favor of one form of belief in miracles as against another, rejecting one miracle while recognizing another. The man of the Renaissance would not deny the possibility of any imaginable phenomenon. This possibilism is one of the most essential characteristics of the Renaissance. Although no one can know definitely that an unknown phenomenon actually exists, no one can deny the possibility of its existence (Ficino, Pomponazzi, Cardano, Montaigne, Shakespeare).

Reflecting upon his own life from these aspects the man of the Renaissance felt that he lived in a world ruled by chance where everything was in a continuous state of flux. He sought security in himself in order to resist the unforeseen. This idea of the ancient sages was revived in a variety of forms. Alberti as a bourgeois thinker sought to escape the dangers of chance by clever calculations. Machiavelli provided the statesman with rules whereby he could take up the struggle with Fortuna. Out of the vast multiplicity of historical events, in which there was no rational order, he sought out instances that he thought were typical and recurrent in order to determine the political conditions of the time and the possibilities for effective action by the intelligent man. Man can never master Fortuna, but he can adapt himself to her.

In the background there always remained the unknown world, immense in the complexity of its phenomena and possibilities. This world could be comprehended only in the multiplicity of the phenomena which present themselves to man as seen by the artist (Leonardo da Vinci) and not as a methodical and rational whole. A new conception of the world came only with modern scientific consciousness, which marked out a clear line of demarcation between reality and fiction. A new conception of truth arose which was founded upon the insight into the necessary and mathematically deducible order of reality (Galileo).

The new scientific spirit progressed but slowly. The Counter-Reformation led to a reorganization of the world upon an ecclesiastical Christian basis. On the other hand, the relation of fiction to reality became identified with the problem of life as presented in Torquato Tasso and Cervantes. Finally, in England the Renaissance spirit came into conflict with the newly developed Protestant religious consciousness. The individual concerned with the salvation of his soul could not feel content with mere existence in the world of possibilities and a purely speculative and imaginative relation to the complexity of things. He searched through faith for security and stability, which the Renaissance could not offer him (Greene, Dekker, Donne).

It is a difficult task to appraise the significance of the Renaissance in the history of European cultural development. The Renaissance represents a peculiar stage in this development which distinguishes it from the Middle Ages as well as from the modern period. The man of the Renaissance lived, as it were, between two worlds. The Christian world of the Middle Ages, in which the significance of every phenomenon was ultimately determined through uniform points of view, no longer existed for him. On the other hand, he had not yet found in a system of scientific concepts and social principles stability and security for his life. He was suspended between faith and knowledge. The Renaissance may be interpreted in different ways, depending on whether this epoch is more closely associated with the world of faith of the Middle Ages or with the scientifically grounded approach of modern times. In the same way it is apparent that the Renaissance was not a definitely fixed and circumscribed epoch. The retrogression of Christian ideas and values in the actual interpretation of life was a gradual process which set in toward the end of the Middle Ages and whose results cannot be determined unequivocally. For it was a matter not of conscious negation but rather of transformation in the relations between the religious and the secular spheres of life brought about by experience. Nevertheless, it must not be assumed that the Renaissance had no historical originality. Its characteristic realm was that of perception and the lingering with the object perceived, the sense of the multiplicity of phenomena coupled with the free development of the imaginative powers.

This explains the cultural significance of art and poetry in the Renaissance. Only in poetic and artistic representation and invention could man realize the multiplicity of phenomena not yet subjected to systematic knowledge. Poetry and art were conceived as the actual organs of world understanding. The artist or the poet of the Renaissance found his world in that intermediate realm of potentiality which was limited neither by a dogmatically determined faith nor by the rigid systematization of scientific data.

The preliminary conditions for the modern world were not created until the postulation of certain methodological fundamentals on the basis of which a realm of knowledge secure unto itself was made possible. The *varietas rerum* of the Renaissance then reverted to certain fundamental laws. In place of the world of fantasy came a world which could be comprehended and calculated. In the same way life itself appeared as something which could be regulated and controlled. The Renaissance concept of Fortuna was discarded. Man from now on put his trust in reason; in the political field this led to a thoroughly developed political system and a rational view of society.

B. GROETHUYSEN

See: HUMANISM; INDIVIDUALISM; CLASSICISM; SECULARISM; TRADITIONALISM; PRIMITIVISM; RATIONALISM; COSMOPOLITANISM; ART, section on RENAISSANCE; ARCHITECTURE; PRINTING AND PUBLISHING; PAPACY; REFORMATION; ENLIGHTENMENT; POLITICAL SCIENCE.

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RENAN, ERNEST (1823–92), French Hebraist, historian and philosopher. Renan was educated for the priesthood, but partly through philosophical skepticism, although more fundamentally as a result of his philological studies, he was forced to reject ecclesiastical dogma. He therefore left the seminary and completed his training at the University of Paris. His doctoral thesis, *Averroès et Averroisme* (Paris 1852, rev. ed. 1861), a study in mediaeval skepticism, revealed the amalgam of scholarship and artistry typical of his literary production. His *Histoire générale et système comparé des langues sémitiques* (Paris 1855, 3rd ed. 1863) made him the foremost Semitic scholar of France and opened the doors of the Académie des Inscriptions et Belles-Lettres, for which he later founded and edited the *Corpus inscriptionum semiticarum*. In 1862 he was appointed professor of Hebrew in the Collège de France; his course was closed almost immediately, but he was reappointed after the fall of the empire and retained the chair until his death.

Renan's *Vie de Jésus* (Paris 1863, new ed. 1870; tr. by C. E. Wilbour, New York 1864),

which at once scandalized the orthodox and made its author an international literary figure, was written among the Syrian hills, to which he had repaired after a visit to Palestine. An imaginative portrait based on extensive scholarship, the *Vie de Jésus* rejected completely the supernatural elements in the traditional narrative and treated Jesus as a merely human but exalted personality, whose innocent joy during His early ministry in Galilee was transformed as a result of the opposition of Jerusalem into somber vehemence. The book became the first of the eight volumes making up *Histoire des origines du christianisme* (Paris 1863–83; English translation, 7 vols., London 1888–90), in which Renan traced the vicissitudes of the church down to the death of Marcus Aurelius and the triumph of Roman discipline and organization over theological irregularities and heresies. Turning to the origins of these origins he produced *Histoire du peuple d'Israël* (5 vols., Paris 1887–93; tr. by J. H. Allen and E. W. Latimer, Boston 1886–96), an independent interpretation, although founded on German Biblical criticism. Here Renan's central interest lay in the development of the religious idea by the prophets, of whom he regarded Jesus as the last.

In repudiating Catholicism Renan transferred much of his hope for human salvation to science. Although his youthful *L'avenir de la science* remained unpublished until 1890 (Paris; tr. by A. Vandam and C. Pitman, London 1891), its message, implicit in numerous articles, such as those collected as *Études d'histoire religieuse* (Paris 1857; tr. by O. B. Frothingham, New York 1864) and *Essais de morale et de critique* (Paris 1859), was of tremendous importance in the diffusion of the cult of science. His philosophy is well summed up in his "Examen de conscience philosophique" (in *Revue des deux mondes*, vol. xciv, 1889, p. 721–37). Accepting the relativity of human knowledge but stressing the practical adequacy of the maximum degree of probability, he viewed the universe as a process of becoming, in which no transcendent will intervenes to disturb the course of internal development. While he looked upon science and reason as the implements of progress, the interpretation of science which he stressed was less the conquest of inorganic nature than the knowledge of the gradual evolution of the human mind; and in any case he was acutely aware of the irrational elements in progress. His reference to a voice from the other world that speaks to man in the accents of love, religion, poetry and virtue—the four great human follies because they are the four great negations of calculating egotism—was a poetic rendering of his thesis that man works instinctively for the ends of the universe, for the unfolding of the human consciousness, hoping that God is good. He conceded that God and immortality might perhaps exist beyond the boundaries of the finite; but irrespective of that possibility religion, not as abstraction but as image and symbol, was an essential human need. It is thus obvious that in Renan's unsystematic and often elusive philosophy positivism was fused with an evolutionary idealism.

Renan's characteristic deprecation of dogmatic finality is apparent also in his numerous political writings, some of which are included in *La réforme intellectuelle et morale* (Paris 1871), *Questions contemporaines* (Paris 1868) and his earlier collection of essays. While admitting the theoretical tenability of socialism he insisted that in practise it was incapable of reforming society, since universal happiness could not be based on political and economic measures. Democracy and social democracy served, in his opinion, only to generate materialistic self-interest, individualism and mediocrity and constituted a menace to the state, which could never attain greatness, that is, could never contribute to the divine aim of humanity, without individual sacrifice and discipline. Renan would have preferred government by an élite of intelligence or an aristocracy of competence, aware of its obligation to protect and guide the masses. In place of universal suffrage, he proposed that the senate be elected by national groups and corporations. In his famous lecture, *Qu'est-ce qu'une nation?* (Paris 1882), he analyzed the nature of the national group and concluded that the bond of union was moral and spiritual consciousness rather than race, language or boundaries.

Much of Renan's mature thought is found in allegorical form in the *Drames philosophiques* (Paris 1888). In his late writings the strenuous Renan seems to have become an interested observer of the world. This attitude, superficially interpreted, enabled certain youthful admirers to invent what was called *Renanisme*, a pose of sophisticated indifferentism toward everything serious which was utterly alien to the character of the master himself.

LEWIS F. MOTT

Consult: Mott, Lewis Freeman, *Ernest Renan* (New York 1921); Pommier, Jean, *Renan d'après des docu-*

ments inédits (Paris 1923), and *La pensée religieuse de Renan* (Paris 1925); Lasserre, Pierre, *Renan et nous* (Paris 1923), and *La jeunesse d'Ernest Renan; histoire de la crise religieuse au XIXe siècle*, 3 vols. (Paris 1925–32); Parodi, D., "Ernest Renan et la philosophie contemporaine" in *Revue de métaphysique et de morale*, vol. xxvi (1919) 41–66; Soltau, R., *French Political Thought in the Nineteenth Century* (London 1931) p. 215–30; Faguet, Émile, *Politiques et moralistes du dix-neuvième siècle*, 3 vols. (Paris 1891–99), vol. iii tr. by Dorothy Galton (London 1931) p. 265–314. For complete bibliography of Renan's works, see Girard, Henri, and Moncel, Henri, *Bibliographie des oeuvres de Ernest Renan*, Société Ernest Renan, Histoire Religieuse, Publications, vol. i (Paris 1923).

RENAUDOT, THÉOPHRASTE (1586–1653), founder of French journalism and of various institutions for social betterment. After graduating from the medical school at Montpellier in 1606 Renaudot entered the king's service first as a physician, later as a historiographer. Touched by the hordes of paupers who infested Paris after the wars of religion, he opened the first employment agency. In 1631 he established what is generally regarded as the first French newspaper, the *Gazette*, later called *Gazette de France*, which appeared weekly up to 1914. Both Louis XIII and Richelieu, realizing the power exerted by the press upon public opinion, contributed to the *Gazette*, and Richelieu granted Renaudot a news monopoly. Later the paper served the cause of Mazarin. Its "extras" are historically valuable, since they were devoted to official documents and to important current events; advertisements were published separately. Renaudot also conceived the notion of public auction sales and founded a pawnshop in imitation of those started by the pope in Italy. His other innovations included a dispensary, where more than 20,000 received medical treatment, and, in anticipation of the Academy of Sciences, a learned society, whose purpose was to give a weekly lecture, followed by a symposium, on any subject other than theology and politics. In applying chemistry to medicine and in opposing clinical pedagogy to scholasticism he aroused the ire of the University of Paris. After the death of his protector, Richelieu, all his "innocent inventions," with the exception of his newspaper, were suppressed by the Parlement of Paris, but they exerted a lasting influence upon the institutional development of France.

RAPHAEL LEVY

Consult: *La vie de Théophraste Renaudot*, by members of the "Jury Renaudot" (Paris 1929), with bibliography; Hatin, E., *À propos de Théophraste Renaudot* (Paris 1884), and *La Maison du Grand-Coq . . . de Théophraste Renaudot* (Paris 1885); Forgue, É., *Théophraste Renaudot* (Paris 1927); Vallée, A., in Royal Society of Canada, *Proceedings and Transactions*, 3rd ser., vol. xxv (1931) sect. i, p. 41–46; Levy, R., "The Daily Press in France" in *Modern Language Journal*, vol. xiii (1928–29) 294–303, with bibliography.

RENAULT, LOUIS (1843–1918), French jurist. Renault taught at Dijon and at the University of Paris, where he was professor of international law from 1881 until his death. He lectured also at the École Libre des Sciences Politiques, the École Supérieure de Guerre and the École Supérieure de la Marine.

Renault is regarded as the most important figure of the French school of international law, the founder of international law as a legal science in France. In his teaching he developed a position midway between the extremist views of Pufendorf, who regarded international law as a simple application of the principles of natural law to the relations of states, and of Moser, who conceived of it solely as positive law arising necessarily from customs and treaties. Taking account simultaneously of both the realistic and ideal elements Renault leaned toward the former, holding that abstract notions of justice should be invoked only as a basis for criticizing or evaluating positive international law. International law thus becomes variable and uncertain, but on the other hand it remains alive and practical. The ideal which was to be pursued must also, according to Renault, be realizable and founded upon social necessity.

Renault's teaching by virtue of its quality and variety exerted a unique influence upon the development of international law and gave a tremendous impetus to French studies in this field. He divided his attention between general problems of foreign relations, such as neutrality, and studies of contemporary situations, such as French relations with oriental countries. His work also covered subjects more narrowly juridical in nature, including industrial property and international penal law.

In 1890 Renault became counselor to the Ministry of Foreign Affairs. He concentrated his attention upon the actual constitution of international law and from 1893 to 1912, through consultation and active participation in international conferences involving questions of both private and public international law, he contributed to positive diplomatic achievements. He served as arbitrator in a number of international disputes, notably in the case of the "deserters of

Casablanca" (1908–09), and was awarded the Nobel peace prize in 1907.

Renault was the author of a great number of monographs, doctrinal studies and reports, largely on international law. Many of these were published in the *Recueil de jurisprudence de Sirey*, the *Journal de droit international privé*, the *Revue critique de législation et de jurisprudence* and the *Revue de droit international et de législation comparée*. His *Précis de droit commercial* (2 vols., Paris 1884–85), written in collaboration with Charles Lyon-Caen, was a study of all important aspects of commercial law and met with such success that the authors prepared from it a *Manuel de droit commercial* (Paris 1887, 15th ed. 1928) for student use and a *Traité de droit commercial* in eight volumes (Paris 1889–99, 4th–5th eds. 1914–32).

JEAN DEVAUX

Consult: Fauchille, Paul, *Louis Renault (1843–1918)* (Paris 1918), with bibliography p. 238–53; Lyon-Caen, Charles, in *Revue des sciences politiques*, vol. xxxix (1918) 321–32; Lyon-Caen, Charles, and others, "Inauguration du monument . . ." in *L'oeuvre internationale de Louis Renault 1843–1918*, ed. by A. de la Pradelle, 3 vols. (Paris 1932–33) vol. iii, p. 615–44.

RENOUVIER, CHARLES BERNARD (1815–1903), French philosopher. After writing several youthful essays inspired by a sort of Hegelian pantheism Renouvier soon adopted a different type of philosophy, based on the idea of freedom of belief and judgment and on the arbitrary choice of rationalistic principles. In the logical organization of this philosophy, from which Renouvier's conception of social facts and history followed directly, the starting point was the law of contradiction and the inconceivability of an existential or actual infinite. From this he proceeded to deduce the existence of discontinuity in nature—first beginnings as regards both the origin and the course of phenomena—and the freedom of the will as the indispensable condition not only for ethics but also for any rational conception of society and human evolution.

Thus, contrary to the rest of his generation, whose tendencies were on the whole expressed by Spencer's system, Renouvier declared himself in opposition to the notion of a necessary evolution, of a progress assured in advance independently of individual wills. As early as 1857 he published a sort of philosophical novel, *Uchronie* (in *Revue philosophique et religieuse*, vols. vii–viii; 2nd ed. Paris 1901), a utopia as applied to history. Its subtitle, *Esquisse . . . du développement de la civilisation européenne tel qu'il n'a pas été, tel qu'il aurait pu être*, explains clearly the guiding idea. Renouvier imagined that the Roman Empire from the time of Marcus Aurelius had attained, under a series of enlightened emperors, a better government than was actually the case; that it was thus able to avoid military anarchy and to absorb little by little the barbarian peoples as well as to assimilate the ideas of Christianity—in short he eliminated from the course of history both the great invasions and the Middle Ages. By thus drawing in his imagination a picture of continuous development of a completely rationalistic and antimystical civilization from antiquity to modern times Renouvier sought to emphasize the essential contingency of historical and social facts. The *Introduction à la philosophie analytique de l'histoire* (Paris 1864, new ed. 1896), which is part of his *Essais de critique générale* (4 vols., Paris 1854–64; rev. ed., 13 vols., 1875–97), and later his big work on the *Science de la morale* (2 vols., Paris 1869; new ed. 1908) developed the same principles in more abstract form and continued the attack on the idea of a fatalistic evolution of humanity.

The power of free will Renouvier did not regard as extending without limit: there are necessary laws of solidarity—solidarity of the individual with himself, solidarity of men with one another; arising from example, from imitation, they are perpetuated by habit, for there is a sort of "mental vertigo" which drives men toward the most intense or most familiar sensations. But there is also present in man and consequently in the social groups a power of freedom which, in the voluntary act of attention, fixes certain images or ideas by preference to certain others and can thus hold the passions in check. Will is above all unwillingness, a power of restraint, of doubt and criticism in the intellectual sphere, of deliberation and self-control in the practical. Through this power man is able to resist within certain limits the pull of the passions, both individual and collective, is capable of recognizing reason and desiring it; ethics thus retains both its autonomy and its right to judge history.

This does not mean, however, that ethics may neglect the conditions of fact and the part of necessity which results from them, if it is to be both equitable and practical. Indeed after having laid down on the basis of Kantian principles an ethics of pure justice and pure reason Renouvier recognized that such an ethics pre-

supposes the existence of mutual good will and peace, while history, on the other hand, is above all the theater of egoisms and of war. To demand under such a state of war an absolute morality would be to render life impossible; it would mean imposing sacrifice upon the good only and leaving the field free for the wicked, thus abandoning the cause of justice and increasing the amount of injustice and disorder in the world. It is necessary therefore that evil be resisted by force, that constraint and punishment be employed and that there be put at the service of justice means that are partially unjust. Always, however, the ideal of peace and of reason must remain the ultimate goal, which is to be approached in practise as closely as possible.

Such a realistic attitude poses the question as to why there should be any suffering, injustice and evil in the world. Even if ethics accepts what Renouvier calls the postulate of the moral order —the existence both in man and in the universe of a deeply rooted will for justice—yet the fact of the freedom of the will presupposes the possibility that through the very existence of man error and consequently disorder and evil will be introduced into the divine plan of the world and will accumulate their disturbing effects. This theory of the fall and the complementary possibility of the rise and redemption through the effort of good will provided the basic theme of Renouvier's *Philosophie analytique de l'histoire* (pt. v of *Essais de critique générale*, 4 vols., 1896–97). It is also reflected in the eschatological hypothesis which he elaborated in his latter works, particularly in the *Nouvelle monadologie* (Paris 1899) and *Le personalisme* (Paris 1903).

Renouvier's social and historical ideas, his moral individualism and his doctrine of the contingency of historical events have exercised an unmistakable influence on the cultural thought of his time. They are closely tied up with the fundamental philosophical principles of his doctrine, which in turn have had repercussions in the field of pure philosophy. As the philosopher of liberty, of the discontinuous and the finite Renouvier may indeed be regarded as the precursor both of pragmatism and of the various pluralistic doctrines of the present day.

D. Parodi

Other important works: *Esquisse d'une classification systematique des doctrines philosophiques*, 2 vols. (Paris 1885–86); *Les dilemmes de la métaphysique pure* (Paris 1901).

Consult: Seailles, Gabriel, *La philosophie de Charles Renouvier* (Paris 1905); Hamelin, Octave, *Le système de Renouvier* (Paris 1927); Mony, P., *L'idée du progrès dans la philosophie de Renouvier* (Paris 1927); Cornwell, Irène, *Les principes du droit dans la philosophie de Charles Renouvier* (Paris 1922).

RENT. The word *rente* occurred in old French of the twelfth century, derived from the vulgar Latin *rendita*, from *reddita*, meaning return or yield. In the same century it occurred in English in the sense of an item of revenue or income (Oxford Dictionary). With varied spellings and shades of meaning it has been used in all the modern European languages ever since. Still today in the law "the word . . . may be generally defined as a compensation or return" (*Corpus juris*). In popular speech it is now, and possibly always has been, used generally as the sum paid for the hire of anything to be returned in the same physical form, as tools, machinery, houses and so forth. Both in economics and in law, however, the word has been most frequently associated with the payment for the use of land, especially of agricultural land; and Alfred Marshall's basic definition is representative of widespread economic usage: "the income derived from the ownership of land and other free gifts of nature is called rent." It is true that Marshall adds: "the economist must stretch it much further," leaving the reader in doubt as to his exact meaning. In law the technical sense of the word is said to be "the compensation received by a landlord for the use of land leased" (*Corpus juris*).

This association, both in economics and in law, of rent with income derived from land resulted from the shifting of a more generic meaning to a specific use which happened to be most frequent in practise. Throughout the Middle Ages the cases of fixed contractual income which most often came before the courts in such matters as settlement of estates, and in modern times those which have attracted the attention of economic students were derived from landed property. A similar result of habit seems to account for the more recent peculiar use of *rentes* in French in the sense of incomes from investments in the consolidated governmental debt, *rentier* thus denoting a person who lives from the proceeds of coupons on public bonds. The use of rent in the special sense of an income derived from land while the more general meaning has persisted still contributes, no doubt, to the confusion of the whole concept.

English writers from the sixteenth to the eighteenth century used the word rent as meaning "interest" on a loan which is "only

Rent for Stock," as Sir Dudley North said (*Discourses upon Trade*, London 1691), and also in the more special sense of an income from land. Repeatedly too they touched upon the relationship between commerce and land values and the rents of agricultural land. The history of the modern rent doctrine, however, as essentially connected with land may be said to begin midway in the eighteenth century. Although the French physiocrats centered their whole system of the *ordre naturel* about land and its peculiar powers, they preferred to call the yield, or the income, from land not rent but the *produit net*, the "disposable revenue" or "the current price of leases." But the physiocratic conceptions of the three main classes in the nation, of the supposed exclusive power of land to yield a surplus above labor costs and of the assumed non-shifting quality of taxes on cultivated land doubtless influenced English economic thought in the period of Ricardo and subsequently.

Adam Smith's views on rent were far less affected by his physiocratic contemporaries than were those of English economists a generation later, for Smith saw in the magic power of division of labor rather than in the powers of land the bountiful source of the wealth of nations. His preliminary analysis of the price of commodities into its "component parts" of wages of labor, profits of stock and rent of land was much in the spirit of the psychological school of a century later. His further treatment of rent nevertheless was the most confused and unsatisfactory part of his imperfect scheme of value and distribution. He groped for a "natural rate" of rent as well as of wages and of profits but got no further than the suggestion that it is the "ordinary or average rate of rent, which is regulated . . . partly by the general circumstances of the society or neighborhood in which the land is situated, and partly by the natural or the improved fertility of the land"—a solution satisfying to the most eclectic mind. He then attempted to find a line of distinction between one class of "produce of land (food) which always affords and necessarily affords some rent to the landlord," and other sorts of produce which sometimes may and sometimes may not, according to circumstances (mentioning as examples fur, wool, stone, coal, wood and a variety of other natural materials). He glimpsed the modern conception of marginality in the latter case but ignored it in the former. The easy disproof of this hazy doctrine of the two classes of products helped to convince the Ricardians of their superiority over Smith and to confirm their belief in their own false views of land rent.

Adam Smith's inexact ideas of a bare subsistence as the natural wage and of the power of land ordinarily to "produce a greater quantity of food than what is sufficient to maintain all the labour necessary for bringing it to market" bloomed into the Malthusian principle of population near the close of the century (1798). The peculiar circumstances of the next two decades, with continued war, excessive taxation, curtailment of food imports, unprecedented prices for wheat in England and inflated agricultural rents, served to magnify to abnormal importance the subjects of population growth and land rents. The so-called Ricardian doctrine of rent was independently formulated by several other writers—West, Malthus, Torrens and others between 1813 and 1815—when wheat prices were at their peak. It was destined to play a dominant role in economic theory until after the middle of the nineteenth century and thereafter gradually to lose its prestige.

It is not possible accurately to compress into a single proposition the whole Ricardian rent doctrine for in it several criteria of rent were combined and confused. Even the following analysis does not exhaust the minor details and differences. In the first place, the source of rent was deemed to be distinctly and peculiarly land, used as a mere geographic or geological term. Along with labor and capital land was one of the three factors of production, paralleled by the three incomes—rent, profits (including interest) and wages—and by the three classes of income receivers—landlords, capitalists and laborers. This tripartite arrangement corresponded fairly well with the main divisions in politics and in English society at that time. Secondly, land was regarded as unproduced, it being conceived as essentially a natural not an artificial agent, having therefore originally no psychic cost, in contrast with the psychic sacrifice involved in making, improving and modifying other things, which were thought to be ruled by the labor theory of value. Again land, even agricultural land, was considered as durable by its very nature, and its useful and fertile qualities were taken to be permanent. As a corollary the rent income was assumed to continue without limit and without impairment of its source, in contrast with physical capital. Land was looked upon as peculiar in that it alone among economic agents was subject to the law of diminishing returns, a doctrine which confused the idea

of proportionality between two or more complementary agents with the idea of a historical trend toward less productive land and land uses. Further, land rent was assumed to be of a peculiar residual, or differential, nature, in contrast to wages, profits and interest, in which no differential quality was seen at that time. Closely related was the idea that land rent was peculiarly a surplus above cost (practical business cost), and moreover the one income that "formed no part of price." This was a mere play on words and was not meant to deny that the actual prices of all products where scarce land was used contained rents as well as wages and profits, or that rent formed part of the necessary competitive expenses of the enterpriser. The phrase involved a garbled marginality theory, which amended the words "formed no part of price" by the addition: of that portion of the supply which fixes (or determines) the price of the whole. Recent criticism has pretty effectually disposed of the fallacious idea of a certain marginal unit fixing the price of the whole or of the other units in the marketing of any sort of goods or uses.

Land rent in the Ricardian doctrine was further regarded as peculiar in that taxes on land, agricultural as well as other, were not shiftable. Land being deemed to be not only unproducible but indestructible, it was concluded that the quantity of usable land and the mode of its use could not and would not be altered in any degree through the taxpayers' choice as a result of changes in land taxes. Finally, all land values and all rents were held to be of a monopolistic nature, no matter how widely distributed landownership might be; this was palpably a confusion of the idea of "natural" scarcity and that of monopoly in its proper sense as control and artificial manipulation of supply and of prices through unified ownership or by agreement.

The subsequent history of the rent doctrine is largely a record of hostile criticism of these inconsistencies in the Ricardian theory and of the attempts of Ricardian apologists, such as J. S. Mill, J. E. Cairnes and others of the neo-classical school, to qualify, reconcile and evade its logical consequences. Most ingenious and elusive of the attempts of this sort were those of Alfred Marshall. He conceded that the distinction between land (natural) and other wealth must be abandoned from the point of view of the individual investor (the original problem) but suggested retaining it from the point of view of society. He then hopefully set forth still another property of land as "the ultimate cause of the distinction . . . between land and other things"; that is, the attribute of extension, or its geometric relations. Not satisfied with this, he further suggested making the distinction between rent and interest (and between land and capital) turn "on the length of the period which we have in view."

Since the word rent etymologically means any income or yield from an economic agent, its limitation to a more special sense involves something of the arbitrary. This can be justified ultimately only by a general consensus of opinion and usage. Modern theoretical criticism has not only quite effectually invalidated the crude tripartite division of the economic factors (based on the labor theory of value) which linked rent with land but has also in varying degrees exploded all of the other supposed peculiarities of land and of land rent. Proportionality, for example, varying on either side of an optimum, is seen as a universal phenomenon in the use of all kinds of goods, whereas a historical law of diminishing returns finds no support in actual conditions or in statistical trends in any of the advanced countries.

To the writer it seems that the most useful and tenable definition of the word rent today must turn upon the one economico-legal criterion of the nature of the contract by which the uses of any more or less durable agent of production may be bought or sold. The content of such a concept would include nearly all of the cases which in practise have ever been included under rent, but the concept would be essentially different. Capital in the financial sense and its yield—profits and interest—are fully within the price system, both the principal sum and the amount of the income being expressed in monetary terms; rent is ordinarily only half way within the price system, that is, in respect to the periodic payment; whereas the borrowed agent is returnable in kind or as nearly as may be in identical form (i.e. the criterion is physical or technological rather than financial). Indeed some cases of rent contracts, as, for instance, renting on shares, retain the still more primitive form of contract in which both the borrowing and lending and the payment are "in kind"; that is, not expressed in monetary terms. Rent would thus be defined as: the amount paid by contract for the use of the durative (separable) uses of a more or less durable agent (use bearer), entrusted by an owner to a borrower for a

limited period, to be returned in equally good condition except for ordinary wear and tear.

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See: DISTRIBUTION; ECONOMICS; INTEREST; CAPITAL; PROFIT; VALUE AND PRICE; MONOPOLY; UNEARNED INCREMENT; LAND SPECULATION; LANDLORD AND TENANT; RENT REGULATION; FARM TENANCY; LAND TAXATION; SINGLE TAX; RENT CHARGE; RENTIER.

Consult: Johnson, Alvin S., "Rent in Modern Economic Theory" in American Economic Association, *Publications*, 3rd ser., vol. iii (1902) no. 4; Turner, J. R., *The Ricardian Rent Theory in Early American Economics* (New York 1921); Walker, F. A., *Land and Its Rent* (Boston 1883); Hobson, John A., "The Law of the Three Rents," Clark, John B., "Distribution as Determined by a Law of Rent," and Hollander, J. H., "The Concept of Marginal Rent" in *Quarterly Journal of Economics*, vol. v (1890–91) 263–88, 289–318, and vol. ix (1894–95) 175–87; Fetter, F. A., "The Passing of the Old Rent Concept" in *Quarterly Journal of Economics*, vol. xv (1901–02) 416–55, and "The Relations between Rent and Interest" in American Economic Association, *Publications*, 3rd ser., vol. v (1904) 176–240; Carlton, Frank T., "The Rent Concept, Narrowed and Broadened," and Orchard, John E., "The Rent of Mineral Lands" in *Quarterly Journal of Economics*, vol. xxii (1907–08) 48–61, and vol. xxxvi (1921–22) 290–318; Inama-Sternegg, Karl T., "Theorie des Grundbesitzes und der Grundrente in der deutschen Literatur des 19. Jahrhunderts" in *Die Entwicklung der deutschen Volkswirtschaftslehre im neunzehnten Jahrhundert* (Leipsic 1908) vol. i, ch. v; Schumpeter, Joseph, "Das Rentenprinzip in der Verteilungslehre" in *Schmollers Jahrbuch*, vol. xxxi (1907) 31–65, 591–634; Weiss, F. X., "Die Grundrente im System der Nutzwertlehre," Weber, Adolf, "Die städtische Grundrente," and Ely, R. T., "Kosten und Einkommen bei der Bodenverwertung" in *Die Wirtschaftstheorie der Gegenwart*, ed. by Hans Mayer, F. A. Fetter, and R. Reich, 4 vols. (Vienna 1927–28) vol. iii, p. 210–58; Berens, E., *Versuch einer kritischen Dogmengeschichte der Grundrente* (Leipsic 1868); Adler, A., *Ricardo und Carey in ihren Ansichten über die Grundrente* (Leipsic 1873); Diehl, Karl, "Die Grundrententheorie im ökonomischen System von Karl Marx" in *Jahrbücher für Nationalökonomie und Statistik*, vol. lxxii (1899) 433-80; Bortkiewicz, L. von, "Die rodbertus'sche Grundrententheorie und die marx'sche Lehre von der absoluten Grundrente" in *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung*, vol. i (1910–11) 1–40, 391–434; Spitz, Philipp, "Das Problem der allgemeinen Grundrente bei Ricardo, Rodbertus und Marx" in *Jahrbücher für Nationalökonomie und Statistik*, vol. cvi (1916) 492–524, 593–629; Diehl, Karl, *Sozialwissenschaftliche Erläuterungen zu David Ricardos Grundgesetzen der Volkswirtschaft und Besteuerung*, 2 vols. (3rd ed. Leipsic 1921–22) vol. i, ch. ii; Oppenheimer, Franz, *David Ricardos Grundrententheorie* (2nd ed. Jena 1927); Otte, Gerhard, *Das Differentialeinkommen im Lichte der neueren Forschung*, Volkswirtschaftliche Studien, vol. xxviii (Berlin 1930); Samsonoff, B., *Esquisse d'une théorie générale de la rente* (Lausanne 1912); Lebreton, André, *Essai sur la théorie ricardienne de la rente* (Rennes 1926); Loria, Achille, *La rendita fondiaria e la sua elisione naturale* (Milan 1880); Sensini, Guido, *La teoria della "rendita"* (Rome 1912); Ferri, Carlo E., *La concezione energetica della rendita*, Collana di scienze politiche, ser. c, vol. iii (Pavia 1928).

RENT CHARGE. The term rent charge in the mediaeval law of the various European lands may be defined untechnically as the grant by a landowner of a rent to be paid out of the income from his lands. In English common law it was accompanied with the power of distress in favor of the purchaser of the rent charge and was distinguished by certain legal details from a rent service and a rent seek.

At least as early as the twelfth century the purchase and sale of rent charges were used in northern Europe as devices for borrowing by landowners and for the investment of (money) capital by the burgher class. The development until the sixteenth century was therefore contemporaneous first with the crusades and the growth of towns through the purchase of charter privileges from neighboring feudal landlords, and later with the growing use of money and credit and with the steady decline in economic importance of the feudal classes relative to that of the merchant capitalists. In financial markets in the commercial towns fixed incomes in the form of rent charges were exchanged for capital sums involving a time discount rate and rate of yield quite as in a modern bond market. In the earlier period the yield was as high as 8 to 10 percent, but in later centuries it sank to about 5 percent and at times to even less. Unlike an ordinary "loan of money" secured by a mortgage on a landed estate, the rent charge escaped the disapproval of the church as a device for investing capital to obtain a fixed income without labor. The feature deemed of greatest importance in distinguishing technically the economic and therefore the ethical nature of the rent charge from an ordinary loan of capital was that the borrower (seller of the rent charge) did not contract ever to repay the sum; that is, it was a perpetual rent, without maturity date, although usually he had the option of redeeming it at will. The rent charge, while it is still a legal form of contract, has largely fallen into disuse with the development in the financial markets of other more convenient forms of investment sanctioned by both church and state.

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See: LAND TENURE; REAL ESTATE; RENT.

Consult: Ashley, W. J., *Introduction to English Economic History and Theory*, 2 vols. (4th ed. London 1906–09) vol. i, pt. ii.

RENT REGULATION. In the normal law of landlord and tenant dwellings are let according to the rules of property and contract. The landlord as owner of the dwelling can fix the rent of his property at whatever figure he chooses. If a tenant does not pay his rent, the landlord has such remedies as distress and eviction. Upon the expiry of the lease the landlord can take possession of his property, refusing to renew the lease for any or no reason. The competition between landlords is supposed to protect the tenant against the charge of extortionate rents.

In fact, however, the rental market has never been a free market. The difficulties tenants face in securing complete information of competitive offers, the custom in many communities of terminating leases and moving on one particular day a year, the segregation of races, nationalities and income groups in certain localities, create quasi-monopolistic conditions. The rental market is one of inequalities, frictions and lagging adjustments, in which the lower income groups in the large urban centers are provided with substandard housing in obsolete structures at a relatively high cost, despite legally prescribed standards of sanitation and safety.

While the history of western nations records many instances of far reaching governmental interference with relations between landlords and tenants, the intervention has generally been on behalf of the landlords, as in the case of the various enclosure acts in Great Britain. In Ireland, however, in the early 1880's the government did intervene to protect the tenant farmers by fixing their rental payments on more favorable terms than the landlords had been willing to grant.

The situation is explained, however, by other factors than the relationship of landlord and tenant, particularly by the absentee ownership of the British landlords, who were regarded as alien masters by their Irish tenants. When the latter, who had fallen into arrears, banded together to resist eviction with violence, the British government was forced to aid them by fixing rents. Rents were established either by voluntary agreement between the landlord and tenant, the agreement having the force of law, or, in default of such an arrangement, by a court. Once fixed the rental figure was to remain stationary for a period of fifteen years.

The most striking, certainly the most extensive intervention of governmental authority in behalf of tenants against landlords occurred during the World War in the field of urban housing. The outbreak of the war precipitated a situation which in a relatively short time produced rent control by governmental authority not only in the countries at war but generally throughout the world. Moreover the conditions which made rent control necessary during the war continued and became more acute in the following years, resulting in the extension of rent regulation during the post-war period.

The first governmental intervention was the moratorium on rental payments declared by the French government on August 14, 1914, and extended in three-month periods to March 31, 1918, when the moratorium was superseded by a general act controlling leases and rents. This moratorium in France was followed by legislation in many parts of the western world. Great Britain, New South Wales and Russia passed rent control measures in 1915; Italy declared a partial moratorium in 1916; the Netherlands, Switzerland, Sweden and Germany enacted rent legislation in 1917. By the end of the war practically all countries in Europe had laws restricting landlords from raising rents and evicting tenants. Shortly after the close of the war the acute housing shortage and the rising unrest and mass protest of tenants led to additional control in the European nations and to new legislation in countries formed by the peace treaties and in India, the Latin American states and the United States.

In the United States the most elaborate legislative control of rents was put into effect in the District of Columbia in 1919 and in the state of New York in 1920. In some other states municipalities set up rent control commissions with powers to investigate rents and to mediate between landlords and tenants, and in varying degrees with powers of coercion. They were largely limited, however, to the use of publicity in securing a reasonable adjustment of rentals. The federal government also had power under some circumstances to control the eviction of soldiers' dependents and war workers and also to requisition buildings for the latter.

The circumstances which provoked rent regulation changed in character from the earlier period of the war to the late and post-war periods. At the outbreak of the war, although the number of vacancies increased because of the break up and amalgamation of many households and the decline of marriages, many tenant families with their men gone to war could not pay their rents. But as the war progressed, existing dwelling facilities in the urban and industrial

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centers were rapidly filled with workers and their families who had migrated to the city to secure the new jobs and higher wages in the war industries. As vacancies disappeared, landlords pressed vigorously to get higher rents. The return of soldiers to civil life at the end of the war further accentuated this shortage. Marriages in all countries increased enormously, particularly in the urban centers. In addition many of the families which had abandoned separate households when their men members had been called into service sought again to set up separate establishments. The workers who during the war had migrated to the cities did not return to the farms.

Accompanying this sudden increase in the need for new dwelling units, during the war and for several years after the war construction of new dwellings suffered a decline amounting almost to complete cessation. This decline was greatest in the belligerent countries, where the governments, subordinating all other considerations to military necessity, mobilized all available man power, including skilled building laborers, and permitted new dwelling construction only by license. In all countries moreover building costs rose rapidly because of the competing demand for labor and materials in industries supplying military requirements, and capital loan funds sought the more profitable war investments rather than the slower returns on dwelling investments. After the war building costs rose even more rapidly as a result of inflation. The rent and mortgage restriction acts were an additional limiting factor, although it is doubtful whether they contributed materially to the stoppage of building. Taking advantage of the acute housing shortage, owners of dwelling accommodations sought to raise rents and to evict tenants who could not or would not pay the higher rents. In these communities or states where no rent restrictions existed the number of evictions mounted rapidly.

The resulting plight of the tenants could not be ignored. During the war military necessity required the maintenance of civil stability and morale; and after the war mass unrest was no less disturbing to the political governments undergoing or threatened with revolutionary overturn. Political expediency required that the owners of dwellings remain a subject class until the new housing provided by government financing and direction could establish rentals at a level against which tenants would not protest too violently. Moreover employers hoping for lower wage levels looked with favor upon rent control as a factor which would eliminate one element of pressure for high wages when the expected and hoped for decline in prices should occur.

The purposes of the rent control measures were to prevent unfair rises in rent and to protect tenants against eviction because of inability to pay the current rent or the increases demanded by the landlords. In one manner or another they interfered with the rights of private property and with the freedom of contract. They secured the tenant occupancy of the dwelling even though the lease had expired and prevented the landlord from taking possession of his property. They denied the landlord the right to exact all the rent the traffic would bear. They prevented mortgage holders from charging more than a prescribed rate of interest and deprived them of the right of foreclosure, and in some countries where the housing shortage was unusually severe they restricted the tenants from moving and rationed dwelling premises.

The system of rent control varied with different countries and was conditioned by a variety of factors, including the extent of monetary inflation, the political philosophy controlling the government, the severity of the effects of the war, the difficulties of post-war readjustments and the political power of tenants. The degree and severity of control ranged from restrictions which were deliberately confiscatory and intended as devices for the socialization of housing to the mild control by those cities in the United States which relied merely upon conciliation.

In most European countries, particularly in the belligerent states, the rent base was fixed by legislative decree as of a given pre-war date. In the United States the rent law of the state of New York forbade extortionate and unreasonable rents, declaring a 25 percent increase in rent as presumptively extortionate but leaving the determination of "reasonable" rent to the municipal courts; in the District of Columbia the fixing of rents was left to a rent commission. In New South Wales a formula of "fair rent" was prescribed.

In the post-war period the governments in countries with extreme monetary inflation prescribed various multipliers of pre-war rents as the basis of the new rents. Landlords in the post-war decade were generally permitted to increase rents to cover various classes of money outlay, such as repairs, maintenance and alterations for accommodation of additional families.

In some European countries rents were indirectly raised by a tenant's tax, which, however, was appropriated by the government for new buildings designed to compete with the existing privately owned dwellings.

There was considerable variation likewise in the control of lease expiry. During the period of the moratorium in France leases were automatically extended, while the landlord was completely deprived of his rights of possession. In other countries, as also in France under later legislation, repossession was subject to various conditions, such as failure of tenants to pay rent, misuse of the property by the tenant or the owner's direct personal need for and use of the property.

The extent of the coverage of tenants enjoying protection varied from complete coverage of all tenants regardless of income and military service to a system of classified protection under which the maximum protection was given to tenant families whose heads were in military service and to lower income groups, leaving the class of rich tenants unassisted. Protection was defined also in terms of classes of buildings, those constructed after a given date being exempt, or in terms of specified localities or size of the municipality or town. In general the scope of protection was broadened in the years immediately following the war, while limitations were progressively narrowed during the latter half of the post-war decade.

In a few countries and cities control of rents was withdrawn in large part by the middle of the post-war decade. In Norway, Denmark, the Netherlands, Switzerland and Italy rent control was either abrogated entirely or almost entirely by 1930. For instance, in Italy moral suasion may be exercised by the Fascist corporation of house property owners. But rent control, although progressively liberalized as to increases of rents and the classes of protected dwellings and tenants, still existed by 1934 in most of the principal European nations; namely, in Great Britain, France, Germany, Austria, Czechoslovakia and Poland.

In the United States the termination of rent control was hastened by the fear of adverse action by the courts. In a case arising under the rent law of the District of Columbia the Supreme Court of the United States by a five to four decision upheld the constitutionality of rent regulation upon a theory of emergency [Block *v.* Hirsch, 256 U. S. 135 (1921)]. A few years later, however, in a second District of Columbia case the Supreme Court hinted that such legislation would be valid only as long as the emergency lasted [Chastleman Corp. *v.* Sinclair, 264 U. S. 543 (1924)]. The decision rendered rent control in the District of Columbia impotent by 1925. In the state of New York rent control was not withdrawn completely until 1929.

Although the history of the last half of the post-war decade is one of gradual and progressive removal of control, in many countries rent control of some sort promises to remain as a permanent part of the general system of social control. The Housing Act of 1930 in Great Britain, for example, contemplates permanent control of low rent housing. Rent control in European countries moreover is an integral part of the administration of government subsidized and owned dwellings, in which an increasing percentage of the lower income groups live. Since the effects of rent control have been uniformly to fix rents in the controlled area considerably below the level which would have obtained in a free market, the private construction of new buildings has been discouraged and governments have been practically forced into some form of social housing.

Finally, the economic depression which began in 1929 introduced a new phase of rent regulation. Because of the deflationary trend of this period rents under existing leases often became oppressive and when interest was reduced by legislation seemed particularly unjust. At least three Australian states, Queensland, Victoria, New South Wales, and New Zealand have already intervened by passing rent reduction acts. Enacted since 1931, the statutes are scheduled to remain in effect for several years. They either reduce existing rents by a fixed percentage or leave it to the courts to determine the extent of reductions.

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See: RENT; PRICE REGULATION; LANDLORD AND TENANT; HOUSING; SLUMS; COMPANY HOUSING; REAL ESTATE; PROFITEERING.

Consult: International Labour Office, *European Housing Problems since the War, 1914–1923*, *Housing Situation in the United States*, and *Housing Policy in Europe*, Studies and Reports, Series G, nos. 1–3 (Geneva 1924–30); Schaub, E. L., "The Regulation of Rentals during the War Period" in *Journal of Political Economy*, vol. xxviii (1920) 1–36; Maus, René, *Traité théorique et pratique de la législation des loyers, 1918–24* (Paris 1924); Brandis, Ernst, "Mieterschutz" in *Handwörterbuch des Wohnungswesens*, ed. by Gerhard Albrecht and others (Jena 1930) p. 539–47; Stone, Gilbert, *The Rent Restrictions Acts, 1920 and 1923* (London 1923); *The Rent and Mortgage Interest Re-*

striction Acts, 1920 to 1925, ed. by Archibald Safford (5th ed. London 1926); Evatt, H. V., "A 'Fair Rent' Experiment in New South Wales" in *Journal of Comparative Legislation and International Law*, 3rd ser., vol. ii (1920) 10–20; Lauer, E. J., *The Tenant and His Landlord* (New York 1921); Lindsay, Samuel McC., *Economic Aspects of the So-Called Emergency Housing Legislation of 1920 in New York State* (New York 1921). See also bibliography under HOUSING.

RENTENMARK was the unit of the transitional currency instituted in Germany at the close of the post-war period of extreme inflation. The value of the Rentenmark, available in the form of notes issued by the Rentenbank beginning November 15, 1923, was set at one gold (or pre-war) mark both for domestic purposes and in terms of the United States dollar, the only important gold standard currency at the time. The Rentenbank notes, however, were redeemable not in specie but in 5 percent gold mark bonds which represented a first lien imposed on all agricultural land (except that with a pre-war assessed value of less than 2000 marks) and on all business enterprises (except those employing no outside help after September 1, 1923); furthermore they were not legal tender, although government offices were compelled to accept them. The new currency was eagerly received by the population, which had no stable money for hand to hand use and was suffering from an acute currency shortage notwithstanding the enormous circulation of the old paper money and the "emergency money" issued by public and important private bodies. The stability of the Rentenmark hung in the balance for some months but was assured by the middle of April, 1924. With the reorganization of the Reichsbank under a new charter, which was connected with the Dawes reparations settlement of August 30, 1924, a gold bullion standard currency was introduced and the retirement of the Rentenmark was begun.

Several factors contributed to "the miracle of the Rentenmark"—the breaking of the vicious circle of inflation presumably through the introduction of a new currency without gold backing. This currency was apparently based on real values and therefore enjoyed the confidence of the masses, particularly in agricultural sections. The reform was moreover supported alike by conservative and liberal political parties. It appeared to meet the clamor for a purely national currency linked to some basic agricultural commodity and divorced from the control of the government and the Reichsbank; and it was satisfactory to those who opposed the emasculation of the central banking functions of the Reichsbank and wished to leave a loophole for the reintroduction of the gold standard. The deciding factor was probably the absolute restriction of Rentenbank note issue, and the measures of the currency commissioner, invested with dictatorial powers, which made it feasible. The issue was limited at the outset to a maximum of 3,200,000,000 gold marks, the value of the capital and surplus of the Rentenbank. Of this amount the sum of 1,200,000,000 marks was allocated to the government to enable it to meet its current expenses and to pay its debt to the Reichsbank; an equal sum was to be employed in financing business and agriculture through the Reichsbank and other banks of issue. Since treasury bills could no longer be discounted with the Reichsbank, a rigid limit was set to the spending power of the government, whose budgetary deficits were the immediate cause of ever mounting printing press inflation. It was also necessary to impose a strict rationing of credit to business, whose dependence for working capital upon the Reichsbank was one of the major consequences of inflation. An important supplementary measure was the control of the foreign quotations of the Rentenmark through reduction of the supply of German currency in foreign markets. The strain of extreme deflation, which might easily have become intolerable, was somewhat relieved by foreign credits made available through the Gold Discount Bank organized in April, 1924. But the danger to the whole Rentenmark scheme implicit in the reparations obligations of the German government was not removed until the experiment was brought to a successful conclusion with the adoption of the Dawes plan.

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See: MONETARY STABILIZATION; INFLATION AND DEFLATION; DEVALUATION; REPARATIONS; LAND BANK SCHEMES.

Consult: Schacht, Hjalmar, *Die Stabilisierung der Mark* (Stuttgart 1927), tr. by Ralph Butler (London 1927); Germany, Kriegslastenkommission, *Germany's Economy, Currency and Finance* (Berlin 1924) sect. B; "Currency Reorganization in Germany" in *Federal Reserve Bulletin*, vol. x (1924) 636–37; Elster, Karl, *Von der Mark zur Reichsmark* (Jena 1928) chs. vi–viii.

RENTIER, meaning originally simply a holder of *rentes*, or certificates of the French governmental debt, has come to signify anyone living primarily upon the return from fixed monetary investments. The rentier is a passive income receiver, one whose stake in the system depends

upon past rather than continuing economic activity. He is thus to be distinguished on the one hand from the individual living on an income from a privileged position, such as the slave owner or member of a landed aristocracy, and on the other hand from the finance capitalist, whose income is derived from promotion and speculation although in the form of investment.

The classic picture of the rentier is that of the provincial Frenchman, inheritor of a modest fortune, to which he may have added by hard work and frugality, spending his later if not his earlier days in the leisure of an assured income, shrewd, critical of new fads, well acquainted with at least the simpler pleasures of living. As an outline picture of the most characteristic type of rentier of a particular civilization this description is true enough. It would have to be altered in important details to fit other times and cultures. For the rentier does not constitute a class or represent an organic social grouping; neither birth nor education nor position is necessarily his. He is distinguished solely by the source and character of his income in a money economy.

In general two chief types of rentier may be recognized. The true, or lifelong, rentier must ordinarily be an inheritor of wealth, however modest in amount. With the dissolution of older social ties the second type, what may be called the dependent rentier—the widow with her savings account or insurance money, the maiden aunt with her small inheritance, the retired business man with his annuity designed just to carry him through the remainder of his years—has become probably more important numerically. There should perhaps be included as a third type, come into existence largely in the twentieth century, the institutional rentier—the foundations and endowments deriving their income from fixed investments, cooperative societies and educational institutions which seek security of income from their investments. One thing all three groups have in common, their independence of continuing productive activity and, correlatively, their dependence on the stability of existing property relationships.

Security of income has been most commonly associated throughout history with the ownership of land; in theory it is being absorbed, no matter how inadequately, as a governmental function by modern states, through old age pensions, social insurance and unemployment schemes. But the rentier differs essentially from both the landowner and the pensioner. The large scale landowner represents the apex of a feudalized society; the rentier, not the apex but a kind of rootless offshoot of a money economy. The holder of government securities is completely absolved from all interest in production, a remoteness never achieved by even the completely absentee landowner. The pensioner, on the other hand, has security of income only on condition of continuous labor; only in his latest years can he hope for the freedom of choice of activity of the rentier.

Historically, however, there is a close relationship between the large landowner and the rentier. For it was the manners and perquisites of the landed aristocracy which furnished the pattern for the newly wealthy of the seventeenth and eighteenth centuries. In England, where circumstances offered frequent opportunities to the city man for the purchase of old estates, this class was largely absorbed into the landed gentry. It was, as Sombart says, feudalized. In France, where such opportunities were rarer and the ideal was not the country squire but the Parisian courtier, the tax farmer or the merchant looking about for a place to put his accumulated wealth preferred to seek out monetary investments. Such investments, however, were rare throughout the eighteenth century. Most large trading adventures were financed by active participants, and save in the Netherlands government finance was on a completely unstable basis before the nineteenth century. In Holland an important rentier class came into existence in the course of the eighteenth century, as the opportunities for mercantile activities were cut off by the loss of empire, and the bourgeois turned from active trading to living on his revenues.

The first real opportunity for the rentier and the continuing symbol of his power came with the growth and stabilization of national debts. In England Pitt placed public credit on a solid basis during the Napoleonic wars; in France the constitutions of the end of the eighteenth century, in reaction against the preceding chaos of bankruptcies and repudiations, declared the public debt sacred. Throughout the nineteenth century there was an enormous expansion of the public debt of all the western countries. The bonds of some of the smaller states might go through default after default, but the French *rentes* and the English consols justified the faith they inspired as symbols of all the solidity and self-assurance of the middle class of the times. With the increasing penetration of the money

economy into all fields of activity the demand for safe investments for surplus wealth ran ahead of the supply of government bonds, and first foreign governmental debts, then railroad securities and mortgage securities came to be sought by the rentier. But such investments are always in danger of becoming speculations, and the public debt has remained his chief support.

It was above all in France that the public debt came to be held primarily by actual or potential rentiers. Distributed not through financial institutions but directly to the public through *comptoirs* set up in every town, it was easily acquired in varying amounts. Indeed the general reliance on public credit was one cause of the slow development of private corporate finance in France; again and again throughout the nineteenth century the government was forced to guarantee the interest on borrowings of public utilities, such as the railroads, in order to create a market for their bonds. In England, where the rentier was also important by the latter part of the nineteenth century, the earlier development of private financial institutions prevented any such dominance of public credit.

Safe investment opportunities alone do not produce a rentier class. Except for the dependent rentier, who is for most of his life not a rentier but a producer, representatives of the group have never been numerous either in Germany or in the United States until very recently. The psychology of a nation "on the make" is inimical to the enjoyment of a fixed income. California and Florida, havens for the rentier, testify by their very character to his uneasiness in American society.

The rentier, like all non-producers, is made possible only by a complicated social organization. A phenomenon of capitalism, he appears in numbers only in certain of its stages or forms. In a period of active advance the surplus wealth of society finds its way largely into the hands of the manipulator, whether merchant, manufacturer or banker. The rentier can exist at such a time, indeed it is largely in these periods that the surplus funds necessary to his growth are accumulated; but he flourishes best, the atmosphere is more congenial to his temper, in the lulls, when economic activity is stabilized or declining. Some writers, notably N. Bukharin (*The Economic Theory of the Leisure Class*, New York 1927), concentrating upon the parasitic character of the coupon clipper, regard the existence of a large rentier stratum in a society as a sign of decadence. This interpretation follows from the more general Marxian position as to the exploitative nature of pure interest.

The sphere of activity of the rentier is that of consumption. But what the quality of that consumption will be is determined not by his character as rentier but by the cultural atmosphere in which he lives. It may be conspicuous and wasteful, but to assume that it is always so is to confuse the rentier with the plutocrat. One of the distinctive features of the rentier class at the apex of its importance at the end of the nineteenth century was the fact that it included so many small and middling fortunes. The spending of the rentier, as distinguished from that of the capitalist or speculative owner of securities, is marked by restraint rather than by abandon. In a new and rapidly changing economy it may constitute an unstable, luxury demand, a source of friction in the system. Where traditions are few, the rentier group is probably exceptionally inclined to faddism of all kinds. Being mobile geographically, it can easily congregate in resorts and tourist centers given over to frivolity and glitter. The same mobility makes possible the development of expatriate colonies of artists, such as those in Paris. But in older societies, where the arts of consumption have been longer cultivated, the purchasing power of the rentier group may be exerted in quite different directions. It may well be a definitely stabilizing factor, providing a steady demand for customary goods and services that keeps alive a whole series of local industries and thus restricts the sphere of capitalist encroachments. It is in such a society that the rentier exerts the greatest cultural influence, through his contribution to the art of leisure. But in general the tone of a society is set by the upper class, not by the rentier group.

In any society, however, the rentier group constitutes a solid body opposed to change of all kinds. The lifelong rentier, free from the outset to choose the pattern of his life, whether it runs in terms of idleness and travel, amateur scholarship or a completely professional devotion to science or art, is inclined to be strongly individualistic in his attitudes. The pressures of his life are personal and self-applied, the limitations moral and customary and not primarily economic. Separated from the necessity of active participation in the economic struggles of his time, he is likely to develop an aloofness varying from the philosophical to the unrealistic or purely callous. Politically he is apt to be inactive except when the status of his income is imperiled. Unlike the small business man, the pro-

fessional and the artisan, he is a potential adherent of either fascism or communism only in most unusual circumstances. For he is essentially a lover of the status quo, and his interests are those of the maintenance of property rights, especially the value of money.

The rentier group before the World War exerted a greater influence than its mere numbers would imply, for the rentier status constituted the goal of so large a section of the population. It was a curiously static kind of influence. The opposition of the rentier to social legislation, for instance, was never active as was that of the employer; indeed it was in many cases almost non-existent. The rentier everywhere insists upon the sanctity of debts; his voice is always raised against repudiation, a factor which has had international repercussions where a rentier group has been a large holder of foreign investments. Where the rentier represents an important part of the population, as in France, he is able to exert considerable political pressure and up to a certain point can secure respect for his interests. But where those interests come into conflict with the interests of the active business man, the rentier is well nigh helpless; for while the business man may make his greatest gains through disturbances in the economic system, the rentier depends upon stability and equilibrium. This divergence of interest can be seen in the case of the promoters as opposed to the investors in any modern corporation or better any holding company. In another sphere it appears in the differing interests of rentier foreign bondholders and active business imperialists.

In times of prosperity the rentier is easily carried along on the tide of economic advance. Such was the case throughout the nineteenth century. But when the national income shrinks, as it did everywhere after the World War, the claim of the rentier to a fixed share of that income may come to seem extortionate and intolerable to the producing classes. Since his claims can be honored only through the deprivation (by means of increased taxation in the case of public debts) of everyone else, in a really critical situation he must give way. His defeat is accomplished through repudiation and currency depreciation.

J. M. Keynes has compiled a rough index of the fate of the rentier, in the person of the holder of British consols, from 1815 to 1922. Using 1914 as a base year he measures the real income of the consol owner in several ways (see table). In 1924 Keynes estimated that since the World War fixed incomes had lost about one half their real value in England, seven eighths in France, eleven twelfths in Italy and virtually all value in Germany, in the succession states of Austria-Hungary and in Russia. The world wide depression which began in 1929 increased the real value of the incomes of some rentiers through the fall in prices but wiped out the entire value of the investments of others.

INDEX NUMBERS OF PURCHASING POWER OF THE INCOME OF CONSOLS, 1815–1922

YEAR	ABSOLUTE	AFTER DEDUCTION OF INCOME TAX AT STANDARD RATE
1815	61	59
1826	85	90
1841	85	90
1869	87	89
1883	104	108
1896*	139	145
1914	100	100
1920	34	26
1921	53	39
1922	62	50

* Without allowance for reduction of interest from 3 to 2½ per-cent.

Source: Keynes, J. M., *Monetary Reform* (New York 1924) p. 18.

The rentier owes his position to saving, his own or that of someone else. A change in the attitude toward thrift or in the opportunities for saving therefore may determine the increasing or waning importance of the group. Throughout the nineteenth century the ranks of the rentier were constantly augmented by the accumulated funds of one middle class family after another; and as the tempo of capital building slowed down, particularly in England, many of the most wealthy families contributed of their members to the group. But the very multiplication of the rentier group in time creates for it a critical situation. First, in so far as the rentier's influence helps shift the dominant ideal from that of possession to that of consumption, it helps create an attitude inimical to further saving. In the second place, the rentier inevitably comes to represent the "dead hand of the past," the creditor whose demands press so hard upon the economically active that they are finally repudiated, by violence if necessary. Such repudiation does not kill the desire to save, but it does give a demonstration of the insecurity of savings that cannot be immediately forgotten, at the same time that it makes thrift more difficult for the great majority. The rentier has by no means disappeared. But recent circumstances raise the question as to whether he is not destined to be absorbed either into the ranks of the worker

with a modicum of publicly assured income security or at the upper end back into the ranks of vested interests based on other forms of property control.

IDA CRAVEN MERRIAM

See: MIDDLE CLASS; BOURGEOISIE; PLUTOCRACY; LANDED ESTATES; INVESTMENT; PUBLIC DEBT; MORTGAGE; ANNUITIES; BONDS; STOCKS; INHERITANCE; SAVING; THRIFT; FORTUNES, PRIVATE; DEBT; MONEY; INFLATION AND DEFLATION; CONSUMPTION; LEISURE; INDIVIDUALISM.

REORGANIZATION, ADMINISTRATIVE. *See* ORGANIZATION, ADMINISTRATIVE.

REORGANIZATION, CORPORATE. *See* CORPORATION FINANCE; RECEIVERSHIP.

REPARATIONS. The term reparations was selected by the statesmen of the Allied and Associated Powers after the World War to describe the payments in cash and kind demanded of the vanquished nations. The demands were based in part on the conception of simple restitution of physical objects, in part on that of compensation for injury done; but the older term indemnity, which had fallen into some disrepute at the end of the nineteenth century, was intentionally avoided (*see* INDEMNITY, MILITARY). All the defeated powers were subjected to reparations demands, but only the payments required of Germany will be considered here, since they constitute the most important and the controlling case.

The foundation from which the reparations clauses of the Treaty of Versailles were developed was President Wilson's Fourteen Points, presented January 8, 1918, as a basis for peace negotiations, and his subsequent elaborations of this document. Wilson's original relevant proposals were concerned chiefly with evacuations and territorial changes, but he later added that "there shall be no . . . punitive damages." Lloyd George had similarly and previously disclaimed any attempt to obtain a war indemnity or to shift the cost of military operations. In the pre-Armistice negotiations, however, the demand for mere restitution of destroyed property gave way to that for compensation for all damage done to the civilian population of the Allies and their property by German aggression. The Armistice itself contained extensive provisions for the restoration of physical objects and for deliveries of goods and equipment, and in addition reiterated the principle of reparation for damage done, but confined the prospective levies to these limits alone. At the Paris Peace Conference, however, where war psychology and the quest for vengeance were still inevitably dominant, it was sought to override these limits and to include among the sums demanded of Germany not merely damages but, pursuant to the earlier extravagant demands of the allied statesmen, direct war costs as well. Only after a bitter struggle were war costs excluded from the charges to be levied; on the other hand, capitalized war pensions and also separation allowances were eventually added to the damage categories, despite their remoteness from that conception of reparation for direct injury to civilians on which Germany's acceptance of the Armistice terms had rested. In the light of events, even though not of strict legal interpretation, it is hence more realistic to regard the actions of the Allies in dealing with German reparations as having been controlled by the conceptions of military victory and military indemnity rather than by the original conceptions of war guilt and reparations literally understood. Indeed the entire question of war guilt (*q.v.*) was irrelevant to the reparations problem as it was actually treated.

The history of German reparations falls into a number of major and quite dissimilar chapters. In the first, which runs from the Armistice to the end of 1923, political and psychological forces operating in utter disregard of current economic realities were dominant. This first chapter is extremely complex and includes nearly a score of major international conferences. In it at least three main phases may be distinguished. In the first the Allies attempted, independently of the treaty procedures, to negotiate directly among themselves and with Germany in order to establish the size and character of Germany's reparations obligation, beginning with the allied proposals made to Germany on June 16, 1919, before the treaty had been signed. These efforts were wholly unsuccessful and were abandoned after the breakdown of the London Conference of February and March, 1921. This breakdown was followed by the first large scale application of the military and economic sanctions provided by the treaty, including a tax on German exports—measures which proved to be only a forerunner of the Ruhr occupation. Germany thereupon asked in April, 1921, for mediation by the United States and then offered, in order to satisfy its reparations obligation, either a capital sum of 50,000,000,000 gold marks at present value or annuities

totaling 200,000,000,000. The figures are especially interesting because they are substantially above the sums later accepted under the "final" Young plan settlement. But the United States refused to mediate, the Allies rejected the new offer, and the first phase ended without conclusive results in this direction.

This first period was not, however, wholly devoid of progress. As early as May, 1920 (at Hythe), tentative proposals had been advanced for setting a minimum total for the German obligation, for relating this total to Germany's capacity to pay and for connecting reparations with the interallied debts. The Brussels Conference of Allied Prime Ministers was held in July of that year; and also in July, at Spa, the percentage distribution of reparations receipts between the creditors was established: France 52 percent, British Empire 22 percent, Italy 10 percent, Belgium 8 percent, others 8 percent. Likewise there was arranged at Spa a coal protocol, which provided in its terms, for the first and last time, a direct incentive to induce the German miners to produce instead of merely trying to force them to work.

In the second phase, beginning in March, 1921, the Allies reverted to the basis of action provided by the peace treaty itself, which had come into force January 10, 1920. The scope of the methods which the treaty provided for the exaction and securing of payments from Germany is somewhat remarkable. They were: occupation of territory; coercion by financial, economic and other measures and reprisals; provision for bond issues; provision of a general "first charge" on the assets and revenues of the German Empire and states—this has been of uncertain meaning and ceased to have effect with the Young plan; deliveries in kind, of goods and of labor; and restitution of physical objects removed by German forces. The treaty had specified ten categories of reparations damages, including pensions and separation allowances and had provided for 100,000,000,000 gold marks in German bonds as a guaranty. It had also stipulated large deliveries in kind, particularly of coal, timber and dyestuffs; these had already been initiated. But it had left the determination of the total amount of the reparations obligation and of the manner of payment to the new Reparation Commission which it set up. Acting under the treaty procedure the Reparation Commission accordingly announced on April 27, 1921, that Germany's reparations liability had been assessed at 132,000,000,000 gold marks ($31,500,000,000), in addition to certain smaller items; and on May 5 it notified Germany of the corresponding Schedule of Payments. Three series of bonds to this total amount were to be issued by Germany and might be sold by the creditor powers in the market (none was ever actually floated); two sets of annuities were stipulated to provide the funds for the service of the bonds, one fixed at 2,000,000,000 gold marks and one, variable, at 26 percent of Germany's exports; customs and other revenues were to be assigned as additional security; and under the British Reparation (Recovery) Act of 1921, and later under similar legislation in France, Germany was to reimburse its exporters for levies on imports into those countries, made by the respective governments and credited to reparations account. These terms provoked an acute crisis in Germany but were finally accepted. The first billion was to be paid over in cash within twenty-five days. The procedure of the Reparation Commission in dealing with the claims for damages submitted by the several creditor powers and with Germany's counter presentations and in subsequently assessing Germany's total obligation is of some interest. The claims were presented in terms of many different currencies and were so numerous that detailed examination of each was wholly impossible. The commission tried sampling but found it hopeless; at the end it made no pretense at apportioning the assessed total either between different classes of claims or even between countries. The figure finally reached was simply that sum to which the different members of the commission found it possible to agree. As shown by the commission's own statements this figure had no direct relation to the claims presented, and hence none to the original damage as such. Its lack of meaning in terms of economic possibilities was soon demonstrated.

Difficulties under the new regime developed almost at once. The mark began a new depreciation, partly in consequence of the frantic efforts of the German government to buy foreign exchange for transfer purposes; the real yield of taxation in Germany dwindled rapidly, so that ever larger borrowing was necessary to keep the government going; and by the end of 1921, in consequence of an inevitable prospective default, a partial moratorium had to be granted. The Wiesbaden Agreement reached on August 27 and signed October 6, 1921, providing for direct reconstruction of the devastated areas in France

with German labor and materials, was relatively ineffective in alleviating the situation and indeed was quite incapable of yielding any large flow of contributions to reparations—partly because the French industrialists and workers themselves objected to the resulting reductions in their own markets. Conditions in 1922 were no better. The mark fell still more swiftly, and the payments from Germany inevitably shrank. The French then became impatient, and Poincaré began to talk about "productive guaranties." Finally, on January 9, 1923, the Reparation Commission again declared Germany in default, with France, Belgium and Italy combining to override the strenuous opposition of the British to this step. The treaty sanctions were at once applied, and on January 11 the French and Belgian troops moved into the Ruhr basin; the British took no part in this action. These measures ended the effort to act within the procedure laid down in the peace treaty as interpreted by the Reparation Commission and opened a phase of direct action.

The struggle in the Ruhr lasted from January 11 to September 27, 1923. In everything but name it was a renewal of war between France and Belgium on the one side and Germany on the other. The aggressors based their action primarily on the defaults declared against Germany by the Reparation Commission with respect to coal and timber deliveries. The Mission Interalliée de Contrôle des Usines et des Mines (the MICUM), a body of engineers, was therefore established to superintend such deliveries and, supported by large bodies of troops, rapidly extended its scope to cover nearly all the economic life of the Ruhr. The local population replied with so-called passive resistance—sabotage, neglect of French orders and the like. To this the Berlin government lent support both by its orders and by subsidizing all those whom the French dismissed or banished. For a time the passive resistance campaign was successful, but at the end of six months the depreciation of the mark had reached astronomical heights, the country was utterly exhausted, and on September 27 the German government in effect surrendered. Passive resistance was stopped, working agreements with the MICUM were negotiated, and by the beginning of 1924 the struggle of wills was over. France was once more victorious; yet the victory was once more of uncertain value. The franc had itself depreciated by a quarter, French credit was seriously impaired, and the post-war economic recovery of all western Europe had been gravely retarded. Even the immediate net financial yield of the Ruhr occupation was relatively small. The French claimed for the period, from the Ruhr and Rhineland combined, a net profit of 479,000,000 francs on gross expenses of twice that sum, but these figures have been challenged by foreign economists and seem to have been much too high. The 1923 coal receipts, for example, were admittedly only 25 or 30 percent of those of 1922.

In this first main chapter of reparations history, which closed with 1923, the actual course of events was largely the result of a series of persistent and fundamental conflicts. One was the conflict between Germany and the Allies themselves, which did not cease with the Armistice and which for certain of the Allies is hardly stilled even today. Another was the conflict between Great Britain on the one side, and France, Belgium and in lesser degree Italy on the other. Great Britain was in the main attempting to face the economic and political facts as they actually existed, to negotiate and, being chiefly interested in commerce and industry, to accelerate the world's recovery from the war. France was concerned with security and with the emasculation of Germany on the one hand and with its own distorted budget on the other, whereas the recovery of world trade was of only secondary interest. As a result France was determined to uphold the peace treaty and the subsequent stipulations without modification, as though they were divine revelations. The treaty was of course legally valid, yet as time went on its utter irreconcilability with the actual facts and possibilities became ever more conspicuous and its effects ever more vicious. France sought every opportunity to enforce the letter of the treaty and twice resorted to the extreme sanctions it provided. England, although unsuccessfully, fought this policy throughout the whole period, believing that it could only defeat its own end, at least in the economic sphere, and that it would plunge Europe into new chaos. Belgium sided with France; and Italy, while less aggressive, voted with France on all critical questions. In this struggle the United States had no formal part. It had failed to ratify the Versailles Treaty; and although its unofficial observer on the Reparation Commission usually sided with the British, he necessarily had little influence on events.

A third conflict, ultimately even more important than these, was the conflict between the

Allies' insistence that Germany make reparations payments and their own utter unwillingness to receive these payments. France especially was urgently in need of money to balance her ordinary budget and to recoup her enormous outlays in rebuilding the devastated areas. Yet the history of the negotiations over deliveries in kind, of the various reparations recovery acts and of much of the post-war tariffs of the Allies themselves is little more than the history of the creditors' efforts to prevent Germany from paying in the only forms which were permanently possible—goods and services. The source of the difficulty lay in the fact that both the debtor and the principal creditor powers were highly industrialized societies, producing much the same general sorts of things. If the creditors allowed Germany to pay them in coal or machinery or even many chemicals, they were reducing *pro tanto* the home markets for their own producers of these same things. Until 1923 the lion's share of German deliveries in kind actually went to Jugoslavia, an agricultural country which could absorb them without disadvantage.

These various conflicts dominated the history of reparations from 1919 to 1923, until Germany, caught full between them all, was well nigh crushed out of existence; the reparations problem, gradually spreading its tentacles over nearly the whole of European politics and economics, at the end became the crucial problem of western society. The experience of these years showed conclusively the virtual impossibility of carrying out successfully international transactions of such complexity and duration without arbitral or judicial machinery.

With the year 1924 the Reparation Commission, the total obligation it had established and even the Treaty of Versailles itself receded into the background of the reparations problem and a new chapter began. As early as December, 1922, Secretary of State Hughes had proposed that reparations be taken out of politics, and—what had indeed been suggested as early as 1920—that they be submitted to an inquiry by experts. The proposal was reiterated by President Coolidge in October, 1923. Meanwhile the utter collapse of Germany after the abandonment of passive resistance and the sheer irrelevance to existing facts of the reparations charges as set in 1921 made it obvious even to the most stubborn that a new course of action was imperative, and that Germany must be put on its feet if any further reparations were to be obtained at all. Accordingly on November 30, 1923, the Reparation Commission announced that it had decided to appoint two committees of experts, one to deal with German currency stabilization and the budget, the other with German capital abroad. The committees were soon set up, with American participation, went to work at once and reported in April, 1924. The resulting proposals took their name from the chairman of the first committee and were known as the Dawes plan. They were accepted by the several governments in the London Agreements of August 30, 1924, the necessary steps for enforcing them were soon taken, and the Ruhr was thereupon evacuated.

The Dawes plan was a remarkable document. It combined a thorough appreciation of existing economic realities with a skilful handling of the profound political and emotional forces involved on both sides. In particular it recognized that the economic rehabilitation of Germany was the essential first step, and it provided means for effecting this rehabilitation. Instead of attempting to re-assess Germany's total reparations obligation it set up a schedule of annuities running for an indefinite term and thus sidestepped the flat refusal of France to reconsider the global charge established in 1921. These annuities represented, for the first time, a sincere attempt to estimate Germany's internal and external capacity to pay and to adjust the required payments accordingly. The annuities began in 1924–25 at 1,000,000,000 gold marks, whereof 800,000,000 were to come from the proceeds of a new German external loan, and rose to 2,500,000,000 in 1928–29; the total for the five years was 7,970,000,000. Thereafter, using 1928–29 as the standard year, the annuities were to vary with changes in the value of gold of 10 percent or more and were to increase with an index of prosperity; an index of poverty was not provided. The funds were to be obtained from specified sources in specified ways, and elaborate security provisions were established. In largest part the plan simply created a system of taxation and transfer, under foreign supervision and at certain points under foreign control; but the German government as well as the creditor powers was to participate in the proceeds. A large bonded obligation was placed on the railway system, another on industry, the Reichsbank was reorganized, and a Transfer Committee was created to protect the currency and the foreign exchanges. These measures, promptly supplemented by the necessary Ger-

man legislation, thus recast at least the outward form of a considerable part of German economic life. But the changes were accomplished with little disturbance, and the subsequent administration of the plan seems to have been as nearly frictionless as possible. At the same time the measures taken gave Germany an essential breathing spell and laid the foundations for its economic recovery.

The details of the operation of the Dawes plan have been described frequently and need not be recapitulated here. The mortgages on the railways and on industry gave rise to little or no difficulty. They merely replaced a part of the pre-war debt which the inflation had wiped out, and the charges involved were not found excessive. The burden placed directly on the German federal finances was also moderate and even in the standard year amounted to less than a fifth of the federal budget. At the same time the provisions of the plan had both compelled Germany to put its finances on a strong basis, thus greatly increasing its governmental income, and had enabled it to benefit largely from the reorganization. The total internal burden established was one which Germany proved able to carry without serious internal strain. In addition Germany was placed in a protected international financial position by the Dawes plan, for the Transfer Committee was obligated to allow transfers to the creditor powers only in such amounts and at such times as would not endanger the stability of the new currency. The factors which had contributed so largely to the preceding collapse—pressure by the German government to buy foreign exchange for reparations transfer purposes, and the continuous threat of arbitrary and unexpected additional demands from the creditor powers—were thus eliminated. Moreover for the period 1924–29 as a whole more than half of the payments credited to Germany were made in the form of deliveries in kind or of other payments in marks. These large operations in themselves exerted no pressure on the foreign exchanges, although difficulties over the unwillingness of the creditors to receive payment in goods were chronic and serious, as in the earlier period. But the plan as a whole worked well. Germany made payments promptly and in full, and the international political forces which had so disastrously wrecked the previous endeavors to obtain reparations were kept in check. Nor did the distribution of the proceeds among the creditors give rise to trouble. With allowance for certain priorities, especially the service of the external loan of 1924, substantially the Spa percentages of distribution were retained. The United States received, against awards, claims and army costs, nearly $24,000,000 in the last year of the plan but did not share in reparations proper.

The inauguration of the Dawes plan was followed by a gradual reversal of the whole trend of German economic life. The currency, which had already been precariously stabilized on the basis of the Rentenmark, rapidly found a firm footing; general business, after an initial post-stabilization crisis, began first to revive and then to expand; and a growing volume of foreign loans made good the capital losses of the war and inflation periods and permitted new growth. By the end of 1928 Germany had regained in most directions the economic strength and the general levels of current material welfare which it had had in 1913. This remarkable and rapid recovery was in very large part attributable ultimately to the conditions which the Dawes plan set up and to the new internal developments which it stimulated, especially to its modification of an impossibly large and arbitrarily enforced reparations burden. The extent to which recovery was built on unstable foundations will be considered presently.

Before the end of the first Dawes plan standard year, 1928–29, however, still another chapter of reparations history had begun. The plan had worked so well that many of the statesmen of the creditor powers thought a permanent and final settlement could now safely be substituted for the transitional arrangement. At the same time they were anxious to "commercialize" a substantial proportion of Germany's payments; that is, to receive bonds which they could sell in the market, thus getting possession of large capital sums at once, in place of their existing right to variable annuities. These suggestions aroused both opposition and fear in Germany. It was pointed out that if Germany's existing obligation to make merely an indefinite series of annuity payments to the creditor powers were replaced by obligations of fixed amounts and terms owed to foreign private investors, it would be necessary to abolish the transfer protections and also the clauses permitting variations (after 1928–29) in the payments with the value of gold and the index of prosperity; and it was asserted that these surrenders of safeguards would of necessity require a large reduction in the amount which Germany could safely undertake to pay. The creditor

powers nevertheless went ahead and convoked the conference, held in Paris in the spring of 1929, from which the short lived Young plan finally emerged. The new plan was put into operation by the Hague Agreements of 1929–30 and was made retroactively effective from September 1, 1929.

The Young plan set a definite total amount and duration for Germany's reparations obligation; it still further reduced the size of the obligation itself; it provided for commercialization of part of the payments; and it abolished most of the Dawes plan machinery of supervision and control within Germany by the creditor powers. It also did away with the value-of-gold provision and the index of prosperity contained in the Dawes plan; and it removed much, although not all, of the previous transfer protection. Finally, abolishing the Reparation Commission, it provided for establishment of the new Bank for International Settlements, eventually placed in Basel, to collect and disburse Germany's payments and to serve as a center for international financial coordination (*see* CENTRAL BANKING).

The Young plan annuities were to run for fifty-nine years, until 1988. Their total was 121,000,000,000 marks ($28,800,000,000), a sum actually far less than the figure of 132,000,000,000 set by the Reparation Commission in 1921, because the latter was a principal sum. The "present value" of the annuities was only about 37,000,000,000, a figure also somewhat less than the final German offer of 1921. The annuities, set on a slowly rising scale, began at only two thirds of the standard Dawes plan annuity, and the average (2,000,000,000 marks) was only four fifths as large. Until 1965–66 the annuities not only were to cover the aggregate payments which the reparations creditors as a whole were in turn obligated to make to the United States on interallied debt account but would leave a substantial disposable surplus in addition, equal to some 35 percent of the total annuities for the fifty-nine years. After 1965–66, however, the annuities would drop to approximately the level of the debt payments alone and the surplus would disappear. It was further provided that if the United States later reduced its claims on the Allies, the annuities should be diminished by two thirds of the reduction to 1965–66 and thereafter by all of it. The larger fraction of each annuity was given limited transfer protection, entailing postponements when necessary up to two years; but 612,000,000 marks a year ($146,000,000) was not postponable under any conditions. Also non-postponable in effect was the service on the German external loan of 1924, amounting to 61,800,000 marks a year. The latter portion of the annuities could therefore now be commercialized by the issue of bonds, to a total of about 12,600,000,000 marks ($3,000,000,000); but only $200,000,000 of these bonds were actually issued. Of the non-postponable portion of the annuities 500,000,000 marks a year or the equivalent in bonds was assigned to France. In the distribution of the total proceeds among the creditors the Spa percentages were modified, to the disadvantage of Great Britain, but at the first Hague conference the British share was increased somewhat. Deliveries in kind, hitherto the source of so much difficulty, were carefully regulated. A diminishing scale was established which provided for their complete disappearance after ten years. Indeed Great Britain refused to accept any payments at all in this form, preferring cash transfers and the Reparation (Recovery) Act levies on commodities such as would normally be imported from Germany.

The Young plan constituted an advance over the Dawes plan in certain important respects, particularly in that it set a definite amount and time for the German reparations obligation, in that it permitted the commercialization of at least a part of the payments and in that it gave Germany a burden to carry on its own responsibility, with little or no foreign supervision or assistance. Moreover the first charge on German government assets which the peace treaty had created was abolished in effect, if not in law, as was the priority given reparations over private payments abroad; the possibility that the creditor powers might once more resort to the treaty sanctions, in consequence of an asserted reparations default, seemed to have been permanently ended; and arbitral machinery was provided. The abolition of most of the previous transfer and other protections can perhaps be regarded as a fair price—as it was an inevitable one—for these gains. But in certain other directions the advance offered by the Young plan was less clear. There is little to show that those who framed it made any serious and impartial attempt to assess Germany's true, long run capacity to pay or even to take detailed account of its contemporary economic situation; chiefly they were trying only to obtain as much as possible above their own debts to the United States. The figures finally established were

reached by a process of sheer compromise reminiscent of the pre-Dawes plan era and had little standing on any other grounds. Indeed agreement on them was reached only at the very end of the Paris Conference, when it became clear that failure of the conference might precipitate an international financial crisis. Moreover subsequent events showed that one of the chief merits of the Young plan, its substitution of a fixed obligation for variable and protected payments, was also one of its chief defects.

Within two years of the ending of the Paris Conference the operation of the Young plan had been suspended, and at the end of another year the plan had in effect been abolished. This rapid change in the situation was not the direct consequence of anything inherent in the reparations problem as such, however, but was the product of that world depression and crisis which began in 1929 and reached such acute stages in 1931 and 1933. In these developments reparations were of course a contributing factor but they were not the chief cause, at least in any immediate sense. The crisis of 1931 was precipitated rather by the proposal for an Austro-German customs union made in the spring of that year and by the opposition of France. Austria collapsed; and Germany, subjected to severe withdrawals of funds, was compelled to adopt stringent emergency measures, including among others control of the foreign exchanges and the enforcement of standstill agreements on its short term obligations abroad. As one means to stem the crisis President Hoover thereupon proposed a year's moratorium, from June 30, 1931, on both reparations and the interallied debts. The moratorium was agreed to, but the end of the moratorium year found the world in an even more critical state. Many countries had been forced off the gold standard; world trade had shrunk steadily; and Germany, still forced to protect itself by standstill agreements, was in no position to resume reparations payments. In consequence a new conference composed of Germany and the principal reparations creditors was summoned at Lausanne to reconsider the reparations question, and reached an agreement July 9, 1932.

The Lausanne Agreement terminated the Young plan and the subsequent Hague Agreements. It substituted for the Young plan annuities a new set of obligations on a greatly reduced scale, themselves subject to cancellation under certain conditions. Germany was to deliver to the Bank for International Settlements 5 percent bonds for a total sum of 3,000,000,000 marks ($714,000,000), which might be sold in the market and which were to be substituted for all previous obligations of Germany on reparations account except the Dawes and Young plan loans; but the bonds were not to be sold for three years from the signing of the agreement and any unsold after fifteen years were to be cancelled. Deliveries in kind disappeared, and allocation of the proceeds of the sale of bonds was left unsettled. But ratification of the Lausanne Agreement was not to be effected until the creditors had made satisfactory settlements with their own creditors—that is, with the United States on interallied debt account; and if such settlements were not obtained, the legal position was to revert to that existing before the Hoover moratorium. At the end of 1933 the situation was still completely in suspense. The United States had undertaken no definite steps looking to a reduction of the interallied debts to it, and the questions at issue, on the request of the United States, had even been debarred from the agenda of the World Economic Conference of 1933.

Such was the history of German reparations from 1918 to 1933. Until the end of 1923 the problem was handled as primarily a political and even a military issue, its treatment at first dominated by war hatreds, war blindness to current realities and the simple desire for vengeance; later, among certain of the creditor powers, urgent budgetary needs on the one hand, and the desire to insure military security by permanently crippling Germany through reparations exactions on the other, came to control their actions. But after 1923 wiser counsels prevailed. In the Dawes Committee proceedings economic fact was made the touchstone, and a reasonable current modus was worked out. With the Young plan an attempt was made to capitalize the economic progress of the preceding years, to transfer as much of the reparations problem as possible to the realm of private international finance and to establish a definitive settlement which should place reparations forever beyond the reach of politics. That the attempt failed was due in part perhaps to defects of the Young plan itself, but the chief immediate cause was the world depression, the causes of which lay for the most part quite outside the sphere of reparations as such. At the close of 1933 the whole question was once more unsettled.

The total payments made by Germany on reparations account cannot be established

definitely. The size of those made before the inauguration of the Dawes plan on September 1, 1924, are a matter of extreme disagreement. The Reparation Commission admitted payments for this period of only 10,426,000,000 gold marks, but its methods of valuation were debatable and its accounts incomplete. The German government claimed 42,059,000,000. Two independent unofficial estimates, one by Professor J. M. Keynes and the other by the Institute of Economics, later came to a fairly close agreement at about 26,000,000,000 marks ($6,200,000,000) for the period prior to 1923, although this sum represents the estimated value to Germany of the payments, deliveries and cessions rather than the cash gain to the allied treasuries. The payments and receipts since the inauguration of the Dawes plan are, however, accurately known. Under the Dawes plan the sum actually paid by Germany and made available for distribution to the reparations creditors was 7,949,000,000 marks; under the Young plan, up to the cessation of payments under the Hoover moratorium, the amount was 2,871,900,000. In addition the creditors received the net proceeds of the Young plan loan, while Germany also met the service charges on this and the Dawes plan loan. The total payments by Germany on all these counts in the period from September 1, 1924, to June 30, 1931, amounted in round numbers to some 11,000,000,000 marks ($2,600,000,000), and the actual reparations receipts of the creditors to a little more.

From their very inception the reparations charges on Germany have in fact been intimately associated with the sums owed by the creditors to one another and especially to the United States on interallied debt account (*see* LOANS, INTERGOVERNMENTAL). The connection was stressed as early as 1920 and was also the basis for the Balfour note of 1922, but it proved impossible to secure any formal arrangement to which all the governments concerned would agree—as is evidenced by the fruitless attempts of France and other continental debtors to make their payments to the United States contingent in whole or in part on their own reparations receipts. The association was emphasized still more strongly in the Young plan annuity and reduction arrangements; at the time of the Hoover moratorium the total payments scheduled to be made to the United States amounted to $20,823,000,000, those to be made by Germany to $25,610,000,000. As these figures suggest, the reparations creditors as a whole have in point of fact made their net payments to the United States entirely out of reparations receipts, not from their own internal resources; and it is doubtful if the one set of payments could have been effected without the other. But the United States government has persistently refused to admit the connection either in law or in fact; and there, despite the further implications of the Lausanne Agreement, the matter still rests.

It is extremely difficult to estimate the aggregate real burden of the reparations payments and still more its distribution. The attempt to squeeze reparations from Germany was a major cause of that country's post-war inflation and collapse, but it is impossible to separate out the burden of reparations alone. For the more orderly period from 1924 to the 1931 moratorium a clearer picture can be obtained. In 1928–29 the reparations charges constituted 12.4 percent of the total cost of government in Germany and absorbed 3.4 percent of the estimated national income. This does not seem unbearably severe, and comparison with the tax burdens of other formerly belligerent European countries suggests that at that time Germany, although paying reparations, was really taxed but little more heavily than the principal receiving countries. Nor are there other evidences to show that reparations as such were then a source of dangerously severe internal strain in Germany; on the contrary, in 1928–29 the country was at or above the 1913 levels of production and general welfare.

But this is by no means the whole story. Two other major elements must be taken into account. First, the continuous effort to force German goods on foreign markets, which the transfer of reparations entailed, undoubtedly distorted world trade channels and depressed prices and living standards both in Germany and abroad. For the creditor powers there was an offset to this in that they were getting the goods free; but, since the commodities involved were largely in competition with their own products, the short run disturbance and depression felt by their own producers were frequently very substantial. It is impossible to isolate and to measure these adverse effects, but their reality is attested by the tariffs and other devices which the creditors set up to check the inflow of German goods.

Second, although from the internal point of view the necessary sums came exclusively from domestic taxation, from the point of view of

international finance Germany really made all its reparations payments by borrowing more than equivalent sums abroad, not by producing a true export surplus. From 1924 to 1930 Germany borrowed abroad some 18,000,000,000 marks net and 25,000,000,000 gross ($4,300,000,000 and $6,000,000,000, respectively), while its total reparations payments in this period were under 11,000,000,000. These borrowings made possible the phenomenal recovery after 1924, and gave Germany the internal strength as well as the external capacity with which to pay reparations. The fact that the borrowings exceeded the payments also meant, incidentally, that Germany was in point of fact never compelled to face that true transfer problem in connection with reparations about which economists have debated at such length. Since it was currently borrowing the necessary sums, in this period the pressure to make reparations payments did not force Germany to effect such internal readjustments as would increase its ordinary commodity exports—apart, that is, from deliveries in kind—relative to its imports. But the fact that as much as 40 percent of the money borrowed was obtained at short term actually placed Germany in an extremely precarious international financial position; how precarious was made only too clear in the summer of 1931. It would again be erroneous, however, to make reparations the sole villain in the piece; in recent years many other countries which were not reparations debtors have encountered analogous difficulties. Had the world depression not supervened, Germany could probably have rectified its position in due course—unless the view is adopted that reparations were the root cause of the depression itself.

It was undoubtedly defensible for the Allied Powers to demand reparations from Germany, war guilt quite apart, precisely as Germany demanded an indemnity of France in 1871. But it was defensible neither in terms of Germany's capacity to pay nor in terms of the creditors' self-interest to endeavor to exact reparations in the amounts and by the methods established in the earlier years. The enormous sums which modern international trade and finance make it possible to extract over a period of time from a defeated first class power can be obtained continuously only if the sums demanded are in reasonable relation to the debtor's economic and political capacity; only if the debtor itself, like the fabled goose with the golden eggs, is allowed to retain its economic and political health; and probably only if the payments, through bond flotations or otherwise, are treated as economic rather than as political questions. Such seem to be the permanent lessons of the history of German reparations.

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See: INDEMNITY, MILITARY; WORLD WAR; WAR GUILT; LOANS, INTERGOVERNMENTAL; MONETARY STABILIZATION; CENTRAL BANKING; INTERNATIONAL FINANCE.

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REPGOW, EIKE VON (*c.* 1180–*c.* 1250), German lay judge. Little information is available as to the story of Eike's life; the year of his birth and the year of his death may only be surmised. The home of his family was Repgow (or Reppichau) at Aken on the Elbe, near Magdeburg. Eike was a knight and vassal of Count Hoyer of Falkenstein. It is supposed that he passed the last years of his life in holy orders. In the conflict between the empire and the papacy he remained loyal to the empire. Eike's chief work is the *Sachsenspiegel*, a law book in which he recorded the ordinary and feudal law of his east

Saxon home; although originally composed in Latin, the book was translated by Eike himself into Low German. Even if it is not, as until recently supposed, the oldest German law book (the Mühlhäuser imperial law book is somewhat older), it is nevertheless the most important. Since Eike had almost no knowledge of the Roman law but knew the German law intimately as a result of his experience as a lay judge, his work, apart from some traces of the canon law, is purely Germanic in all its parts and the most valuable source of the German law of the Middle Ages. Despite the fact that it was only a private work the *Sachsenspiegel* achieved almost the force of law in lower Germany; it was considered "common" law in Saxony until the year 1865, in Thuringia until 1900, when the German Civil Code went into effect. In upper Germany it formed the basis of the *Schwabenspiegel* and the *Deutschenspiegel*, and it may therefore be said that the legal reasoning and idiom of the *Sachsenspiegel* constituted a model for the whole area of Germanic law. Besides a High German version it was translated into Dutch, Polish and Czech. In the east the *Sachsenspiegel* penetrated as far as the Ukraine. Of the many copies the four richly illuminated manuscripts dating from the fourteenth century are of great value for historical, aesthetic and archaeological reasons. Eike also wrote the first book of history in the German language, the Saxon world chronicle; this is not at all a mere learned compilation of older sources but an independent account marked by great discernment and keen judgment and intended especially for the educated layman of knightly rank.

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REPRESENTATION. Any corporate group—church, business concern, trade union, fraternal order or state—that is too large or too dispersed in membership to conduct its deliberations in an assembly of all its members is confronted with a problem of representation, if it purports to act in any degree in accord with the opinions of its members. The idea of political representation is as old as the state. Almost universally, political rulers have been regarded as in some important aspects the spokesmen or agents of the people. Even during the most autocratic periods of Roman imperial rule authoritative jurists described the emperor as entitled to exercise his vast powers only in his capacity as representative of the Roman people. In the later Middle Ages this conception of representation appears in a general theory of the supremacy of the group, secular or ecclesiastical, over its corporative head. It is frequently asserted in writings from the eleventh to the fourteenth centuries that the state is not the prince but the whole community of citizens, and the church is not the pope or any other prelate but "the whole congregation of the faithful"; that the "group as a whole" therefore has in either case basic rights and interests which limit the legitimate powers of its rulers; and that the latter exercise their functions only as representatives of the corporate social body. Some of the writers ascribed specific powers of great practical significance to the group: certain writers contended that the general council of the church, in its capacity as representative of the whole congregation, had the right to determine the fundamental constitution and policy of the church and even to sit in judgment upon a criminal or heretical pope; others held that cardinals in choosing a pope acted as representatives of the entire ecclesiastical community, and that the princely electors in choosing the Holy Roman emperor represented the people of the empire.

There were no necessary democratic implications in this older idea of representation. The Roman jurists did not mean that the people should choose their emperor; and not all the mediaeval writers who spoke of pope, king or emperor as representative of and thereby limited

by the congregation of the faithful, the body politic of citizens or the whole folk of the empire held that the group in whose behalf the rulers were limited had properly anything to do with designating the ruler as their representative, with laying down the policies he was to follow or with defining and enforcing the limits to his authority. Various historians have cited isolated instances of an elective representation, actual or proposed, in ancient times. They point to the Athenian Council of the fifth century B.C., composed of 500 members chosen by lot from a list of candidates elected on a proportionate system by the hundred odd "peoples" (*demoi*) that made up the entire citizenry of the Athenian state. The cities composing the Achaean League were probably represented in such fashion in the assembly of the league. A Roman imperial rescript in the early fifth century A.D. proposed a scheme, never put into operation, to set up a Gallic parliament to be composed of deputies from the various districts and municipalities of Gaul. Generally, however, the principle of democracy appears in ancient times only in reference to a community small enough for its body of citizens to exercise their political functions directly.

There was a common theory among English and American historians of the nineteenth century that the modern system of elective representation is a development of a well established system of popular government that had existed among primitive Germanic communities as early as the fourth century, when assemblies including the male inhabitants of all ranks met periodically to decide important matters of public policy. The Anglo-Saxons, it was said, brought into Britain this system of direct democracy for their local village affairs and in time extended popular government a stage higher by having the village associations send their reeve and several others to represent them in shire and hundred courts. Thus by the time of the Norman Conquest there was already established the model for the system of national representation inaugurated in Simon de Montfort's Parliament of 1265 and Edward I's model Parliament of 1295. This "Teutonic" theory of the origin of modern elective representation is now generally discarded. There is no evidence of a regular representation of the villages in the shire and hundred courts of Anglo-Saxon times or that the delegates, when they did appear, were elected or that they appeared to transmit to the central government any local community opinion on governmental policy. In Norman times the king summoned knights of the shire to assist his itinerant judges in arranging for jury service or to aid the royal collectors in assessing taxes, and occasionally to come to Westminster to defend lawsuits involving their shire. Here again there are no signs of an appointment by election or of an assignment to any legislative function. Still other writers have held that the political representation which appeared in the thirteenth century was copied mainly from systems of ecclesiastical representation familiar at that time, particularly in the three great councils of the church and in the representative bodies of the orders of friars. As early as 1221 a constitution of the Dominican order provided for a central assembly to which the several provincial chapters should choose representatives empowered to take part in deliberations which, by majority vote, would bind the various chapters.

The modern system of political representation, a device for making popular control over national governmental policy in some measure practicable for communities too extensive for direct democracy, does not appear to be either a continuation of any ancient or early mediaeval institutions of popular government or a copy of ecclesiastical representative arrangements of the later Middle Ages. The system evolved gradually, without deliberate plan or imitation. The development is a phase in the evolution of the modern national state, associated essentially with the decay of the feudal order, the formation of political nationality, the rise of middle classes and a general movement from autocracy toward democracy.

Throughout most of the Middle Ages the only regular deliberative or consultative bodies in the central governments were the councils composed generally of greater vassals, higher ecclesiastics and royal officials, many of them serving only at the king's pleasure. In the later Middle Ages the monarchs began to consult other groups, notably the lower nobility or landed gentry (knights of the shire in England) and the townsmen. This was done, for example, in Castile in 1169, Languedoc in the early thirteenth century, England in 1264 and 1295, France in 1302 and the Netherlands, Sweden and Hungary in the fifteenth century. Since the gentry and townsmen could not assemble en masse, the representative device was employed. The representatives appeared, however, as spokesmen not of a whole nation or of a local segment of a consolidated people but of a hith-

erto unrecognized "estate of the realm." Thus the typical form of a central parliament in early modern times was an estates general, usually a meeting of three autonomous estates—nobility, clergy and townsmen. This form continued in France until 1789 and in other countries until the nineteenth century; it is still theoretically in operation in Hungary. In Sweden from the seventeenth century until 1866 there were four estates—nobility, clergy, burghers and peasants. In England, on the other hand, a bicameral system developed in the course of the fourteenth century, the high prelates merging with the nobility in a House of Lords and the landed gentry with the townsmen in a House of Commons. The summons for the English Parliament of 1295 called for election of the representatives of the knights and burgesses; the delegates of the third estate in France were elected from the beginning; and this process appears to have become regular in the other countries by the end of the fifteenth century. In all countries the chief occasion for the summoning of these bodies was the king's need for additional funds and the difficulty of raising them without the consent of the group that was to bear the burden of the tax. Through this control over the purse the new representative bodies gradually built up their legislative power.

This process, whereby a body representing a lower economic class, on a matter of assenting to a tax on that class, became a national representative body playing an active part in all legislation, stands out in clearest outline in England. In the course of the fourteenth century the knights' and commoners' representatives began to make their grant of aid conditional upon the redress of stated grievances. By the end of the next century the Parliament, composed of House of Lords and House of Commons, had become an established institution and the advice and consent of both bodies was regularly recognized as necessary in the enactment of legislation. In the succeeding century Parliament surrendered a vast discretionary authority to the Tudor monarchs; but the surrender appeared to be a voluntary concession of emergency powers to efficient and public spirited rulers who preserved generally a formal recognition of the Parliament's legislative function. During the seventeenth century, when the menace of foreign invasion had disappeared, the assertion, by the inefficient and doctrinaire Stuart kings, of a formal right to disregard Parliament brought forth the classic English statements—in petitions, statements of grievances, statutory enactments, polemical pamphlets and philosophical treatises—of a permanent right, founded on both legal precedent and the essential nature of man and human society, of the people, through their chosen representatives, to control the form and policy of government. In some other countries, notably Sweden and the Netherlands, representative assemblies likewise obtained, during the sixteenth and seventeenth centuries, a regular part in the enactment of legislation. In most of the continental states, however, the significant development of representative government came only after the French Revolution. In general it may be said that bodies which, in the earlier stages of their existence, were not intended to represent any popular or national will or to take any part in the enactment of laws acquired gradually, in different periods and at different paces in the several countries, a legislative function and a democratic structure.

The literature of democracy, until very recent times, has contained relatively little discussion of the specific question of representation. A few mediaeval writers had considered the question chiefly in relation to the proper constitution of the church. In book II of the *Defensor pacis* (written in 1324) Marsilius of Padua proposed a system of representation to make it possible for the whole body of the Christian believers to exercise their rightful powers over church policy. The author sketched a plan for a general council, composed of representatives elected by regional groups of the faithful and apportioned among the regions according to the "number and quality" of the believers. William of Ockham a few decades later worked out a somewhat more detailed scheme, with representatives to the general council chosen by elective assemblies in the several provinces, dioceses and kingdoms, these assemblies being composed in turn of delegates elected by the faithful in the various parishes. Until the later nineteenth century most of the advocates of democracy assumed, without any specification of details of the structure, that the people, grouped regionally, would exercise their political powers by choosing persons to speak for them in constituent and legislative assemblies. Rousseau in the later eighteenth century repudiated altogether the representative principle, which he held to be inconsistent with popular sovereignty. The people, he said, may properly select agents to discharge tasks of execution, clearly specified in direct expressions of the general will; they cannot depute to their

agents the function of formulating that will. Whether the representatives exercise their own judgment as to what the general interest demands or attempt to execute literally an imperative popular mandate, they actually and inevitably come to conclusions essentially different from what the people would decide directly. Since no one can actually represent the will of another, the general will of the people can be reliably expressed only in primary assemblies. Sieyès a few years later held that in large states the formulations of the general will, on matters of both constitutional and legislative policy, may safely and must be entrusted to assemblies of elected representatives. This has been generally assumed in the modern democratic theory. Something of Rousseau's idea appears, however, in the requirement, which obtains in Switzerland, Latin America and the commonwealths of the United States, for direct popular ratification of constitutional changes as well as in the initiative and referendum (*q.v.*) for ordinary legislation.

The democracy of the modern world is generally representative democracy. Pure democracy, in which the politically qualified members of the community meet together to discuss and decide public questions, is suitable only for small communities with simple collective needs; it has never widely existed and functions now only in a very few places (*see* POPULAR ASSEMBLIES). The initiative and referendum can, even under the most favorable conditions, be employed for relatively few questions. Furthermore they provide no opportunity for the essential function of deliberation. The most fundamental problem in organizing modern democracy is that of securing a system of selection which insures the choice of representatives who reflect as completely as possible the varieties of interests and opinions among the people.

Some modern writers have denied that popular election is necessary or at all adequate as a means of securing a representation of the popular will. They have set forth the merits of a virtual as contrasted with a literal representation of the people. They attack the prevailing democratic theory, not by controverting its basic creed that a government should serve the constant needs and obey the ultimate and enduring opinions of the people, but by challenging the democratic hypothesis that popular election secures a faithful reflection of those needs and opinions. They acknowledge that there should be a communion of interests and a basic agreement between governing and governed but deny that undiscriminating popular election secures these. The democratic system, they say, tends to select the man who has the capacity and disposition for discovering only the manifest and transitory popular opinion; either he does not understand the real or rational will of the people or he feels impelled, by the conditions of his official tenure, to contravene what he knows to be the ultimate popular will and follow instead its rapidly varying impulsive and inexpert expressions. The true representative obeys the people by doing the things he knows they would want done if they possessed his knowledge, insight and experience—as a physician, when he prescribes things disliked and opposed by his patient, nevertheless represents the patient's real will to get well. This was generally the idea of Hegel, when he spoke of the sovereignty of a general will realized through a government by kings and nobles, and of Burke and Disraeli, when they argued for the truly representative position of a hereditary House of Lords and of a House of Commons chosen only by the landed gentry.

The constitutional systems of certain European dictatorships carry to an extreme this idea of a representation of a national popular will secured through a system of selection which accords only a minor part to popular choice. In both Fascist Italy and National Socialist Germany the entire country constitutes a single electoral district. The function of the electorate is confined to passing upon a single complete slate of representatives prepared by the central organizations of the dictatorial parties, in the case of Italy on the basis of nominations made by the national economic and professional confederations (*see* GOVERNMENT, section on ITALY). Popular approval is assured both by the governmental control over the agencies of public opinion and by the clear assurance that in any event no representatives not fully approved by the government can be chosen. No attempt is made to secure any real popular representation. The schemes function essentially as parts of generally hierarchic and absolutist political regimes. The Austrian constitution adopted in 1934 went even further in the same direction and completely abolished the elective parliament, substituting five appointed bodies with advisory powers only.

The typical democratic doctrine is that popular election serves at least as well as any other system in securing representative leaders and serves better than any other system in confining

the latter to their function of leadership. The doctrine holds, on the one hand, that the rank and file are generally competent to make a relatively intelligent discrimination between candidates who intend to further the public interest and others motivated by individual or group self-interest; and, on the other hand, that no individual is ever so superior in wisdom and self-control that he does not constantly need both the enlightenment and the restraint which come from the necessity of persuading the minds and wills and maintaining the confidence and respect of the masses whom he seeks to lead.

Even among those who insist upon election as essential to representation opinions differ as to the nature of the representative's responsibility to his constituents. Should he decide matters only according to his own judgment or should he obey literally the wishes of his constituents? In forming his independent judgment should he take into consideration the interests of his particular locality or of the people of the entire nation? There are historic instances of representatives bound by the instructions of their constituents. This was the case in the Cortes of mediaeval Spain and in the Netherlands from the fifteenth century until 1814. On the other hand, the French revolutionary assembly of 1789 proclaimed that its members, representing the entire nation, could not be bound by instructions from their particular constituencies; and a similar principle of free representation was embodied in the mid-nineteenth century constitutions of France, Prussia and Italy. Most later constitutions are silent on the issue. It is sometimes contended that the usual requirement, as in the United States and France, that the representative must reside in the district he represents encourages a narrow localism in his point of view. In England there is no such requirement of residence, although the representative is expected to maintain special contacts with the people of his district.

This problem is not capable of precise solution by either a legal requirement or a rule of practise. Students of politics incline generally toward a somewhat intermediate position. A representative, they say, ought to make his final decision according to his own judgment rather than in submission to the indicated views of either his particular constituency or the people of the entire nation; he should form his judgment with a view to the interest of the whole nation rather than that of his constituency; but he has a peculiar responsibility to see that the opinions and interests of his particular constituency are given due weight in the general deliberations on legislation intended to meet the needs and desires of a consolidated people.

The most variously debated issues in the recent discussions of the organization of democratic representation relate to the proper grouping of the people for purposes of representation and to the possible devices for securing a somewhat proportionate representation for the several fractions, minority as well as majority, within the several basic representative groups.

The traditional and still prevailing system of voting for representatives is by territorial groups. Although in the early parliaments of modern European states the several estates—nobility, clergy, commoners—were represented in separate houses, the commoners' representatives were always chosen from territorial districts. There was no explicit theory behind the first appearance of this system. It was simply the most natural and convenient method of grouping the large body of common people. The later theoretical justification rests upon the assumption that interests within any given region are fundamentally unified and that they vary from region to region.

The assumption has been widely challenged in recent years. It is argued that the traditional system of representation falls needlessly short of the democratic ideal of government in two ways: it represents the voters in groups that are rarely homogeneous in political needs and opinions; and it represents only majority or plurality fractions of the several groups, leaving substantial minorities without any voice in government.

To remedy the first and more fundamental defect many publicists have advocated recently a radically different grouping of voters for purposes of representation. They contend that a territorial district embraces such various, often conflicting, economic and social needs and views that no clear mandate to the chosen delegate can be fused out of them; consequently what he represents is only one or several minority groups; or no group is represented, the persons chosen being those who are facile in the elaboration of principles so vague as to avoid offense to any group. Some critics have proposed the explicit representation of economic or occupational groups (*see* FUNCTIONAL REPRESENTATION). People engaged in the same kind of work or owning the same kind of property have, it is said, more in common than people living in the same district. Moreover the chief political issues are

economic issues, and each economic group has certain specific rights or interests upon which its members are peculiarly informed. The specific proposals are generally somewhat vague in defining the composition of the groups, in fixing the distribution of representation among them and in arranging the interrelations of the occupational bodies among themselves and with the territorially representative bodies, if these latter are to be retained.

Critics of the plan of representation on the basis of economic or occupational groups point out that such groups are indefinite and impermanent in their composition. Many essential occupations form no distinct interests in relation to fundamental political questions. It is difficult both to define the groups and to distribute individuals among them properly. Even where groupings fairly definite and stable in composition can be identified, their interdependence makes it fallacious to regard their real political interests as either conflicting or separable. Basic interests in the way of safety, order and health are common to all groups; where these interests vary in the specific requirements for their protection, the variations generally follow territorial rather than vocational lines. Finally, vocational interest is not the only and not always the chief determinant of social alignment; racial, religious and sectional features also serve to unite or differentiate citizens, emotionally and practically.

Contemporary opinion generally looks with more favor upon proposals for minority and proportional representation, for the latter systems retain the territorial constituencies, which do correspond to actual unities of interest, but remedy in some measure the inadequacies of territorial representation. They permit political groupings on occupational or other lines but do not require any legal definition of the groups. By distributing votes rather than voters they secure an alignment on the basis of any consideration that is actually dominant in the minds of the voters when they mark their ballots. The schemes in varying forms are in operation for the election of national parliaments in a dozen or more European states and of the councils of a number of cities in the United States, Canada, South Africa and several European countries (*see* PROPORTIONAL REPRESENTATION). The obstacles to the further extension of the systems of proportional and minority representation have been chiefly of a practical sort. They have been criticized as mysteriously complicated, dependent upon highly centralized party disciplines or conducive to an excessive number of parties, which necessitates cumbersome and uncertain compromises among blocs and factions in the legislature. These objections together with the superficial simplicity of the territorial system, the force of inertia behind the latter and the consideration that the underrepresentation of certain minorities in some districts may be offset by an overrepresentation in other districts are chiefly responsible for the fact that the older system is retained in most countries, despite the demonstrable evidence that many of the objections to the newer systems have not been supported by actual experience.

In some countries with bicameral legislatures the composition of the smaller or upper chamber affords extra representation to select cultural, professional or economic groups. There is, however, no agreement as to the proper way to constitute an upper house so as to make it really a reflection of the more competent political opinion of a nation. Writers generally acknowledge that accession by birth no longer supplies a valid basis, if it ever did. They have more confidence in the possibilities of either executive appointment from special categories—men of experience in high offices of state or church or of distinguished achievement in science, literature, art, invention or business—or indirect election of members having special qualifications and serving for long terms of office.

For certain countries that are chronically disturbed by sharp racial or religious conflicts special consideration has been given to the problem of affording representation for the apparently irreconcilable or unassimilable factions in the population. Thus under systems of communal representation, such as that adopted for Palestine in 1922 but never put into operation and that proposed for India in the constitution of 1919, representation is arranged so as to give each rival group adequate protection. No effort is made to apportion representation according to population, and the scheme appears as a system of deliberately created estates.

The advocates of guild socialism proposed a combination of functional representation with a limited application of the territorial system to provide representation for common consumers' interests. In general pluralists, guild socialists and various proponents of national economic councils agree that the essential principle of democracy demands more than a popularization of the structure of formal government. They propose to recognize the political importance of

occupational groups by devolving important social functions upon them. The modern state, they maintain, is made up essentially of groups rather than individuals, and the latter can be organically linked with the community only through the various intermediate associations into which any individual's more immediate interests naturally draw him.

Even these advocates of group autonomies recognize, however, that there are general as well as special interests within the community and that the special interests have to be directed into many carefully contrived coordinations and compromises. They generally agree also that a national state is the proper agency of these adjustments and that it successfully discharges this function of integration only if it is constituted so as to represent the community as a whole. The problem of a general political representation therefore still has to be solved.

James Mill, in his famous article on "Government," written in 1814 for the *Encyclopaedia Britannica*, called representation "the grand discovery of modern times," supplying the key to "the solution of all the difficulties, both spiritual and practical," in the way of organizing "good Government." Political scientists have yet to find the solution for the difficulties in the way of organizing good representation.

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See: DEMOCRACY; GOVERNMENT; LEGISLATIVE ASSEMBLIES; CONSTITUENCY; APPORTIONMENT; PARTIES, POLITICAL; PROPORTIONAL REPRESENTATION; FUNCTIONAL REPRESENTATION; INTERESTS; PLURALISM; GUILD SOCIALISM; FASCISM; NATIONAL ECONOMIC COUNCILS; SOVIET; POPULAR ASSEMBLIES; INITIATIVE AND REFERENDUM; LOBBY.

Consult: Laski, H. J., and others, *The Development of the Representative System in Our Times* (Lausanne 1928); Leibholz, G., *Das Wesen der Repräsentation*, Institut für ausländisches öffentliches Recht und Völkerrecht, Berlin, Beiträge, vol. xiii (Berlin 1929) p. 1–214; Ford, Henry Jones, *Representative Government* (New York 1924); Ostrogorsky, M. Y., *La démocratie et l'organisation des partis politiques* (new ed. Paris 1903), tr. by Frederick Clarke (new ed. New York 1922); Seymour, Charles, and Frary, D. P., *How the World Votes*, 2 vols. (Springfield, Mass. 1918); Guizot, F. P. G., *Histoire des origines du gouvernement représentatif en Europe*, 2 vols. (Paris 1851), tr. by A. R. Scoble, 1 vol. (London 1861); Hattersley, Alan F., *A Short History of Democracy* (Cambridge, Eng. 1930); Hintze, Otto, "Weltgeschichtliche Bedingungen der Repräsentativverfassung" in *Historische Zeitschrift*, vol. cxliii (1930) 1–41; Gierke, Otto von, *Deutsches Genossenschaftsrecht*, 4 vols. (Berlin 1868–1913), vol. iii partially tr. by F. W. Maitland as *Political Theories of the Middle Age* (Cambridge, Eng. 1900); Holden, Alice M., "Imperative Mandate in the Spanish Cortes of the Middle Ages" in *American Political Science Review*, vol. xxiv (1930) 886–912; Adams, G. B., *The Origin of the English Constitution* (New Haven 1912); Pollard, A. F., *The Evolution of Parliament* (2nd ed. London 1926); McKisack, May, *Parliamentary Representation of the English Boroughs during the Middle Ages* (Oxford 1932); Petit-Dutaillis, Charles, and Lefebvre, Georges, *Studies and Notes Supplementary to Stubbs' Constitutional History*, tr. from the French, 3 vols. (Manchester 1908–29); Gibbons, P. A., *Ideas of Political Representation in Parliament, 1651–1832* (Oxford 1914); Dickinson, G. Lowes, *The Development of Parliament during the Nineteenth Century* (London 1895); Barker, Ernest, "The Origin and Future of Parliament" in *Edinburgh Review*, vol. ccxxxiv (1921) 58–73; Cole, G. D. H., *Social Theory* (London 1920) ch. vi; Löwenstein, Karl, *Volk und Parlament* (Munich 1922); Benoist, Charles, *Pour la réforme électorale* (Paris 1908). See also bibliographies on FUNCTIONAL REPRESENTATION; PROPORTIONAL REPRESENTATION.

REPRESENTATIVE GOVERNMENT. *See* REPRESENTATION.

REPRESENTATIVES, HOUSE OF. *See* LEGISLATIVE ASSEMBLIES.

REPRISALS. The word reprisal has been used loosely to describe a variety of practises. In the technical language of modern international law a reprisal is any forcible action by a state in time of peace, involving taking possession of the property or the territory of another state or of its citizens to be held as a pledge or in lieu of compensation, in order to satisfy a claim based upon an unlawful act of such other state or its citizens. It thus affords a legal foundation for acts which would otherwise be illegal. In its common but inaccurate use it connotes and is applied frequently to measures of "retaliation" (the return of like for like) or "retorsion" (any action by one state in response to the disapproved act of another state whether for compensation or to deter future acts of a similar nature).

The term has no equivalent in classical Latin, although it appears in Middle Latin in a form akin to the French, Spanish and Italian variations. The later practise of reprisals, as Grotius noted, was foreshadowed in the Athenian custom called *androlepsia*, whereby the relatives of an Athenian murdered by a foreigner might seize three fellow citizens of the murderer in order to secure compensation or to impose upon them the death penalty. Similar customs prevailed among other ancient peoples and were one manifestation of a principle, prevalent in

Europe through the early Middle Ages, whereby the group and each of its members were held responsible for the wrongs of any one member. With the gradual emergence of the modern state reprisals became a form of international redress short of war.

In their fully developed form reprisals were used to secure private indemnification rather than to inflict injury upon a public enemy. As a legitimate means of quasi-judicial execution this form of redress, regulated by the king but executed by the injured private citizen, appears well developed at the end of the thirteenth century. It consisted in taking property from aliens to satisfy claims arising usually from the unlawful acts of fellow citizens of the persons against whom the reprisal was executed. Although there were exceptions, letters of reprisal were generally not issued unless the petitioner proved a claim for a sum certain arising from an unlawful act; after the fourteenth century reprisals were rarely authorized merely for the collection of a commercial debt. The claimant also was required to show unsuccessful attempts to secure redress through judicial or diplomatic channels (*déni de justice*). The letters issued by proper state authority usually confined seizures to the goods of a specified body or group of persons and to an amount sufficient to satisfy the claim plus costs. After seizures had been made, the holder of the letters had to give an accounting to state authorities and any excess value was returned to the owners. Some letters of reprisal were directed against the inhabitants as well as the citizens of the wrongdoer's country. On the other hand, it appears that letters were at times given by a king to aliens who invoked his assistance against other aliens, although this practise called forth vigorous protests. Private reprisals were not considered acts of war although their abuse sometimes led to counter reprisals, or letters of *contremarque*. In early documents the word marque is frequently used in conjunction with or in substitution for reprisal. By the seventeenth century, however, letters of marque commonly refer to the authorization given privateers to operate against an enemy in time of war. Private reprisals gradually disappeared as the central authority of states grew stronger and by 1800 the practise was substantially at an end.

Public reprisals executed by state authorities in satisfaction of a public claim were also practised from an early time. In general they followed the forms and requirements for private reprisals. In the middle of the seventeenth century the English admiralty judges advised the Council of State that the right of public reprisals was soundly based in law and practise. A *cause célèbre* in the middle of the eighteenth century was the action of Frederick the Great in withholding payments on the Silesian loan due to British subjects because of alleged unlawful interferences by the British with Prussian merchantmen (Satow, E. M., *The Silesian Loan and Frederick the Great*, Oxford 1915). Reprisals in the form of seizures of vessels, customhouses, ports or territory have been frequent in modern history. Between two major powers of equal strength such a step is usually a prelude to or the signal for the outbreak of war. As practised by a strong against a weak state, it is usually a measure short of war designed to compel compliance with some demand for compensation for private citizens or for satisfaction for some public wrong. It has not infrequently been used by a strong state as a pretext for advancing imperialistic aims, as have also acts of retorsion and retaliation. The last named term is the one commonly used to designate non-forcible measures, such as tariff increases, embargoes and the like, when used by a state in response to some unfriendly act of another state.

Unquestionably the use of forcible reprisals is not regarded favorably in modern times. Nevertheless, it is argued that any such measure is preferable to war itself. The difficulty with this argument is that between states of more or less equal power the use of reprisals is an almost certain prelude to war. Where forcible action is taken by a strong state against a weak state, it makes little difference whether or not war be declared, as was well exemplified in the three-power blockade of Venezuela in 1902, which was begun as a pacific blockade but changed to a belligerent blockade in order to meet protests by the United States regarding the effect of a pacific blockade upon vessels of the United States.

There are at present certain conventional restrictions upon the use of reprisals. The Hague Convention of 1907 respecting the Limitation of the Employment of Force for the Recovery of Contract Debts limited the sphere in which these various measures of self-help might lawfully be utilized. Further limitations were introduced by the provisions of the Covenant of the League of Nations. Probably the provision in article 10, requiring League members to respect the territorial integrity of their fellow members

against "external aggression," does not exclude the use of reprisals or retorsion, since such measures are frequently accompanied by a denial of any design upon the territory or sovereignty of the state affected. The general obligations for pacific settlement as embodied in article 12 of the Covenant and in the Briand-Kellogg pact should limit the use of force by way of reprisal, retaliation or retorsion. However, the Corfu incident in 1923 indicates that the provisions of the Covenant are ambiguous. On that occasion the Italians bombarded and occupied the Greek island of Corfu to bring pressure upon the Greek government to comply with the Italian ultimatum demanding apology and reparation for the murder of the Italian members of the Greco-Albanian Frontier Commission. The Committee of Jurists appointed by the Council of the League to report whether such coercive measures were permissible under the Covenant concluded rather enigmatically that such measures short of war "may or may not be compatible" with the Covenant depending upon the circumstances of each case [League of Nations, *Official Journal*, 4th year (1923) 1276–82, 1412–14; 5th year (1924) 523–27]. President Roosevelt's declaration to the heads of the governments of the world on May 16, 1933, in which he suggested an agreement that any state should be deemed an aggressor which sent an armed force of whatsoever nature across its frontiers, would probably, if adopted, eliminate the use of many of these measures of self-help.

Irrespective of the exact legal interpretation of these various documents there is evident a tendency to supplant individual measures of self-help by the joint action of the international community. The dawn of such a system represents an extraordinarily interesting step in the development of a legal institution. The use of private reprisals whereby the individual resorted to force under authority of his king in order to collect damages gave way to a period in which the state itself employed force to collect damages or to secure atonement for an injury; this has led finally to the suggestion that such processes should be undertaken only by the international community as a whole.

The use of public reprisals, *stricto sensu*, against a public enemy in time of war is not unknown, but most of the cases frequently placed under this head should be classified as retorsion or retaliation. In land warfare the use of an otherwise illegal method or instrument against the enemy in return for his previous use thereof is supportable in law but usually has little military justification because of the vicious circle of atrocities which it is likely to introduce. To strike back "through the sides" of a neutral, however, at an enemy who has violated neutral rights is of dubious validity. It has often been attempted ever since the seventeenth century, particularly in the Napoleonic and World wars despite neutral protests. The English Orders in Council and Napoleonic decrees all purported to be responses to prior illegal acts of the enemy. Closely identical situations developed during the World War when the use of submarines, mines and other interferences with neutral commerce were justified on the ground that they were a response to prior unlawful acts of the enemy. Although it has been maintained that neutrals are protected by the prize courts against the improper use of reprisals, the remedy seems to be illusory, even in England, since the court will not go behind an affirmation by the crown regarding the action of the enemy which is advanced as legal justification for the retaliatory acts.

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See: PRIVATEERING; EMBARGO; BLOCKADE; INTERVENTION; AGGRESSION, INTERNATIONAL; MARITIME LAW; WAR; WARFARE.

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REPUBLICAN PARTY, UNITED STATES.

See PARTIES, POLITICAL, section on UNITED STATES.

REPUBLICANISM

The concept of republicanism in the western world is bound up inextricably with the Greek and Roman republics. For centuries the tradition of the struggles of the Greek city-states for freedom, on the one hand

against their tyrants and on the other against the oriental despotism of the Persian kings, kept the republican idea alive. In an age when Latin was the language of all cultured people, the example of the Romans had even greater effect: their legendary conflict with a kingship which finally degenerated into tyranny; their heroic devotion to the *salus publica*; their desperate attempt to stave off Caesarism. Even the period of complete absolutism did not succeed in obliterating the republican idea.

The interest of the mediaeval political theorist in Rome, however, was far more in the *imperium*, the combination of emperorship with world domination, persisting at least as a theoretical claim among the German emperors of the Middle Ages. The mediaeval doctrine of the state was inherently monarchic. The thesis of a natural right of resistance was not strong enough seriously to endanger the fundamental mediaeval conception of "one flock and one shepherd," even for political theorists who, like Marsilius of Padua, based the authority of the state upon popular sovereignty and conceived of the ruler as the mandatary of the ruled. Political thought in this epoch centered not in the opposition between monarchy and republic but in that between *sacerdotium* and *imperium*. Even though Dante's *Divine Comedy* consigned Caesar's murderers to the deepest abyss of hell, monarchic and republican elements could exist peacefully side by side in the mediaeval state.

Only the break up of mediaeval universalism opened the way for a republicanism which, like that of the ancient world, bore distinctly antimonarchic features. Characteristically it was in the Italian city-states that the ancient tradition was reborn. The struggle which the Florentine republicans carried on against the Medici is a case in point. It is true that the final results were negative. For from the ruins of mediaeval universalism there arose a number of powerful monarchies, to whose rivalry the majority of the Italian city republics soon fell prey. Nevertheless, the republican interlude remains of interest because it was accompanied by a literary movement. The chief spokesmen of the republican ideology were the humanists, who reversed the mediaeval valuation of Caesar and his opponents: to them Caesar appeared as a tyrant, Brutus and Cassius as the great heroes of freedom. Even the great realist Machiavelli was unable entirely to shake off this attitude. His reason told him that Italy needed a ruler who would force it to unite, but his heart was with the republic. Most of the humanists, however, disregarding political reality, espoused a republicanism which did not shrink even from the demand for tyrannicide.

The Reformation was far more important for the revival of the republican ideology than the Renaissance. Luther, in accordance with his purely religious position, disregarded the question of state form and recommended passive obedience to his followers. But in addition to Zwingli, a republican both because he was a Swiss and because he was a humanist, Calvin and the radical Protestant sects, such as the Anabaptists, were essentially republicans. The determining factor was not the fact that Calvin by both birth and training belonged to the Roman tradition or that by accident the city-state of Geneva became the focal point of his campaign, but the thoroughly activistic character of Calvinism itself. The Calvinist wanted to reform the world; even in his political activity he fought "for the greater glory of God."

Calvin himself cannot be characterized unconditionally as a republican. Although he accepted the right of opposition by subjects, he held that this right should be exercised not by the people as such but by their corporative organs. Whenever Calvinism encountered governmental opposition, however, the limits he set up were soon forgotten. Thus Theodore Beza in France and John Knox in Scotland went almost so far as to subscribe to unqualified popular sovereignty, with all its implications, such as the contract character of the state and the right of the people to revolt. In their contract theory the Calvinistic monarchomachs agreed with the Jesuits Suarez and Mariana. Both parties sought by means of this theory to weaken the state as opposed to the church. For the state, they taught, rests only on a human compact while the church is supported by divine manifestation. From this it followed that the true Christian might take up arms against a heretical ruler. The Calvinist and Jesuit monarchomachs differed as to what constituted true belief; they agreed only that the heretical ruler was to be considered a tyrant.

These confessional antimonarchic doctrines, which led up to tyrannicide in France and in England, resulted in the establishment of actual republics in only two great powers, the Netherlands and England. In both cases the republic was of short duration. In the aristocratic republic of Holland the States General, which represented only the patricians, consistently in time

of danger had to give way to the stadholdership of the House of Orange, which had far more support among the masses. In England the Commonwealth, subsisting only in the form of a protectorate whose chief support was the Ironsides of Cromwell, disappeared shortly after the death of the Lord Protector. Neither of these republics, whose ideology would be incomprehensible without the confessional element, had any appreciable influence upon the development on the continent, where absolute monarchy steadily advanced. Numerous republican strains, however, may be traced from the English Puritans to the American Declaration of Independence of 1776, which heralded the establishment of the first powerful and enduring republic since the ancient world.

Of course the Declaration, like the Constitution of the United States, was based as much on philosophic as on religious ideas. The conception that man possesses certain inalienable rights would be inconceivable without the philosophy of the eighteenth century. Most of the eighteenth century philosophers did not concern themselves about the question of the form of the state beyond advocating a utopian rule of reason which implied rule by the philosophers themselves. They demanded only freedom of thought but differed widely as to how this could best be assured. Locke had already urged that the best protection to individual freedom lay in the limited monarchy. His French pupil Montesquieu was in agreement on this point, although he conceded the theoretical moral superiority of the republic because it rests on the *virtus*, the patriotism of the citizens. Montesquieu too regarded the Romans as the original republican type. It was because he had no confidence in the Roman virtue of his contemporaries that he advised them to content themselves with the limited monarchy, which appealed only to the "prejudice" of honor. Other philosophers of the eighteenth century were even more resigned. Voltaire, with all his high esteem of republicanism and Rome in theory, contented himself in practise with enlightened despotism. This admiration of the *encyclopédistes* for the enlightened monarchy is significant. To the philosopher the primary thing is progress; he is not essentially concerned with the means whereby this progress is to be achieved.

What bound the people of the Enlightenment together despite all divergences was the love of mankind, the affirmation of the preeminent value of the human being. This diffuse humanism, without which the ideas of 1789 are inconceivable, does not, however, lead to democracy. For the philosopher of the eighteenth century was no patriot; he was a citizen of the world, and his preoccupation was not with a particular nation but with mankind as a whole. The republican-democratic element, as it first emerged in Europe in the French Revolution, had its roots elsewhere, in the doctrine of Rousseau. Rousseau felt himself in the first place a citizen of Geneva; and his experiences in that city-state together with lessons derived from ancient history gave rise to his feeling of strangeness in the French society of the expiring *ancien régime*. Rousseau's fundamental thesis is that society distorts man. But since man cannot return to a state of nature, only one choice lies open to him: he must turn all his efforts toward the achievement of complete democracy.

Rousseau is still realist enough to appreciate the fundamental difference between ancient and modern democracy, something which the humanists never clearly grasped. Ancient democracy rested on slavery. Modern democracy, on the other hand, stands or falls on the question of how the modern gainfully employed man can function as a citizen. Thus Rousseau arrives at the antithesis between the bourgeois and the citizen. The former belongs to the *volonté particulière*; he attends to his own affairs and works for himself. He did this in the state of nature and he continues to do so after the establishment of the community. But as a private person man is not a political being. He becomes such only when he appears in the forum to take a stand on questions affecting the community. It is at this point, according to the democratic doctrine, that he should forget his existence as a private individual and identify himself with the will of the people and the demands of the common weal. Rousseau's theory is thus entirely oriented on the city-state, where the people actually assemble in the market place. His democracy is direct democracy; the representative system is completely disregarded. Rousseau's citizens elect officials, but these may be recalled at any time. For the *volonté générale* is inalienable; the people remains sovereign, the final legal resort even when temporarily it entrusts one of its members with the exercise of its sovereignty. Thus democracy leads logically to the republic, for if there is no room for a representative in Rousseau's city-state, there can certainly be no justification for a monarch with hereditary functions.

Nothing was further from the thoughts of the men of 1789 than to make France a republic. The Constituent Assembly sought only to limit the power of the king by means of a constitution, or, in Mably's phrase, to set up a *monarchie républicaine*. Only when Louis XVI sided with the privileged classes, the nobility and the clergy, against the third estate and threatened to treat with foreign nations in order to effect a counter-revolution did the revolution turn against the monarchy and abolish the kingship in France. And the more the Convention entangled itself in the struggle with the other European powers, the wider became the rift between monarchists and republicans, until the Jacobin Terror made the concept patriot synonymous with republican. The nineteenth century, by excluding all intermediate forms, such as the parliamentary monarchy of Louis Philippe and the democratic Caesarism of Napoleon III, intensified the differences, until for the French masses also the question of what form the state should take finally became a matter of choice between republicanism and absolutism. This antithetic attitude, however, did not spread to other western nations, although the "ideas of 1789" claimed universal validity. In the United States the lack of alternative was due to the absence of the monarch. As soon as British rule was shaken off, the republic became self-evident; and the few loyalists were far too weak to threaten it seriously. Similarly all the South American states except Brazil set up republics as soon as they achieved independence. On the other hand, England had progressed in the direction of democracy without destroying the monarchic frame. Toward the end of the Victorian era certain radicals, like Dilke and the elder Chamberlain, theoretically advocated republicanism; but once they achieved power, they changed their attitude. In the middle European states the opposition of the multiplicity of dynasties to both democracy and national unity should have favored the spread of republicanism. But here the inability of the democrats of 1848, who were only in part republican, to achieve unity worked against republicanism; when Italian unity was made possible by Piedmontese monarchy and German unity by Prussian monarchy, the liberal bourgeoisie, most outspoken in their advocacy of national unity, very quickly came to terms with the *fait accompli*.

Behind the struggles concerning the form of the state there were also of course social conflicts, but these did not become crystallized until the rise of socialism. It is true that socialism did not from the first take a unified position toward the problem of state form. English socialism did not attack the frame of the parliamentary monarchy. Even the Chartists sought only an extension of the franchise, and to this day leaders of the Labour party have accommodated themselves to court forms. The attitude of the French socialists was divided. Saint-Simon took no interest in the question of state form. He sought to replace "government over persons" by "administration of things." Louis Blanc, going back to Babeuf, again made French socialism political, teaching that political democracy is a prerequisite to a social revolution. Since 1848, when the proletariat demanded the establishment of the republic, the French working class has held obdurately to the republican ideology. The attitude of the German socialists too was uncertain. Lassalle could still think of a social monarchy which should combine with the working class against bourgeois liberalism. Karl Marx, undoubtedly under the influence of the French example, first oriented German Social Democracy toward the republican side, with the argument that socialism can attain its goal only if it at first fights shoulder to shoulder with the most radical elements of the bourgeoisie. Bismarck's socialist laws sharpened the antimonarchic attitude of the German Social Democrats, but the question of state form never became acute in Germany before the World War.

The war once again brought the problem to the fore. The western European democracies and the United States, although they were allied with Russian czarism, claimed to be fighting for national freedom and the right of national self-determination. The Hapsburg monarchy dissolved into a series of republics which, like their predecessor, were not national but nationality states. The German Reich also became a republic in 1918. The Soviet Union, on the other hand, found the republic already at hand and placed far less emphasis upon its republican than upon its proletarian character. War and revolution transformed most of the states of Europe into republics. But the very victory of republicanism introduced a new phase of the problem. If Ranke characterized the political history of the nineteenth century as the struggle between the divine right of kings and popular sovereignty, then the World War indeed brought that century to a close. For even the monarchist no longer seeks to justify monarchy with transcendental arguments. No one any longer denies

that the popular will is the legal base of all politics. Republican sentiment has thereby, however, lost both its opponents and its significance. To the post-war generation the choice between monarchy or republic resolves itself into the question as to which is more opportune. Italian Fascism, for example, which in its first phase was still republican, has easily compromised with the existence of the monarchy, while German National Socialism is vigorous in its attacks upon monarchist propaganda. What is now debated is no longer the idea of democracy, but how it is to be realized. In place of the antithesis between monarchy and republic has appeared that between parliamentary and authoritarian democracy.

PETER RICHARD ROHDEN

See: DEMOCRACY; MONARCHY; CITY-STATE; COMMUNE, MEDIAEVAL; HUMANISM; REFORMATION; MONARCHOMACHS; SOCIAL CONTRACT; FRENCH REVOLUTION; CARBONARI.

Consult: Fisher, H. A. L., *The Republican Tradition in Europe* (New York 1911); Mann, Henry, *Ancient and Mediaeval Republics* (New York 1879); Castelar y Ripoll, Emilio, *Historia del movimiento republicano en Europa*, 9 vols. (Madrid 1874); Renk, Hans, *Der republikanische Gedanke in der deutschen Geschichte* (Jena 1930); Gordon, Ezekiel, *Les nouvelles constitutions européennes et le rôle du chef de l'état*, Institut de Droit Comparé de l'Université de Paris, Série de Monographies de Droit Public, no. 1 (Paris 1932); Hübner, Rudolf, *Die Staatsform der Republik*, Bucherei der Kultur und Geschichte, vol. i (Bonn 1919); Stier-Somlo, Fritz, *Republik oder Monarchie im neuen Deutschland*, Deutscher Aufbau, no. 1 (Bonn 1919); Weber, Max, *Deutschlands künftige Staatsform*, Zur deutschen Revolution, no. 2 (Frankfort 1919); Bernatzik, Edmund, *Republik und Monarchie* (2nd ed. Tübingen 1919); Albornoz, Alvaro de, *El partido republicano* (Madrid 1918).

REPUDIATION OF PUBLIC DEBTS includes the voidance by a state of its obligations toward its creditors by unilateral action, and refusal to admit the validity of a presumed obligation. It may be complete, partial or concealed. Complete repudiation is a legislative act whereby the state refuses explicitly to recognize an outstanding obligation. Partial repudiation is a unilateral modification by the debtor of any material term of the loan contract. Concealed repudiation is an indirect scaling down or voidance of the debt or of the interest payments on it by monetary depreciation or by the imposition of a special tax on coupons or by some other action. Repudiation should be distinguished from default, which may be defined as any deviation from the terms of the loan contract without denial of the validity of the contract and which implies simply an inability to carry out its terms. In some cases, however, the default takes the form of repudiation and the distinction between the two disappears. Repudiation must be distinguished also from the non-assumption of a debt by a successor state, particularly when it succeeds to the territory or part of the territory of another state. In such cases the extent of the obligation descending on the successor state is not clearly established, so that it is difficult to determine whether or not the refusal of the successor state to assume this or that debt or share of debt constitutes repudiation. While most writers are too prone to apply to public debts the principles of private law and to treat repudiation as state bankruptcy, repudiation does not always involve inability to pay as implied in insolvency and is not infrequently motivated by major considerations of a political and social nature.

Repudiation is an act of sovereignty which can be exercised only by an authority possessing sovereignty. The device is as old as is the practise of public borrowing. It was resorted to in antiquity, usually following a war, and became especially prevalent under feudalism; one of its earliest and most frequent forms was the debasement of coinage. Since the debts of the feudal lords had a private or personal character and were incurred from professional money lenders at usurious rates of interest, the nonpayment of a debt was not looked upon as a contemptible deed, especially in view of the general prohibition of usury by the church. With the establishment of national states and the separation of public property from royal private property, debts contracted by the government assumed a public character. Loans were now obtained by popular subscription and the nonpayment of a debt came to be regarded as dishonorable. Outright repudiations became more rare and governments which were unable or unwilling fully to meet the terms of the lending agreement began to resort to concealed or partial repudiation in the form of compulsory conversion of a high interest bearing debt into a low interest bearing one or of payment of a debt in paper assignats instead of in coin.

As the sanctity of contracts constitutes a cardinal principle of capitalistic society, complete repudiations became still more rare during the era of capitalism and constitutionalism. There have been altogether fewer than a dozen cases of complete repudiation during the past 130 years. One took place in Spain in 1823 and

another in Portugal in 1832. In both cases the debts eventually were recognized because of pressure from the creditor states. More important was the repudiation by Juárez in 1867, following his overthrow of Emperor Maximilian of Mexico, of the loans raised by the latter in France with the active assistance of the French government, which sought to promote the French adventure in Mexico. In the 1840's and again the 1870's and 1880's several states of the United States either repudiated some of their debts outright, as did Mississippi and Florida, or else, like Alabama and others, defaulted. Although some of these repudiations had a legal foundation in that some of the bonds had been issued in an irregular manner, the main considerations were political and social, growing out of a revolt of taxpayers against acts of corrupt and irresponsible government. In 1868 the United States declared, in an amendment to its constitution, that all debts contracted by the southern states during the rebellion and any debts that might be incurred at any time in aid of an insurrection against the United States were illegal and void. A question may be raised as to whether this act was a repudiation, but its propriety has never been questioned. The most colossal repudiation, however, was that pronounced by Soviet Russia in 1918, involving over $19,000,000,000 of government and government guaranteed debts. The act of repudiation at first allowed for some exceptions in the case of domestic debt but was later extended to include all debts. The general debts were repudiated on the ground that they had been "contracted by the government of Russian landowners and Russian bourgeoisie" and were a part of the capitalistic system of private property rights repugnant to the new socialist order; while the debts to the allied governments were repudiated on the special ground that they had been incurred for the financing of a war in which these governments had much more at stake than had Russia.

Partial or concealed repudiations have been resorted to since the dawn of the nineteenth century by almost every country in the world. They have taken several forms, the requisite action being unilateral in every case: reduction in the rate of interest, a procedure followed repeatedly in Spain and Colombia and as late as 1933 in Argentina; postponement of the date of repayment of the principal; scaling down of the principal of the debt, as in Turkey in 1881; substitution of payments in paper money, scrip or cheaper metal for the required payment in gold, as exemplified by the act of the Russian government in 1839 which substituted payments in assignats for those in silver on all domestic debts, and by the act of the Congress of the United States in 1933 which abrogated the gold clause in all public and private contracts and substituted payments in paper; payment of the debt in an almost completely valueless currency, as in Germany, and in a devaluated monetary unit, as in France, after the World War; imposition of a special tax on coupons, as in Austria in 1868 and in Russia in 1885; and withdrawal of the security pledged for the service of the debt, as in Greece in 1893.

Repudiations are generally due to extraordinary circumstances. Most commonly they follow upon the collapse of government finances and of an entire national economy resulting from war, revolution or severe economic crisis. They are caused also by unwise borrowing under usurious terms or borrowing for unworthy purposes. They are also quite generally the result of political changes giving rise to provisional governments, as in Spain in 1823 and in Portugal in 1832; in these cases the succeeding governments refused to be held responsible for debts contracted by their predecessors. In many cases they are due in no small measure to the avarice of bankers, who are ever ready to help a government to float a loan because of the profits involved in the business, and to the ignorance and credulity of the investors who accept in good faith the representations made to them. Repudiations are particularly prevalent in backward countries, for it is here that less responsible governments are to be found and unscrupulous financiers can reap their heaviest harvest.

An extensive repudiation of a domestic debt affects the entire national economy. It has a particularly severe effect upon small investors who have put their savings into government bonds either directly or indirectly through bank deposits and life insurance, and indirectly it hits all creditors, since each creditor is usually also a debtor who finds it difficult to pay what he owes if denied payment of what is owed him. Thus repudiation precipitates a chain of private bankruptcies and a dislocation of commerce. Business in other countries having commercial and financial relations with the country in question and with one another is likewise affected. An extensive repudiation of a foreign debt also reacts upon foreign creditors, while the citizens of the repudiating state gain, through the avoid-

ance of taxation, at the expense of the lending country.

Repudiation generally results in a temporary inability of the government to secure new loans except under very onerous terms and on a pledge of a security or submission to international financial control. Sooner or later, however, the state is able to obtain new loans, once more on normal terms, if not in the same money markets. The repudiation of the old debts may in the long run help the state to obtain new loans, since it releases funds hitherto designated for the payment of old debts for use in the payment of new obligations. If, however, the conditions responsible for the last repudiation persist or return, as frequently happens, another repudiation—this time of the new debt—becomes necessary. Thus in many countries there is a train of successive repudiations at irregular intervals.

In the case of a domestic debt the state's power of repudiation is almost absolute; the state has the right and power to abolish those very property rights of its subjects which it has itself sanctioned. The constitution may impose certain limitations upon the exercise of this right or power by the authorities, but a government will not necessarily be restrained by constitutional restrictions. Domestic creditors are therefore without a legal remedy against repudiation. The courts generally will not entertain a suit by a private citizen for the recovery of a state debt without the government's consent; and the government, determined to carry the repudiation through, will of course withhold consent unless it is sure of being sustained. Thus the only remedy available to domestic creditors is of a political nature. They may bring pressure to bear upon the members of the legislature in opposition to the proposed repudiation, or they may seek to overthrow the government and to substitute a regime which will recognize their claims.

In the case of foreign debts the state's right and power of repudiation are more limited. The government of the foreign creditors is likely to contest the act of repudiation of the debtor government. Both states being sovereign, the issue between them may be settled either by diplomatic negotiations; by the exercise of superior force on the part of the creditor state in the form of military intervention, as in the case of Venezuela and Nicaragua; or by economic boycott or the establishment of financial control over the affairs of the debtor, as in Egypt, Turkey, Greece, Tunis, Liberia and other smaller countries; or possibly by arbitration, which may be offered by either party and accepted by the other either voluntarily or under pressure. The last method is of recent origin and has been applied in very few cases. Apparently before arbitration can be an effective method rules of international financial law must be arrived at to guide the tribunal. In order to protect their interests more effectively foreign creditors form protective associations; the British Council of the Corporation of Foreign Bondholders and similar associations in other countries have been organized for this purpose.

Small states which have been subjected to coercion upon either repudiation or default have consistently contended that the failure of a state to pay its debts to citizens of another state is not a proper reason for military action. This contention was supported by Lord Palmerston, who declared that British investors in foreign government bonds must assume the risk involved in such investments and in case of repudiation or default could invoke only the unofficial and moral support of their government. Writers on international law have likewise been inclined to uphold the view that military intervention in such cases is improper. The most uncompromising expression of this view is embodied in the so-called Drago Doctrine, named after its author, the foreign minister of Argentina, who declared that public debts are not contractual in character, but, like money, acts of sovereignty which may be repudiated at any time and are not subject to any court of competent jurisdiction; Drago's contention, however, is not supported by modern juridical opinion.

At the Hague Conference of 1907 an attempt was made to substitute the device of compulsory arbitration for that of armed force for the recovery of debts claimed to be due from one government to the subjects of another. A pact was drafted prohibiting resort to armed force by any signatory in such a case except "when the debtor state refuses or neglects to reply to an offer of arbitration, or after accepting the offer, renders the settlement of the compromise impossible, or, after the arbitration, fails to submit to the award." Only a few states ratified this pact without reservation, however, and it has been of no great consequence. The establishment of the Permanent Court of International Justice has somewhat broadened the possibilities of arbitration of these issues. In 1927 the Institute of International Law, meeting at Lausanne, considered the question of the responsibility of a

federal state in case of a default or repudiation by any one of its component states. The institute drafted a rule for the international consideration according to which the federal state is responsible for the financial conduct of its separate states and cannot escape such responsibility by pleading that its constitution does not empower it to enforce the obligations of the latter.

PAUL STUDENSKI

See: PUBLIC DEBT; LOANS, INTERGOVERNMENTAL; REPARATIONS; INFLATION AND DEFLATION.

Consult: Manes, Alfred, *Staatsbankrotte* (3rd ed. Berlin 1922); Jèze, G. P. A., *Cours de finances publiques, 1929–1930* (Paris 1930) p. 251–56; Collas, Constantin, *Der Staatsbankrott und seine Abwicklung*, Münchener volkswirtschaftliche Studien, no. 68 (Stuttgart 1904); Pflug, Karl, *Staatsbankerott und internationales Recht* (Munich 1898); Meili, Friedrich, *Der Staatsbankerott und die moderne Rechtswissenschaft* (Berlin 1895); Williams, J. F., *International Law and International Financial Obligations Arising from Contract*, Bibliotheca Visseriana, vol. ii, pt. 4 (Leyden 1924); Sack, A. N., "The Juridical Nature of the Public Debts of States" in *New York University Law Quarterly Review*, vol. x (1932–33) 341–58; *Economic Principles and Problems*, ed. by W. E. Spahr, 2 vols. (New York 1932) vol. ii, ch. xxxiv; Studenski, Paul, *Public Borrowing*, National Municipal League, Monograph series (New York 1930) ch. iii; Scott, W. A., *The Repudiation of State Debts* (New York 1893); Randolph, Bessie C., "Foreign Bondholders and the Repudiated Debts of the Southern States" in *American Journal of International Law*, vol. xxv (1931) 63–82; Bukovetsky, A., "Annulirovanie gosudarstvennikh kreditnikh obyazatelstv" (The annulment of state credit obligations) in *Finansovaya entsiklopediya* (2nd ed. Moscow 1927) cols. 44–53; Kuzovkov, D., "Gosudarstvennoe bankrotstvo" (State bankruptcy) in *Bolshaya sovetskaya entsiklopediya*, vol. xviii (Moscow 1930) cols. 372–76. See also Corporation of Foreign Bondholders, *Annual Report of the Council*, published in London since 1874.

REQUISITIONS, MILITARY. Military requisitions, according to modern usage, are those levies of commodities and services useful to the army which are forced by an invading power from the peaceful population. The term is distinguished today from "contributions," which cover only levies of money above the normal taxes. An invader usually resorted to both methods to supply his army, and often the term contribution was used to include both kinds of payments. It is to be distinguished also from the rather vague term angary, usually defined as the right of a belligerent in case of necessity to seize or destroy property, especially vessels, of neutrals provided full compensation is made.

The term requisitions is applied in municipal law to the regulated seizure and use of the property of its own citizens by a government during a military emergency, a practise usually coupled with just compensation. Thus during the World War practically all the belligerents had emergency legislation legalizing such use of private property.

The origins of requisitions, in the international sense, are to be traced to the rule that war should support war. Until comparatively recent times war was unregulated and belligerents appropriated or destroyed all property, public and private, of their conquered opponents. War was regarded as a contest between whole peoples and no distinction was drawn between military occupation and conquest. Down to the seventeenth century, says one authority, "armies lived wholly upon the countries which they invaded, and swept away what they could not eat by the exercise of indiscriminate pillage" (Hall, W. E., *International Law*, 8th ed. Oxford 1924, p. 508).

With the rise during the seventeenth and eighteenth centuries of modern armies, paid and supplied by their governments, the old practise of pillage was relaxed. The disorder attendant upon its use was destructive of strict military discipline, and the devastation of a territory made later provisioning of armies more difficult. Considerations of military efficiency therefore as well as of humanity led to the substitution of contributions and requisitions as more effective methods of compelling a conquered territory to bear the cost of the war. This inaugurated the practise which is largely responsible for the increasing respect shown private property on land during time of war.

The beginning of this change from the primitive to the modern method of warfare is clearly seen in the Thirty Years' War when Gustavus Adolphus forbade his well disciplined Swedish army to take anything from the peasants except what was included in his orders of contribution. Towns agreed to provide the armies with quantities of supplies and of money in return for immunity from pillage. By the end of the century another practise had developed by which generals of opposing armies would enter agreements as to the amount of contributions to be collected, the districts to be assessed and the manner of collection.

The military systems of Europe had become so well organized by the eighteenth century that armies depended for supplies to a great extent on magazine and provision trains. The army regulations of Frederick the Great seem to have

restricted requisitions to supplies for his army and exacted them with strict regard for the needs of the civilian population. The methods of warfare in this period therefore showed a high degree of respect for private property. The treaty of friendship between the United States and Prussia made near the end of the century (1785) went so far as to provide (art. 23) that in the event of war between the two countries requisitions should be paid for.

The eighteenth century saw also, through the influence of Montesquieu and Rousseau, the advent of a new theory of war. These men maintained that war was a contest between states rather than peoples, a view which was accepted rather generally by writers and jurists on the European continent. The logical implication of this view would be to exempt the peaceful population, but on the theory of military necessity it continued to be subjected to these forced levies. In fact modern international law gave legal sanction to the right of a belligerent to all the possessions of his conquered enemy, and contributions and requisitions were assessed entirely at the discretion of the invader. No receipts were given and no payments made for the levies.

Under Napoleon the rule that war should support war was developed and practised on a systematic scale. The long distances traversed by Napoleon's armies and the economic drain on the country made it difficult to rely for supplies on magazines and provision trains. Contributions and requisitions were therefore resorted to as a means of saving France from fresh taxes. On Leipsic, for instance, Napoleon in 1806 imposed requisitions for 150,000 cloaks and 150,000 pairs of shoes; on Berlin for 100,000 cloaks, 100,000 pairs of trousers and 100,000 pairs of shoes. His requisitions were not, however, limited to necessaries for the army but included everything of military value. In his Peninsular War forced requisitions were used to such an extent and the excesses committed by his men were so great that he attributed his defeat partly to the hostility of the population aroused by these forced exactions. Where discipline could be maintained, however, his generals forbade pillage. Napoleon seems also to have initiated the practise of giving receipts for contributions and requisitions. This was done not with the thought of payment, for there was as yet no obligation to pay, but in order to prevent abuses.

In the wars of the nineteenth century belligerents differed in their treatment of invaded territories. Requisitions were used by both sides during the American Civil War and by the Prussians in the Seven Weeks' War. In the Franco-German War of 1870 the Germans at first resorted to large scale requisitions, giving receipts which provided for payment by the French or German government as might be agreed upon at the end of the war. Under the kaiser's orders requisitions were to be limited to the needs of the army of occupation, but in the bitterness of the struggle this policy broke down and anything of military value was taken. The total value of goods requisitioned was put at 134,100,746 francs exclusive of 101,889,814 francs for boarding and lodging of troops, also a form of requisition.

But the Germans soon learned that it was more advantageous to buy provisions than to try to raise them by requisitions and resorted to purchase instead. This method, which had been used by the United States in its war with Mexico and by Great Britain in the Crimean War, was later employed in the Sino-Japanese and the Russo-Japanese war and down to the World War was tending by reason of its greater effectiveness to displace forced requisitions.

At the beginning of the twentieth century, however, the right to use requisitions was still generally recognized. An attempt to formulate rules of requisitioning had been made as early as 1874 in the Declaration of Brussels, but it was not until the Hague conferences of 1899 and 1907 that anything significant was accomplished in this direction. The Hague convention of 1907 on the laws and customs of war contains the generally accepted rules governing requisitions under modern conditions. By articles 46 and 47 of these regulations private property is to be respected and pillage is formally forbidden. Requisitions (art. 52) in kind or services are to be restricted to the needs of the army of occupation, must be in proportion to the resources of the country, can be demanded only by the commander in the locality occupied and must if possible be paid for in cash; "if not, a receipt shall be given and the payment . . . made as soon as possible." This last clause does not specify who is to make payment and leaves the question very much as it was before. Other provisions also are vague. Requisition of services is limited in article 44 to those which do not require "the population of occupied territory to take part in military operations against its own country"; but authorities differ as to types of

work which the invader may require. According to practise the requisitions are levied usually through the local civil authorities and the invader may use whatever force is necessary to compel obedience.

During the World War these rules were construed liberally, especially by Germany and its allies. On entering Belgium the German military authorities ordered individuals and business concerns to declare their stocks of commodities useful for military purposes and then placed embargoes on the export of such items, except to Germany. Both contributions and requisitions were used on a large scale to secure quantities of foodstuffs for daily consumption by the army and of raw materials, machinery, livestock and other things useful for military operations, which were sent to Germany. On Antwerp were imposed requisitions valued at 85,000,000 francs, consisting of cereals, oil cakes, nitrates, animal and vegetable oil, wool, cotton and rubber. At Brussels 116,000 kilos of wheat, meat, rice, sugar and oats were exacted daily. The Germans were accused of seizing milch cows and draft horses in large quantities and sending them to Germany. For these, payments were usually not made, it was alleged, and authentic receipts often not given. Extensive requisitions of services of the inhabitants were also exacted, to dig trenches, work on fortifications, build huts and the like.

The Germans generally gave receipts and in some cases made partial payments for the things requisitioned. In the Treaty of Versailles (pt. viii, annex i, par. 10) one of the items of reparations imposed on Germany was for "damage in the form of levies, fines, and other similar exactions imposed by Germany or her Allies upon the civil population."

E. G. TRIMBLE

See: WARFARE; WAR ECONOMICS; INDEMNITY, MILITARY; REPRISALS; REPARATIONS; MILITARY OCCUPATION; MOBILIZATION AND DEMOBILIZATION; PROPERTY; ALIEN PROPERTY; CONFISCATION; ANGARY.

Consult: Ferrand, Georges, *Des réquisitions en matière de droit international public* (2nd ed. Paris 1917); Pont, Charles, *Les réquisitions militaires* (Nancy 1905); Keller, Eugen, *Requisition und Kontribution*, Schweizerische Monatsschrift für Offiziere aller Waffen, nos. v–vi, supplement (Frauenfeld 1898); Cézérac, Maurice, *Les réquisitions et contributions allemandes en France et en Belgique pendant la guerre de 1914–1918* (Montauban 1918); *Réquisitions militaires et maritimes, formalités, règlements, réclamations et jurisprudence*, ed. by Henri Fougerol (2nd ed. Paris 1917); Gregory, Charles N., "Contributions and Requisitions in War" in *Columbia Law Review*, vol. xv (1915) 207–27.

RESALE PRICE MAINTENANCE is the effective stipulation by a manufacturer of the prices at which goods manufactured by him are resold by wholesalers and retailers. Although a resale price maintenance program necessarily involves the cooperation of wholesalers when the merchandise passes through their hands, the problem is primarily one of maintaining stipulated retail prices.

The purpose of resale price maintenance is to prevent merchants from using goods bearing the manufacturer's trademark as "price leaders." The price cutting against which the program is directed does not ordinarily represent reductions merely commensurate with economies achieved by the price cutter in operating his business. On the contrary, prices frequently are cut to the cost of the merchandise or even below. The purpose of such price cutting is ordinarily to give a general impression of low prices or to lure customers into a store in the expectation that while there they will buy other goods yielding the retailer a full margin of profit. In order that such price cutting may be effective, it is essential that the bargain character of the offer be recognized by the public. Widely advertised products of standard quality, articles in popular demand at customary prices, are therefore the ones commonly chosen for price cutting.

The problem of resale price maintenance in its modern form has arisen since 1900. Price leaders, such as sugar in the grocery trade, were not unknown in marketing practise before that date, but branded merchandise was utilized infrequently for bargain offers. The rapid development of the sale of merchandise in packages, trademarked and widely advertised, provided a much broader opportunity for price cutting than existed when the same sort of goods was sold in bulk, often without standardization of quality. At the same time the growth of department stores and later of chain stores led to frequent use of cut prices as a means of attracting patronage. Vigorous price cutting has been one of the outstanding accompaniments of the revolution which has been occurring in retail trade in the twentieth century.

The question naturally arises as to why a manufacturer should concern himself with the prices at which retailers sell goods which he has made but for which he has received payment. On the face of it, an acceptance by retailers of lower margins of profit on his product should stimulate sales for a manufacturer. The case is not so simple, however, for as with other de-

bauches price cutting by retailers has serious after effects. When price cutting of a particular product has become rampant, numerous retailers, antagonistic toward goods which have become a price football, prefer to sell other goods; the sale of private brands of merchandise is promoted and thus the manufacturer encounters increasing sales resistance and finds that it is more difficult for him to maintain his expected distribution. For example, prices on a well known brand of sheets have been cut so frequently and so severely over a period of years that numerous department stores seek to sell instead other manufacturers' or their own private brands. A stock of the price ridden brand may be kept under the counter for sale to those insistent customers who will accept no other, but through the hostility of the retail stores the manufacturer concerned loses many sales to which the reputation of his product entitles him.

The question of resale price maintenance has become a matter of public interest, instead of remaining merely a problem in business policy, as a result of its legal aspects and of concerted efforts in some countries to secure the observance of such a plan. In all countries outside the United States, except Argentina and Norway, resale price agreements are permissible and in most countries violations of such agreements constitute breaches of contract and can be remedied by legal action. Price maintenance contracts are widely used in France, Belgium, Germany and other countries in continental Europe. In Germany they were for some years subject to review by the cartel courts. In Norway the fixing of prices is prohibited by law but "the test as to whether such agreements are to be considered contrary to law is apparently found in the determination whether the profit is reasonable rather than in the mere existence of an agreement" (United States, Bureau of Foreign and Domestic Commerce, "Exclusive Sales Agreements in Foreign Trade," by Bernard A. Kosicki, *Trade Promotion Series*, no. 45, 1927, p. 47). In Argentina such agreements are unlawful but are frequently made. In Canada they are permissible so long as they "do not operate against the interests of the public," and the Combines Investigation Act of 1923 provides machinery for investigation as to whether any particular agreement is against public interest.

In England a manufacturer may enter into an agreement with a wholesaler whereby the latter undertakes to maintain resale prices. A manufacturer may likewise make a price agreement with a retailer to whom he sells directly. Such agreements are enforceable as contracts. When a manufacturer sells to a wholesaler under such an agreement, however, he has no ground for action against a retailer buying from the wholesaler if the retailer cuts the price. Nevertheless, the resale price of widely advertised branded merchandise is usually maintained in England. This result is achieved not by legal action but through trade associations which threaten and enforce merchandise boycotts against offending price cutters. Associations are active in securing the maintenance of resale prices in the drug, publishing, stationery, automobile, grocery, tobacco and other trades. The most common type of association is one which includes manufacturers, wholesalers and retailers, such as the Proprietary Articles Trade Association. The organization and methods vary between trades, but in general the method of enforcement is to cut off supplies of goods from any merchant who fails to observe the stipulated minimum resale prices. The Proprietary Articles Trade Association, which was formed in 1896, included in its membership in June, 1930, 436 manufacturers, 63 wholesalers and 8706 retailers dealing in proprietary drugs and other goods sold in what the English term chemists' shops. Periodically a "stop list" is issued on which are stated the names of wholesalers and retailers who have violated their price agreements and from whom supplies are consequently to be withheld by all members. The association prohibits the sale of goods on its "protected list" to any cooperative society which pays dividends to members in proportion to their purchases. A committee of investigation appointed by the Board of Trade came to the conclusion in 1931 that the law should not be changed to force a modification of existing practises.

In the United States resale price maintenance agreements are illegal. This situation is the result of a series of court decisions rather than of definite legislative enactment. When the Sherman Anti-Trust Act was passed in 1890, resale price maintenance was a problem of no apparent consequence and it was not one of the practises at which the law was aimed. Nevertheless, in later years agreements to effect resale price maintenance were brought under the ban of the Sherman Act and subsequent antitrust legislation.

The first important price maintenance case to be decided in the United States was Bobbs-Merrill Company *v.* Straus [210 U. S. 339

(1908)], in which the Supreme Court held that a publisher could not compel the maintenance of the resale price of a copyrighted book by virtue of the copyright law. In 1911 in Dr. Miles Medical Company *v.* John D. Park and Sons Company (220 U. S. 373) the Supreme Court held it to be illegal under the Sherman Anti-Trust Act for a manufacturer to attempt by agreement or contract to compel the maintenance of resale prices by merchants who had taken title to the goods. In stating the opinion of the court Justice Hughes said: "The complainant [Dr. Miles Medical Company] having sold its product at prices satisfactory to itself, the public is entitled to whatever advantage may be derived from competition in the subsequent traffic."

The decision in the Dr. Miles case is the chief landmark in a long series of legal decisions on the subject of resale price maintenance. Although the decision established a precedent which has strongly influenced all subsequent decisions, the court was not unanimous. In his dissenting opinion Justice Holmes stated: "With regard to things like the latter [Dr. Miles' medicines], it seems to me that the point of most profitable returns marks the equilibrium of social desires and determines the fair price in the only sense in which I can find meaning in those words. The Dr. Miles Medical Company knows better than we do what will enable it to do the best business. We must assume its retail price to be reasonable, for it is so alleged and the case is here on demurrer; so I see nothing to warrant my assuming that the public will not be served best by the company being allowed to carry out its plan. I cannot believe that in the long run the public will profit by this court permitting knaves to cut reasonable prices for some ulterior purpose of their own, and thus to impair, if not to destroy, the production and sale of articles which it is assumed to be desirable that the public should be able to get."

Following the Dr. Miles case a number of decisions of the same tenor were rendered. One of especial significance was that in the Beech-Nut Packing Company case [Federal Trade Commission *v.* Beech-Nut Packing Co., 257 U. S. 441 (1922)], brought under the Federal Trade Commission Act. That company sold its products chiefly to wholesalers, who in turn resold to retailers. The company placed identifying marks on every package of goods which it shipped, and when it learned that a retailer was cutting prices it had an investigation made by its salesmen or sought to learn through other sources from what wholesaler the goods had been bought by the retailer. To that end the identification marks on the packages were especially useful. The company than refused to sell additional supplies of merchandise to any distributor who furnished Beech-Nut goods to dealers on its list of price cutters. In its decision the Supreme Court ruled that although the company entered into no agreements and contracts regarding the maintenance of resale prices, its methods of regulating the distribution of its products enabled it "to prevent competition in their subsequent disposition by preventing all who do not sell at resale prices fixed by it from obtaining its goods."

The net result of the rulings of the United States Supreme Court on this subject is in 1933 that a manufacturer cannot legally force wholesale and retail distributors of his products to maintain suggested resale prices, provided the merchants take title to the goods. A manufacturer is permitted to name standard resale prices for his products and he may attempt by argument to persuade the distributors to refrain from price cutting. The Supreme Court also has stated that a manufacturer has the right to refuse to sell to any party for any reason or for no reason. The manufacturer may not, however, state that in the future he will refuse to sell unless prices are maintained; the acceptance of an order cannot be made conditional upon assurance that prices will not be cut. The legal status of the use of moral suasion for securing the observance of stipulated resale prices is therefore highly uncertain, and unless new legislation is enacted the Supreme Court presently will be compelled either to modify its reasoning regarding the rights of a manufacturer to take steps to secure observance of resale prices or to prohibit the suggestion of resale prices by a manufacturer.

During the entire period since the decision in the Dr. Miles Medical Company case in 1911 Congress has had before it almost constantly one or more bills to authorize the effective control of resale prices by a manufacturer. In years when the trend of prices has been downward and price cutting therefore especially prevalent the interest in these proposed measures has been greater than in periods of rising prices. After the passage of the National Industrial Recovery Act in 1933, provisions for preventing merchants from selling goods below cost, with certain necessary exceptions, were incorporated in several

"codes," but during the first year no attempt was made to compel the observance of stipulated resale prices.

From the standpoint of public interest the problem of resale price maintenance involves two important questions. First, is a practise of resale price maintenance likely to result in exploitation of consumers? Secondly, are any parties who deserve public protection injured by price cutting?

As to the first, one may observe that the resale prices stipulated by manufacturers must be reasonably fair or the merchandise will not be purchased by consumers. The goods for which manufacturers typically desire to have resale prices maintained are in competition with other merchandise of the same sort and with various substitute articles. There is no serious danger that consumers will be exploited by any such scheme. They would merely be prevented from securing the benefits of extreme and often predatory competition. In numerous cases manufacturers now succeed in obtaining observance of stipulated resale prices and consumers continue to buy the goods without complaint.

The second question, concerning those interests adversely affected by price cutting, opens up a wide field. Much of the demand for maintenance of resale prices during the last twenty-five years has come from small merchants who have sought thereby to avert the competition of large retail establishments, such as department and chain stores. A revolution in the organization of retail trade has been taking place akin to the industrial revolution in manufacturing, and price cutting has been one of its accompaniments. Although the price cutting frequently has been excessive, the legalization of resale price maintenance would not have stopped the revolution. Similar changes in retail trade have taken place in England despite the measures for control of resale prices adopted in that country, and in the United States the enactment of resale price maintenance legislation would not have given and will not give effective protection to small retailers against types of organizations which have inherent competitive advantages. Even if it be desirable to protect by legislation one type of business organization against some competing type, in this case measures far more extensive than the legalization of resale price maintenance would be needed to perpetuate the existence of certain types of retail establishments.

From a business policy standpoint the serious evils of price cutting could in numerous instances be largely averted by the manufacturers themselves if they handled their marketing plans in more orderly fashion. One manufacturer, for example, will sell directly to large retailers and also to wholesalers. The wholesalers seek to compete with the manufacturer's salesmen, cutting prices to secure orders. The retailers who benefit from the cut prices in purchasing are thereby tempted to cut prices in selling. Such a company has an incongruous distribution program. Another rather common case is that in which a manufacturer induces or permits too large a number of wholesalers and retailers to carry his product in a particular market; he intensifies his distribution to a point where severe competition is inevitable. The practise of manufacturers which most commonly encourages price cutting by distributors is that of granting extra allowances or discounts to large or favored buyers. It obviously is illogical and unsound for a manufacturer to attempt to standardize the resale price on his product unless he first standardizes his own selling price. Until such disorderly and inconsistent marketing practises as these are corrected, the legalization of resale price maintenance is not warranted.

From a broad economic point of view the question of resale price maintenance illustrates the concomitants of revolutionary changes in methods of marketing. It is even more significant in emphasizing the fact that under modern conditions business is a continuous series of transactions rather than a succession of isolated trades. This concept of business as a continuous series of related transactions and the effects of current happenings on future patronage are matters to which insufficient attention has been given by various economists and by the American courts in dealing with the question of resale price maintenance.

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See: MARKETING; RETAIL TRADE; PRICE DISCRIMINATION; UNFAIR COMPETITION; PRICE REGULATION; TRADE ASSOCIATIONS; PATENTS; TRADEMARK; ADVERTISING.

Consult: Seligman, E. R. A., and Love, R. A., *Price Cutting and Price Maintenance* (New York 1932); Gaskill, N. B., *Price Control in the Public Interest* (Washington 1931); United States, Federal Trade Commission, *Resale Price Maintenance*, 2 vols. (1929–31); United States, Senate, Committee on Interstate Commerce, 72nd Cong., 1st sess., *Capper-Kelly Fair-Trade Bill, Hearings*, 2 vols. (1932); Copeland, M. T., "Standardized Resale Prices," and "Revising the Antitrust Laws" in *Harvard Business Review*, vol. iv

(1925–26) 393–406, and vol. x (1931–32) 292–301; Murchison, C. T., *Resale Price Maintenance*, Columbia University, Studies in History, Economics and Public Law, no. 192 (New York 1919); Tosdal, H. R., "Price Maintenance" in *American Economic Review*, vol. viii (1918) 28–47, 283–305; National Industrial Conference Board, *Public Regulation of Competitive Practices* (rev. ed. New York 1929) p. 88–106; Chamber of Commerce of the United States, Committee on the Maintenance of Resale Prices, *Report* (Washington 1915), and *Referendum on the Report of the Special Committee on Maintenance of Resale Prices*, Referendum no. 13 (Washington 1916); "Court Decisions on Price Maintenance and Commentaries" in *Harvard Business Reports*, vol. iii (1927) 470–582, and vol. v (1928) 415–26; Klaus, S., "Sale, Agency and Price Maintenance" in *Columbia Law Review*, vol. xxviii (1928) 312–33, 441–64; Dunn, C. W., "Resale Price Maintenance" in *Yale Law Journal*, vol. xxxii (1922–23) 676–705; Favre-Gilly, C., *La politique des prix-fixes*, Lyons Université, Institut de Droit Comparé, Études et Documents, vol. xii (Paris 1925); Elvinger, F., *La marque* (2nd ed. Paris 1925) ch. xi; Stern, W. L., *Der Preisschutz der Markenartikel-Industrie*, Wirtschaftsrechtliche Abhandlungen, vol. xi (Mannheim 1932); Great Britain, Board of Trade, *Restraint of Trade, Report of Committee Appointed by the Lord Chancellor and the President of the Board of Trade to Consider Certain Trade Practices* (1931); United States, Bureau of Foreign and Domestic Commerce, "Exclusive Sales Agreements in Foreign Trade," by B. A. Kosicki, *Trade Promotion Series*, no. 45 (1927).

RESEARCH as defined by Webster's *New International Dictionary* consists of "careful or critical inquiry or examination in seeking facts or principles; diligent investigation in order to ascertain something." This definition would include not only the investigations of the physicist and the philosopher but those of the physician attempting to diagnose a disease or of a mechanic tinkering with a car. More narrowly and for present uses more pertinently defined, research is the manipulation of things, concepts or symbols for the purpose of generalizing to extend, correct or verify knowledge, whether that knowledge aid in the construction of a theory or in the practise of an art. The mechanic or the physician therefore is a research worker only when he attempts to generalize about all automobiles or all patients of a given class.

If Webster's definition is too inclusive, the opposite is true of a recent tendency to identify research with a particular method of investigation, because through a misconception of scientific method it sets up a criterion which excludes many important contributions to knowledge. A study is scientific when its data are subjected to logical analysis resulting in the development of a theory, whether those data are secured by experiment, by statistics or by common sense. The fact that experiment cannot be performed in a given case does not eliminate the possibility of scientific study, although it does put a premium on the ingenuity of the student.

The traditional research worker is a solitary individual devoted to the discovery of truth for its own sake. If there is a tendency to depart from that tradition today, it is in part because of a change in the conception of the investigator's function. Thinking can be carried on best in solitude; and in so far as researchers think, it is just as necessary as it ever was for them to work alone. As the emphasis shifts from the rational to the experimental or observational aspect of research, however, economies of time and checks to avoid error can be introduced by cooperation. The increasing complexities of data and the development of technique and knowledge make such cooperation essential; and thus there is attracted to research a more gregarious, more normal individual, who as a result of shared activity is less intellectually responsible than his traditional, solitary ancestor.

While the pursuit of truth for its own sake is still asserted to be the primary aim of all research workers, there remains a sharp distinction between students of pure and students of applied science, the former receiving much of their remuneration in honor, the latter in cash. Actually, except in the physical sciences, the distinction is in attitude and pay rather than in method or result. In fact a candid recognition of the irrelevance to the social sciences of the ideal of acquiring knowledge for its own sake would release a number of paralyzing intellectual inhibitions.

Although research organization has grown rapidly since the World War, it has a long history. The ancient schools and the universities that followed them were company rather than craft unions. The tendency toward craft organization appeared with the formation of the Prussian Academy of Sciences in 1700. By the close of the eighteenth century there were scientific societies in most of the major countries of western Europe, while in America the American Philosophical Society was organized in 1743 and the American Academy of Arts and Sciences in 1780. Even these societies were not strictly craft associations, because their membership was as diverse as the sciences. Increasing specialization during the nineteenth century led to the formation of bodies representing smaller branches of knowledge, divisons based not only on subject matter but also on technique. This may have

promoted the development of techniques and the addition of facts to the sum total of available data; but its general effect was disintegrating, for it made possible, if it did not create, the uneducated research specialist.

The situation was somewhat ameliorated by the universities. In the middle of the nineteenth century the German universities replaced the lecture with the seminar as a means of teaching graduate students, thus turning to the accumulation as well as to the transmission of culture. In the United States a movement to make universities centers not only of instruction but also of research began with the founding of Johns Hopkins University at Baltimore in 1876. The growth of this movement became an important factor in American intellectual life. The university gave to the scholar the congenial environment and the economic security essential to uninterrupted work, but it also forced him to associate with his colleagues in other fields and prevented him from becoming as narrow a specialist as technical development alone would have permitted.

If the universities tended to counteract some of the bad effects of research specialization, industry accentuated them. The industrial revolution started with a few basic inventions and the resulting interaction of industry and applied science greatly accelerated the growth of each. An activity as profitable as research was soon taken under the wing of the corporation it benefited and organized for very practical ends. Had it been possible to produce inventions to order, pure science might have been neglected. But since they were frequently accidental and came so often from a laboratory devoted to knowledge for its own sake, pure science was supported by industry as being at least potentially profitable. That support has been chiefly through gifts to universities and institutes or the occasional employment of the pure scientist in the industrial laboratory.

Although organized industrial research is not more than twenty-five years old, the amount of money expended upon it annually was estimated in 1930 to be between $100,000,000 and $200,000,000. The industrial research organizations spending this money vary in size from a small and inadequate laboratory manned by a single chemist or engineer to the Bell Telephone Laboratories, which in 1934, with about 4000 employees and an annual budget of approximately $15,000,000, was one of the best equipped laboratories in the world. Competitive industrial units have discovered research no less than competition to be the life of trade and have associated themselves for the carrying on of joint research projects too expensive for any single unit to support. Such associations undertake not merely basic and technological research but investigation of marketing problems as well; competitive units thus combine in order to learn how better to compete.

Research has also become a province of government in most modern countries. Such investigation often borders upon fact reporting, although it may involve pure scientific research —all aimed at the public welfare as a whole. Both in the state universities of the United States and in the great government supported universities in the rest of the world research of the highest order is supported by taxpayers. The research tends, in the United States at least, to be practical in aim. Government research bureaus usually cooperate closely with industry and the universities, in the interest not merely of economy but of an interchange of point of view. In the United States and notably in Japan industrial organizations maintain research workers in government laboratories.

Specialization might have continued to dominate research for a long time had it not been for the World War. The problems raised by that catastrophe required a rapid integration of the results of thousands of specialized studies. The difficulty was not new; ever since the middle of the nineteenth century a need for integration in medicine and biology had been recognized and had led to the creation of institutes for investigation. But the need during the war was unprecedentedly great. In the United States the natural sciences responded first; in 1916 the National Research Council for the promotion and integration of research in the physical and biological sciences and their application to engineering, agriculture, medicine and other useful arts was formed as a war body, and in 1918 it became a permanent organization. A few years later two other great councils, the American Council of Learned Societies (1920) and the Social Science Research Council (1923) were organized, the former to deal largely with cultural studies, the latter to promote and integrate the social sciences and the related useful arts of industry, government and public welfare. The councils soon took an active part in the stimulation of research, attempting to map out fields of study growing out of current problems rather than out of traditional disciplines; to act as clear-

ing houses for projects and personnel; to encourage young men and women to broaden their backgrounds by giving fellowships to the most brilliant; to facilitate the interchange of ideas by calling and financing conferences; and, finally, to make accessible to the public the significant results of research.

Parallel with and in part stimulated by the development of the national councils appeared university councils, institutes and committees whose purpose was to guide and coordinate research locally. Their most important contribution has been to break down artificial intellectual barriers by setting up problems that cross several disciplines. If the resulting cooperation has been more educational to the cooperators than productive of new knowledge, that is because the collection of data has been overemphasized. Until theoretical integration is accomplished the quantity of work turned out by the institutes, councils and committees will continue to exceed its quality. Even in their present state the cooperative studies are of use, however, in policy making and educational planning.

Support for research, outside of government and industry, comes from individuals, university endowments and increasingly from foundations. In 1932 there were in the United States about 125 foundations with a combined capitalization of almost $1,000,000,000 and an annual expenditure of well over $50,000,000. It is not surprising in view of the history of philanthropy to find medicine and public health the chief beneficiaries, followed closely by general education. The natural and social sciences together receive considerably less than the amount devoted to general education. It is significant that since 1931 the total grant from foundations for research in the social sciences has exceeded the amount spent for physical sciences. The accompanying table shows the distribution of foundation gifts during 1931.

The financial stability of the great foundations and the scientific and educational statesmanship exercised by their executives make them a more satisfactory means of support than capricious individuals or changing legislatures. But the very factor that makes them stable creates potential problems. Thus the 20 largest foundations account for over 70 percent of the total capital of the whole group; almost half of all the foundations, with an aggregate capital of over $650,000,000, are located in New York. Furthermore the national councils have their offices in New York and Washington. While such geographic proximity makes possible a very close coordination of activities, it also opens the way to undesirable domination. The possible domination has not become actual.

The foundations have not confined themselves to the financing of projects. Through their executives they have performed another valuable service arising more from the nature of their jobs than from their financial power. Traveling all over the country in search of talent, the executives have functioned as well in the cross fertilization of research. Outside their field of specialization—and many of them have been generally rather than specially educated—they have absorbed plausible ideas more or less uncritically in one institution and carried them to another. A more critical or expert attitude would not have been advantageous, for unconventional intellectual approach, although it sometimes seems misguided, often results in new and useful integrations.

Research abroad does not always follow the American pattern. In England, where there are no large foundations and few institutes, the solitary worker and the talented amateur with private means are not unusual. The government through its Department of Scientific and Industrial Research, established in 1917, encourages investigation by granting funds to universities

TYPES OF ACTIVITY SUPPORTED BY FOUNDATIONS

FIELD	TOTAL GRANTS PAID IN SUPPORT OF			
	EDUCATION	SOCIAL ACTION	RESEARCH	TOTAL
Medicine and public health	$10,600,437	$4,447,256	$2,096,488	$17,144,181
General education	13,498,416		80,782	13,579,198
Social sciences	2,867,435	226,600	2,748,113	5,842,148
Physical sciences	813,681		3,859,704	4,673,385
All other activities	3,333,527	8,221,909	1,810,255	13,365,691
Total	31,113,496	12,895,765	10,595,342	54,604,603

Source: Compiled from Twentieth Century Fund, *American Foundations and Their Fields*, vols. i–ii (New York 1931–32) vol. ii p. 16–17.

and individuals and maintaining several institutes. The total expenditure of the department in 1932 was £534,700. The older universities seem to stress education rather than research, although they contain research institutes of various sorts. Canada, Australia and other dominions follow the British plan of centralized administrative control of research, assisted, however, by boards or councils which advise the government in the formulation of projects and distribution of funds. In Germany, where the university ideal has been the advancement of knowledge rather than the training of teachers, both individual and organized research has been encouraged, as a rule by state support but also by institutes maintained by private contributions. Industrial and business research has been well developed, largely by industry itself but with some assistance from government institutes. In France there are special institutes both within and without the universities, supported sometimes by the government and sometimes by private contributions. The government maintains several industrial research laboratories.

The Japanese organization of research is similar to the American except that the work carried on in universities and institutes is largely state supported. There are learned societies in all the sciences and there is a National Research Council. The best work is practical and plays a part in national self-preservation. Soviet research is practical, but from a rather different point of view. Its importance in the eyes of the Communist government which supports it is evident from the fact that between 1929 and 1933, when the world was in the economic doldrums, the number of research institutions in the Soviet Union increased from 400 to 840. In 1933 the 840 comprised over 35,000 workers. Pure science is avoided as capitalistic, but, as has been pointed out, the line between the pure and applied science is difficult to draw. A radically new departure in Soviet research is the absolutely unrestricted social utilization of all scientific discoveries.

Considerable work toward coordination in research has been done by the League of Nations through a number of organizations which are directly or indirectly under its patronage. The International Institute of Intellectual Cooperation, an auxiliary body, has since 1925 contributed much to coordinative research.

The world wide depression following 1929 placed research in a curious situation. On the one hand, many groups were calling for a halt in research leading to industrial invention. And although research in social science might be expected to accelerate social invention to the point of equality with mechanical invention, conservatism and fear led to recommendations that it too be curtailed. A more serious danger than temporary curtailment lies in the attitude developed by some social scientists toward disinterested work. Discouraged by a world that has not grown better with recent social discoveries and inventions, they are willing to present social studies as propaganda for what they consider at present the good life. While the humanitarian attitude is commendable, its acceptance would eclipse social research for a generation. At the same time the depression itself has made the support of research difficult if not impossible. In the universities where a choice has been presented education has been maintained at the expense of research. In industry research has been curtailed as the necessity for reducing costs has become more pressing. How far that reduction has gone is difficult to estimate, and its effect on the future of research is impossible to conjecture.

Support for research may be expected to increase with returning economic order. The organization for research has been created; the vital problem is that of adequate personnel to make use of the administrative organization. That it does not exist at present is largely due to two factors. In the first place, the need has developed more rapidly than facilities for training. Since problems were pressing and society was willing to pay for an attempted solution, untrained men and women were drawn into research. In the second place, the shift of emphasis from thinking to the collection of data has resulted, in the social sciences at least, in much misplaced effort. Statistical method has supplemented and replaced experimentation, but because of the pressure of demand few statistical workers have acquired the theoretical background necessary for an understanding of the significance of the formulae with which they work. Since anyone can learn a correlation formula and how to run an adding machine, the qualifications for research have been reduced to a point where little more than high school education is required. The result has been a selective lowering of the type of intelligence attracted to the social sciences and thus a serious danger to their advancement. The depression may have a salutary effect in cutting off some of these less

intelligent fact finders and in forcing the surviving workers to think more about the material in hand and to collect new material in terms of specific problems. When the next crisis occurs, the scientist may be able to confront a condition with a theory.

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See: SCIENCE; INVENTION; UNIVERSITIES AND COLLEGES; ENDOWMENTS AND FOUNDATIONS; PROFESSIONS; TEACHING PROFESSION.

Consult: *The New Social Science*, ed. by Leonard D. White (Chicago 1930); Ogg, F. A., *Research in the Humanistic and Social Sciences* (New York 1928); Bogardus, E. S., *The New Social Research* (Los Angeles 1926); *Research in the Social Sciences*, ed. by Wilson P. Gee (New York 1929); Gee, Wilson P., *Research Barriers in the South* (New York 1932), and *Social Science Research Organization in American Universities and Colleges*, University of Virginia, Institute for Research in the Social Sciences, Institute Monograph no. 19 (New York 1934); Flexner, Abraham, *Universities, American, English, German* (New York 1930); Keppel, F. P., *The Foundation; Its Place in American Life* (New York 1930); Laski, Harold J., "Foundations, Universities, and Research" in *Harper's Magazine*, vol. clvii (1928) 295–303; Spahr, W. E., and Swenson, R. J., *Methods and Status of Scientific Research, with Particular Application to the Social Sciences* (New York 1930), especially chs. xv–xviii; Burgess, George K., "The Government Laboratory and Industry" in Maryland Academy of Sciences, *Journal*, vol. ii (1931) 75–105; Dickinson, Z. C., *Industrial and Commercial Research; Functions, Finances, Organization*, University of Michigan, School of Business Administration, Bureau of Business Research, Michigan Business Studies, vol. i, no. x (Ann Arbor 1928); Stone, H. W. J., "Financing Industrial Research" in *Nineteenth Century*, vol. cxiv (1933) 583–91; Fersman, A. E., "Die Organisation der Wissenschaft in der U. d. S. S. R." in *Minerva-Zeitschrift*, vol. v (1929) 173–77; Cowley, W. H., "Cooperation in American Research" in *American Scholar*, vol. i (1932) 318–26; Brookings Institution, *Cooperative Research* (Washington 1931).

RESERVES, BANKING. *See* BANK RESERVES.

RESORTS. Although knowledge of the healing properties of certain springs was fairly common in ancient times, health resorts were not widespread until the period of the Roman Empire. Numerous architectural remains extending from the British Isles to Asia Minor and northern Africa testify to the importance of bathing resorts in Roman society. The custom of bathing in medicinal waters fell into disuse during the Middle Ages and was not revived until the Renaissance. With the development of science in the eighteenth century, some knowledge was attained of the chemical basis of the traditionally accepted curative properties of the various waters. This in turn laid the foundation for modern balneology.

As an additional inducement to the aristocratic clientele who from earliest times had been the chief patrons at baths and health resorts various forms of entertainment were provided for the diversion of patients during the course of their treatment. Gardens and walks were laid out and concert and billiard halls were built; in addition there was usually a casino where dancing and various forms of gambling were permitted. The discovery of mineral springs at Spa, Belgium, resulted in the development of one of the most celebrated health and pleasure resorts in Europe, and the name Spa was soon applied to all similar establishments. Until the French Revolution Spa was the favorite resort of the royalty and nobility of many countries.

The nineteenth century witnessed the rise of seaside watering places as health and pleasure resorts: in Europe along the coasts of Normandy and Brittany, the North Sea, the Baltic Sea and the Mediterranean and in North America along the Atlantic seaboard. At the same time under the influence of modern medico-climatology climatic or atmospheric health resorts were introduced, among which mountain and winter resorts, stimulated by the development of winter sports, became exceedingly popular. An important factor in the increasing patronage of all types of health and pleasure resorts was the extension of transportation facilities. The railroad especially enabled larger numbers of people to visit distant baths. In Germany Baden-Baden, for example, had 391 patrons in 1800, 33,623 in 1850, 48,842 in 1860, 47,682 in 1880 and 62,601 in 1890. The decline between 1860 and 1880 may be attributed to the fact that in 1872 gambling was forbidden and visitors who had come to gamble were thus eliminated. Since 1933 gambling has again been permitted at several resorts in the Reich, including Baden-Baden. Other familiar health and pleasure resorts which for over a century have been patronized by thousands of visitors annually are Wiesbaden, Nauheim, Aachen, Kissingen and Ems in Germany; Karlsbad and Marienbad in Czechoslovakia; Gastein, Bad Ischl and Villach in Austria; Vichy, Aix-les-Bains and Évian-les-Bains in France; Montecatini di Val di Nievole in Italy; and Bath, Harrogate and Buxton in England. Mention should be made also of such Mediterranean resorts as Nice, Cannes, Menton and Monte Carlo, whose warm climate has attracted

increasing numbers of visitors during the winter months and whose natural advantages have been exploited chiefly for pleasure purposes.

In the United States health and pleasure resorts were developed shortly after the War of 1812 when hotels were built at Saratoga and White Sulphur to accommodate the growing numbers of visitors attracted by the restorative properties of the springs. A vogue for surf bathing and the popularity of the seacoast in summer gave new impetus to the development of fashionable watering places, which by the end of the century extended from Maine to Florida. The increasing wealth and leisure of large groups of the population led to the erection of pretentious villas at Bar Harbor, Newport and other points in New England and along the coasts of Florida and California. The social prestige of these resorts was enhanced by the introduction of polo, regattas, horse racing and other leisure class sports which served as an added attraction to visitors.

The economic importance of health and pleasure resorts lies in their modern organization into large scale industries and investments. In countries where bath or watering places are operated by the municipality or state they are the source of considerable public revenue, even in cases where patronage is largely seasonal and where maintenance costs including expenditures for publicity and entertainment are high. Frequently some form of luxury or sojourn tax is imposed upon visitors. In Italy, for example, the receipts from sojourn taxes in 1929 amounted to 31,600,000 lire.

The form of operation of baths varies considerably. In 1905 in Germany of 261 curative springs 37 were public property (25 publicly operated, 12 rented out), 6 were crown property, 36 were municipal property, 62 were held by stock companies and 120 were privately owned. Although these figures have been somewhat altered since the World War, they may be considered indicative of prevailing types of operation. In the United States pleasure and health resorts are for the most part privately owned and operated, subject only to certain taxes imposed upon commercial amusements. In all countries tourist traffic generally is augmented by the presence of popular baths, mineral springs, watering places and pleasure resorts and indirect profits to hotels, restaurants, pensions and sanatoria are greatly increased.

The importance of medicinal springs and baths in European countries, notably France, Germany, Austria, Poland and Rumania, is reflected in the passage of so-called health resort laws regulating such enterprises. The legislation usually contains provision as to the conditions under which a place may call itself a health resort. The health resort laws usually require the presence of natural, locally fixed curative properties whose efficacy is officially recognized; facilities for the utilization of these curative agencies, including lodgings for travelers and adequate medical services; and a high development of sanitation. As a rule the imposition of a *Kurtaxe* is provided for in the grant to a municipality of the title of health resort. At the same time it is stipulated that the receipts from the tax shall be applied only to the improvement and expansion of the establishment and to operation, sometimes including advertising.

In order to safeguard their mutual interests most European health resorts have formed associations. In France there are the Fédération des Stations Thermales et Climatiques de France, the Union des Groupements Scientifiques et Techniques du Thermalisme et du Climatisme and the Union des Établissements Thermaux et des Stations Climatiques de France. In addition there is under the Ministry of the Interior the legally created Commission Permanente des Stations Hydrominérales et Climatiques de France, which is entrusted with the study of questions relating to the discovery and development of such places. In Germany organization has been in charge of the national government. The baths have representatives of their interests in the bath division of the Bund Deutscher Verkehrsverbände und Bäder, which is a constituent member of the Reichausschuss für Fremdenverkehr, under the Minister für Volksaufklärung und Propaganda. Under the national committee are the state tourist travel associations, with which regional bath organizations are affiliated. In addition there are scientific associations, balneological and climatological societies whose purpose is to further the development of health resorts generally.

The provision of health resort facilities for people of the middle and lower economic levels has received increasing attention since the World War. In England and in Germany public and private welfare agencies have stressed the value of medicinal springs as a public health measure and have actively promoted the establishment of medium priced sanatoria and "cure homes" in connection with existing baths. Under the terms of the prevailing social insurance systems

in certain countries it is possible for war victims and subscribers to sick benefit funds to visit health resorts. In 1929 in Germany 20,000 such persons were given treatment. In Soviet Russia all health and pleasure resorts are state property and form an important part of the nation wide public health and welfare program.

ADOLF GRÜNTHAL

See: HOSPITALS AND SANATORIA; HOTELS; TOURIST TRAFFIC; AMUSEMENTS, PUBLIC.

Consult: Creyke, Caroline, "Spa and Its English Associations" in *Nineteenth Century and After*, vol. lii (1902) 656–64; Brown, E., "British Spas" in *National Review*, vol. lxxiv (1919–20) 220–24; Clunn, Harold P., *Famous South Coast Pleasure Resorts Past and Present* (London 1929); "British Winter Resorts in the Mediterranean" in *Crown Colonist*, vol. ii (1932) 270–73; "Holiday Towns and National Finance" in *Municipal Journal and Public Works Engineer*, vol. xli (1932) 557, 559–60, 563–65, 567; Fitch, W. E., *Mineral Waters of the United States and American Spas* (Philadelphia 1927) ch. xv; Krout, J. A., *Annals of American Sport*, Pageant of America series, vol. xv (New Haven 1929) p. 298–305; Schott, Morris, *Health and Pleasure Resorts of Central Europe* (New York 1928); Bensusan, S. L., *Some German Spas* (London 1925); Sauvaire-Jourdan, F., "La place du tourisme dans l'économie nationale" in *Revue politique et parlementaire*, vol. cxx (1924) 278–86; Tesjakow, N. J., "Das Kurortwesen in der Russischen Sozialistischen Räterepublik" in Prussia, Ministerium für Volkswohlfahrt, *Veröffentlichungen aus dem Gebiete der Medizinalverwaltung*, vol. xviii, no. 4 (Berlin 1923); Bacherer, M. O., *Die Kurorte in den Finanzen der öffentlichen Körperschaften und ihre Bedeutung für die Volkswirtschaft* (Berlin 1926); Koch, Egon, *Die deutschen Quellkurorte und Mineralbrunnen in ihrer volkswirtschaftlichen Bedeutung* (Cologne 1932); Martin, Alfred, *Deutsches Badeleben in vergangenen Tagen* (Jena 1906); Laue, Erich, *Die Kurtaxe im geltenden deutschen Recht* (Berlin 1932).

RESTAURANTS. The term restaurant in its most general sense means simply a place where refreshment or meals are sold. Derived from the Latin *restaurare* and the French *restaurer* meaning to restore, it did not come into use until the latter part of the eighteenth century.

The development of restaurants or public eating places may be viewed as the transfer of the eating function outside the home or the separation of the eating and the sleeping place. In primitive and simple societies the two activities characteristically were carried on under one roof, often in the same room. With increasing mobility and travel there arose a need for food in conjunction with a night's shelter some distance from home, a demand which has continued in importance into modern times, especially in the hotels of small towns. A second sort of demand arises when the arrangements at the place of shelter or the home do not permit or encourage the preparation and consumption of food on the premises; the resident in a lodging house or the traveler at a hotel not equipped to serve meals must perforce look elsewhere for food. With increasing urbanization and participation of women in industry this group is augmented by apartment hotel dwellers who have little time or inclination to prepare three meals daily. It is supplemented further by those who find it cheaper or more convenient to eat out than to manage domestic servants. Another large group of restaurant patrons comprises those whose occupational tasks take them out of reach of their homes for the noonday meal. The increase in this group, with the growing size of cities and the lengthening of commuting distances, has formed the basis of an extensive mass feeding industry. There are also large numbers of persons who by way of variety or amusement choose occasionally to eat outside the home. It is this group which provides the clientele for what have traditionally been recognized as restaurants per se; that is, establishments presided over by trained chefs, catering to fashionable patrons. There are besides many who, although they take their meals at home, find their ordinary recreation and social or business contacts in cafés and sidewalk restaurants, particularly on the continent of Europe.

Until the seventeenth century, eating outside the home occurred primarily in inns, hotels (*q.v.*) or monasteries which provided food and lodging for travelers. Gradually the tavern, or that part of the inn where food was served, developed as a separate institution, serving local residents as well as travelers. With the introduction of coffee and tea into Europe in the seventeenth century there appeared the coffeehouses of England and the cafés of France, which performed the important function of communication and social and mental stimulation in the days before newspapers, wireless and steam engines were commonplace. Inns and taverns on the English model were established in America during colonial times, soon becoming meeting places for the transaction of business by sea captains and merchants as well as social and political centers for leading citizens.

The term restaurant was first applied in the United States and in England to the dining rooms of large hotels and to a few high class separate establishments serving meals à la carte, as distinguished from the more ordinary tavern,

coffeehouse or chop or steak house. Toward the end of the nineteenth century there was a considerable development of the former type of business to meet the demands of fastidious diners and theatergoers, the *nouveaux riches* of a gilded age. The need for foods served at low prices, without the necessity of tipping, for those of modest purses has been met in a number of ways. The American cafeteria dates back to the Exchange Buffet, opened in New York in 1885 for men customers only, where patrons helped themselves and ate standing. The automat, where a nickel dropped into the appropriate slot releases the desired food, was introduced first in Germany, but had its greatest success in New York. Cooperative restaurants, which have attained some success in European countries, are of negligible importance in the United States. Prior to prohibition, the saloons with their free lunches were an important factor in meeting the working man's food needs. The peculiarly American contributions to restaurant types are establishments meeting the demand for speed combined with economy: the cafeteria, automat, fountain lunch, sandwich shop and drug store counter. The "speakeasy" of the prohibition era was in a class by itself. The tea room and neighborhood restaurants operated near or in conjunction with apartment hotels have in many cases become increasingly a permanent substitute for the home kitchen. The prominence of the tea room in the United States is closely associated with the advent of prohibition, for with the disappearance of liquor as a stimulus to appetite patrons became more critical of food quality. The entrance of women into the field, at first through tea rooms of their own and more recently as managers in other types of restaurants, generally raised standards of cleanliness and daintiness of foods served.

In Europe the combination of beverage with food dispensing has always influenced the type of establishment. On the continent cafés and restaurants frequently supply only incomplete food service, specializing in beverages and ices. They remain places for leisurely social gatherings, the reading of newspapers, writing and political discussion rather than for dining. Complete restaurants, catering to the epicure, are found par excellence in Paris but also in other continental cities. Dining out still remains in western Europe largely a social occasion of unusual significance. Students and individuals unattached to family groups frequently find that the most satisfactory arrangement is to eat in pensions or boarding houses. In France the *prix fixe* restaurants serve a cheap table d'hote for working men, and the still cheaper bouillon restaurants provide for semiservice; in Germany and Austria there are some municipally operated establishments. But typically the European working and middle class family still eat at home. In the past thirty years, but primarily since the World War, an increasing number of factories both in Europe and the United States have provided lunch rooms or latterly cafeterias for their employees. Such lunch rooms are ordinarily not profit making and seldom indeed make expenses. The new organization of society in Soviet Russia has resulted in the development of communal restaurants for a large section of the urban population. In 1931 the *Soviet Union Review* reported that 31,500,000 persons were eating in community restaurants.

Detailed statistics for the restaurant industry are available only for the United States. The United States Census of Occupations shows an increase in restaurant, café and lunch room keepers from 60,832 in 1910 and 87,987 in 1920 to 165,406 in 1930, a rise of 88 percent for the latter decade, in contrast with a population increase of 15.7 percent for the same ten-year period. Official figures for the actual number of eating places and restaurants are available only for 1929, when the Census of Distribution showed 134,293 establishments, or approximately one for every 900 inhabitants. These are divided into the following classifications:

	Number of Stores	Sales in 1929
Restaurants with table service (including tea rooms)	36,214	$988,472,912
Lunch rooms	57,612	541,701,515
Cafeterias (including automats)	3,124	272,738,813
Lunch counters (including sandwich shops)	17,119	162,180,671
Fountain lunches	1,906	64,564,785
Refreshment stands	7,764	46,004,898
Soft drink stands	10,393	42,891,927
Box lunches	161	6,334,934
Total restaurant group	134,293	$2,124,890,455

In addition to the above establishments, allowance should be made for the sales of sandwiches, meals or both by 34,844 drugstores with fountains, 2234 cigar stores with fountains, 60,607 confectionery stores with fountains and an unknown number of fountains and restaurants in department stores. The census does not give a figure for the number of eating establishments in hotels, but shows a total seating capacity of

610,762 in dining rooms of hotels open all year and 274,571 in resort hotels open from two to eight months per year. A trade association estimates that when corrections are made for restaurants and food counters in other types of establishments than those classed in the restaurant group by the census, and for lunch carts and wayside stands which failed to send in reports, the total number of food serving outlets in 1929 approximated 250,000, or one per 480 inhabitants. It should be borne in mind that besides meals restaurants sell bakery products, candy, ice cream, fountain drinks and tobacco products in increasing degree.

There are many reasons for this increase in eating places in the United States. Urbanization augments distances from home to work, draws women into industrial occupations and results in smaller families and increased numbers of independent individuals unattached to families. In addition to the decreased time of working women for housework the relative scarcity of domestic service in the United States has thrown more families into the class of restaurant patrons. The noted mobility of the American population, shifting about in search of jobs and other advantages, and the spread of tourist travel consequent upon the wide use of the automobile have contributed to restaurant patronage. The increased real wealth of the postwar period was apparent in the shift from lunch sandwiches carried from home by many commercial and factory employees to regular patronage of commercial restaurants or lunch rooms.

Viewed as an industry the restaurant trade presents many peculiar problems. Successful management requires not only ability to prepare and serve food efficiently but expert knowledge of food buying, dietetic science, careful cost accounting and pricing, correct judging of clientele demands and the adjustment to seasonal, holiday and weather fluctuations so crucial to an industry handling perishables. Experimenting with prices is hazardous, as a general upward or downward change will bring an almost complete change in clientele and patronage must be built up all over again. Pricing of individual portions frequently spells the difference between profit and loss. The restaurant industry is characterized by an unusually high expense ratio as compared with other retail industries. The reasons are that operating expenses include the cost of preparation of raw materials into a different product, and that it is impossible to separate the processing from the serving expense. If the latter could be separated, it would probably be around 15 percent. In the successful, well managed establishments food expense accounts for 40 to 50 cents per dollar of sales, wages 25 cents, rent 3 to 7 cents, other operating expense 8 to 13 cents and gross profits 10 to 15 cents. The wages percentage does not increase notably in establishments providing elaborate service, tips being relied upon to furnish the additional compensation. According to figures in the United States Census of Distribution 19 percent of all eating places were responsible for 69 percent of the total volume of sales. Among the remaining group food and operating expense ratios are higher, and the mortality rate is tremendous. It is roughly estimated that of four new undertakings only one succeeds.

The development of restaurant chains has been slow, largely because of the perishable nature of restaurant products. In the United States in 1929 there were 3392 restaurants belonging to chains, or 2.5 percent of the total number, accounting for 14 percent of total restaurant sales. But the greatest success with chain restaurants has been achieved in Great Britain.

The types of labor used in the restaurant industry vary widely with the nature of the eating place. In the United States the formal dining rooms of large hotels and the pretentious fashionable restaurants of the larger cities are usually managed by a chef of French, German, Swiss or Austrian nationality, trained under the European apprentice system. Under him are one or more highly skilled and specialized cooks. Bus boys and dish washers are usually transient and unskilled. Waiters in the more pretentious establishments are usually men; in more modest restaurants women are frequently waitresses and are increasingly being employed also as cooks. The tea room and coffeeshop particularly offer a field for women cooks.

Union organization has not made much headway in the restaurant field. The Geneva Association, an international guild of trained waiters formed in 1877, includes only a small group of professional waiters. In the United States the Hotel and Restaurant Employees' and Beverage Dispensers' International Alliance, an organization affiliated with the American Federation of Labor, originated in 1891; in 1932 it reported a membership of 28,000. The organization lost membership heavily during the prohibition era but along with other unions showed signs of renewed activity under the National Industrial

Recovery Act of 1933. In 1924 the International Labor Office reported unions of waiters in nineteen countries. In Germany the Bund der Hotel-, Restaurant- und Café-Angestellten has exerted some influence on conditions since its formation in 1878, although in 1927 it reported a membership of only 18,500. The conditions prevailing in the industry have not been conducive to successful union organization. The highly transient character of most dish washers and kitchen helpers has made conditions among them particularly bad. Hours of labor in the restaurant business as a whole are usually long and most often broken. Dish washers frequently work 78 or more hours per week, although some of those hours are spent in relative idleness during the slack periods.

Tipping as a means of remuneration for labor is more important in the occupation of waiting than in any other field. A few restaurants have successfully abolished tipping by adding a flat 10 percent to the bill, which is turned over directly to the waiters, but the practise has not been widely copied. An alternative system is for the entrepreneur to pay the employee the competitive wage rate with the understanding that the former shall receive all the tips. A notable regressive aspect of the custom of tipping is that the persons eating the cheapest meals pay relatively bigger tips. Laws forbidding tipping have long been on statute books, but with little effect.

Government regulations affecting the conduct of restaurants have been concerned chiefly with sanitation. In most states and many cities there are minute regulations covering sanitary and safety requirements. The law generally holds that the restaurant is a vendor as well as a server of food and hence is liable for any injury caused by harmful or unfit foods. In England sanitary control is exercised through the requirement that every restaurant have a government license. On the continent restaurants typically come under the regulations for liquor dispensing establishments. Very few states in the United States have laws covering restaurant employees as such. General workmen's compensation laws and legislation restricting hours or establishing a minimum wage for women have included the restaurant industry within their scope.

ALICE C. HANSON

See: FOOD INDUSTRIES; HOTELS; LODGING HOUSES; URBANIZATION; TOURIST TRAFFIC; PROHIBITION; PUBLIC HEALTH; LABOR LEGISLATION AND LAW; HOURS OF LABOR; WOMEN IN INDUSTRY.

Consult: Firebaugh, W. C., *The Inns of Greece and Rome* (Chicago 1923); Hall, Hubert, *Society in the Elizabethan Age* (3rd ed. London 1892) p. 72–86, 212–33; Cunow, Heinrich, *Politische Kaffeehäuser* (Berlin 1925); Earle, Alice M., *Stage-Coach and Tavern-Days* (New York 1922); Bayles, W. Harrison, *Old Taverns of New York* (New York 1915); Dahl, J. O., *Restaurant Management* (New York 1927), and *Soda Fountain and Luncheonette Management* (New York 1930); Elliott, R. N., *Tea Room and Cafeteria Management* (Boston 1926); Green, John Dismukes, *The Back of the House* (New York 1925); United States, Bureau of Foreign and Domestic Commerce, *The San Francisco Restaurant Industry* (1930); Consumers' League of New York, *Behind the Scenes in a Restaurant* (New York 1916); Hesketh, Robert B., "Hotel and Restaurant Employees" in *American Federationist*, vol. xxxviii (1931) 1269–73; Donovan, Frances, *The Woman Who Waits* (Boston 1920); Great Britain, Ministry of Labour, *Report on an Enquiry into Remuneration, Hours of Employment, etc. in the Catering Trade in 1929* (1930); Bund der Hotel-, Restaurant- und Café-Angestellten, UG, *Festschrift herausgegeben anlässlich des fünfzigjährigen Bestehens des Bundes . . .* (Leipsic 1928); Bock, Max, *Zur sozialen Lage des Hotel- und Wirtschaftspersonals in der Schweiz* (Berlin n.d.); Italy, Ufficio del Lavora, *Inchiesta sulle condizioni dei lavoratori d'albergo e mensa* (Rome 1919); "Community Restaurants" in *Soviet Union Review*, vol. ix (1931) 63; National Industrial Conference Board, *Industrial Lunch Rooms* (New York 1928); United States, Bureau of Labor Statistics, "Lunch Rooms in Industrial Establishments" in *Handbook of Labor Statistics, 1929 Edition*, Bulletin, no. 491 (1929) p. 390–96; "Liability for Serving Unfit Food" in *United States Law Review*, vol. lxvi (1932) 581–87; Wigley, A. G., and Goehrig, A. I., "Restaurant Inspection; a Public Health Activity Too Often Neglected" in *American City*, vol. xxxviii (February, 1928) 155–57; *Mixer and Server*, published monthly in Cincinnati since 1892 (since Nov., 1929 called *The Catering Industry Employee*).

RESTRAINT OF TRADE, like most general legal phrases, is a term of inexact meaning. Historically its use originated with contracts not to compete. There were in the main six types of such contracts: a promise by a worker not to compete with his employer after the termination of the employment; an agreement by the seller of a business not to compete with his buyer; a covenant by a lessee not to engage in a particular trade upon the leased premises; a covenant by a purchaser not to dispose of the goods purchased in competition with the seller; an agreement by partners not to engage in a competing venture during the partnership or not to compete with the firm after their retirement.

In the early common law contracts not to compete were regarded with hostility by the courts. The earliest reported cases were concerned with engagements by apprentices or craftsmen not to exercise their trades. In a

society of restricted opportunity in which men were trained for a definite occupation such covenants either deprived the worker of the means of livelihood, reducing him to a state of idleness, "the mother of all evil, otium omnium vitiorum mater," as it was said in the Tailors of Ipswich Case (11 Coke 53a), or promoted change, which was equally abhorred. With the transformation of the structure of English society in succeeding centuries a recession by the courts from this extreme view became inevitable.

The break came first in the case of agreements not to compete which were ancillary to the sale of a going business. By the eighteenth century restraints upon employees as well as sellers were permitted if reasonable. The rule of reason finds its origin in the leading case of Mitchel *v.* Reynolds [(1711) 1 P. Wms. 181]. Reasonableness was tested by the effects of the restraint upon the parties to the covenant and the public. If broader in space and time than the situation demanded or if its tendency was to establish a condition of monopoly, the contract was invalid. A dental apprentice could agree not to compete with his master in Nottingham; a covenant as broad as the realm was not allowed. Rules of thumb developed. Partial restraints, that is, agreements limited in area and time of operation, were lawful; general restraints, or agreements unlimited in time and space, were forbidden. But commerce proved to be no respecter of local or national boundaries. A partial restraint was scarcely adequate for the purchaser of a concern doing business throughout the realm or upon the continent. Even a general restraint might under certain circumstances be reasonable, a fact which many courts finally came to recognize. Since the Nordenfelt Case [(1893) 1 Ch. 630; (1894) A. C. 534], the spatial and temporal criteria are, by themselves, no longer controlling in England and in some states of the United States.

The rule of reason as applied was thus a fairly objective standard. By examining the major engagement to which the covenant was ancillary and the situation of the parties it was not difficult to appraise the restriction and to determine its necessity and probable effects.

In the field of employment restraints there has been a further shift in recent years. The rule of reason has been redefined. A restriction will be enforced only in cases where the employee has become acquainted with vital trade secrets or, through contact with customers, has become identified with the goodwill of the business. The competition of a former laundry driver is evidently a danger to be avoided; but not the transfer of a foundry worker from the plant of the United States Steel Corporation to that of Bethlehem Steel.

To be contrasted with these ancillary restraints of trade are the familiar agreements directly and exclusively designed to eliminate or limit competition—agreements to fix prices, divide territories, apportion customers and restrict production. A question much mooted in judicial opinion is whether restraints of trade and restraints of competition constitute two separate categories or whether the latter are embraced by the former, being the species of which restraints of trade are the genus. According to the one view all restrictions on competition, whether or not in the form of agreements not to compete, are restraints of trade. As restraints of trade they are governed by the rule of reason and may be enforced if reasonable. According to another view restraint of trade is a term of art, signifying agreements not to compete. All agreements falling outside the sixfold classification of the common law are to be regarded as restraints on competition and thus are unlawful per se. Many courts, however, have paid little attention to these refinements of language. The terms restraint of trade and restraint of competition have been used interchangeably. To such courts the only issue to be considered is the applicability of the rule of reason. Most courts in the United States, regardless of the terminology adopted, have consistently held that all agreements not embraced by the sixfold classification are unenforceable.

The same divergence of opinion continued after the passage in 1890 of the Sherman Anti-Trust Act. This statute declared illegal "every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations." By a process familiar to judges, those who desired to uphold contracts not to compete while outlawing restrictions upon competition found the wording of the statute sufficiently flexible for the one purpose and adequately unqualified for the other. On the other hand, those who were suspicious of the allegedly beneficent effects of competition and were desirous of adopting the minority view of the common law were able to develop an elastic meaning of the term restraint of trade to accomplish their ends. By expanding the scope of the doctrine of restraint of trade they succeeded in

extending the field of application of the rule of reason. Both views were accompanied by an enviable display of erudition and both were equally unconvincing. For judges to pass upon the reasonableness of agreements directly restraining competition was, to Judge Taft, to set sail upon a sea of doubt. He could discover no instrument, save the subjective reactions of the individual judge, for measuring their legality. The formula which had been developed with almost mathematical precision for covenants not to compete could not be employed or duplicated in this alien field [United States *v.* Addyston Pipe and Steel Co., 85 Fed. 271 (1898)]. Chief Justice White had no such yearning for certainty. He believed devoutly in the ability of judges to pass judgment upon the more novel restraints. Outvoted by his colleagues in the earlier decisions under the statute, he adhered to his views until 1911 when the Standard Oil case afforded him an opportunity to endow them with the sanctity of law (Standard Oil Company of New Jersey *v.* United States, 221 U. S. 1).

Since 1911 the Supreme Court has purported to apply the rule of reason to all types of restraints. But Chief Justice White's victory remained Pyrrhic for almost two decades. The restrictions to which the rule of reason had been inapplicable before 1911 were denounced as unreasonable thereafter. As one writer has put it, "the net effect of the rule of reason has been to add one sentence to every judicial opinion" (*Columbia Law Review*, vol. xxxii, 1932, p. 312). But at the hands of Justice Brandeis and Chief Justice Hughes the rule has been given a factual content and transformed into living doctrine [Chicago Board of Trade *v.* United States, 246 U. S. 23 (1918); Standard Oil Company (Indiana) *v.* United States, 283 U. S. 163 (1931); Appalachian Coals, Inc., *v.* United States, 288 U. S. 344 (1933)]. The standard enunciated will always, by its nature, be incapable of exact definition. But unless the law of the present is to be confined to the predetermined molds of the past, some such instrument of growth is imperative. Like all legalistic debates, the real issues have been obscured by verbalisms and sophistic arguments. Agreements and transactions affecting competition may assume a multitude of forms. To permit only those restraints which were upheld in the nineteenth century would be to shut the avenues to further development without necessarily promoting the social welfare. The rule of reason provided the flexibility essential for the further growth of doctrine. Another rule might have filled the same role, but some such measure was indispensable. Whether judges are equipped by outlook or training to be entrusted with the responsibility for developing and passing judgment upon the rules governing industry is of course another and by far the more interesting question, but curiously enough it has been least discussed in the literature on the subject.

In continental countries the rules regarding contracts not to compete are not very dissimilar to Anglo-American law. The principle of freedom of trade, which was given currency by the French Revolution, has not deterred the courts from recognizing the legality of ancillary restraints of trade when reasonable as to time, place and circumstance. The attacks upon such restraints have usually been predicated upon the general provisions of the civil codes denouncing obligations against "good faith" or "good morals," and a considerable body of case law has developed. Employment restraints, because of the omnipresent danger of overreaching, have often been subjected to separate statutory regulation (see the amendments of 1893 and 1914 to the German Code of Commerce, the provisions of the Swiss Code of Obligations or the Austrian *Handlungsgehilfegesetz* of 1910). This separate treatment parallels the recent development of the law in England and the United States. Few civil or criminal restrictions are imposed by continental countries upon the creation of industrial combinations, as is evidenced by the great growth of cartels. The French Penal Code is exceptional in that it still contains provisions against combinations to raise prices, but even these have been emasculated by judicial decision. The present continental tendency is toward the regulation rather than the prohibition of industrial combinations.

MILTON HANDLER

See: COMPETITION; MONOPOLY; UNFAIR COMPETITION; COMBINATIONS, INDUSTRIAL; TRUSTS; CARTEL.

Consult: Matthews, J. B., *The Law Relating to Covenants in Restraint of Trade* (2nd ed. London 1907); Jolly, W. A., *Contracts in Restraint of Trade* (3rd ed. London 1914); Moller, N. H., *Voluntary Covenants in Restraint of Trade* (London 1925); Sanderson, W. A., *Restraint of Trade in English Law* (London 1926); Haslam, A. L., *The Law Relating to Trade Combinations* (London 1931); Hedges, R. Y., *The Law Relating to Restraint of Trade* (London 1932); Eddy, Arthur Jerome, *The Law of Combinations*, 2 vols. (Chicago 1901); Joyce, J. A., *A Treatise on Monopolies and Unlawful Combinations or Restraints* (New York 1911); Kales, A. N., *Contracts and Combinations in Restraint of Trade* (Chicago 1918); Thorn-

ton, W. W., *A Treatise on Combinations in Restraint of Trade* (Cincinnati 1928); Walker, A. H., *History of the Sherman Law of the United States of America* (New York 1910); Thornton, W. W., *A Treatise on the Sherman Anti-Trust Act* (Cincinnati 1913); Taft, William Howard, *The Anti-Trust Act and the Supreme Court* (New York 1914); Clark, John D., *The Federal Trust Policy*, Johns Hopkins University, Studies in Historical and Political Science, extra vols., n.s., no. 15 (Baltimore 1931); Watkins, Myron W., "The Change in Trust Policy" in *Harvard Law Review*, vol. xxxv (1921–22) 815–37 and 926–49. For the French law on ancillary contracts not to compete, see Cendrier, G., *Le fonds de commerce* (4th ed. Paris 1926) p. 106–20. For the German law on the same subject, see Elster, Alexander, "Wettbewerb" in *Handwörterbuch der Rechtswissenschaft*, ed. by Fritz Stier-Somlo and Alexander Elster, 7 vols. (Berlin 1926–31) vol. vi, p. 887–906, and works there cited, especially that of Werdite, Gottfried, *Die Behandlung der Konkurrenzklausel in den wichtigsten europäischen Gesetzgebungen* (Crefeld 1913). For the law on cartels and trusts, see the bibliography under these titles.

RETAIL CREDIT is usually considered to mean the creditor-debtor relation arising from the sale of merchandise by a retailer on a deferred payment basis. This definition must be interpreted broadly. The "merchandise" sold on credit refers not only to tangible goods but also to service jobs, such as auto repair or home renovation, as well as to professional services of physicians, lawyers and the like. Nor is the credit necessarily granted by the retail seller; the real creditor may be a third party, for example, a finance company, which reimburses the retailer in full as soon as the sale is made and undertakes the work of collection; the retailer may or may not assume a contingent liability to make good upon default by the purchaser. It should be noted also that while the great majority of the retailer's customers are ultimate consumers, it is not uncommon for small business and professional people to buy on time from retail dealers office and store equipment, materials and supplies. Credit purchases by farmers from local dealers in machinery, feed and so on as well as from general stores also come under the heading of retail credit.

Retail credit represents for the most part credit extension to ultimate consumers. As such it is and always has been the major portion of consumers' credit. It is more easily accessible and more acceptable socially than cash credit for consumption; and in most instances its cost to consumers is less than that of borrowing from small loan institutions. Yet commodity and cash credit are complementary rather than competing forms of consumers' credit; each provides a specialized service adapted to particular credit needs and credit risks. In the typical case the consumer does not choose between borrowing cash and buying on time; if possible he makes his purchases on credit and when necessary seeks cash loans in order to pay overdue bills.

Two types of retail credit are usually distinguished. One is known as credit on open or charge account; the other, designated in retail practise by a variety of names, may be described as instalment credit. In the case of open account credit the only evidence of debt is an entry in the seller's books; generally no agreement is made as to the date of payment for each purchase, the buyer being expected to observe the customary trading terms, which may require settlement of the account at the end of each week, fortnight or month or at other specified dates throughout the year. In most instances no charge is made for the credit service; the credit customer purchases at the same prices as the cash customer, and the latter is not allowed a cash discount. In the case of instalment credit the buyer is under obligation to repay the debt in a fixed number of more or less equal instalments at regular intervals. The credit is protected not only by a written promise to pay but in many instances also by a power to effect the speedy repossession of the article sold on instalment if the obligation becomes delinquent or certain other terms of the contract are violated. A part of the purchase price is as a rule paid in cash or its equivalent when the buyer obtains possession of the article; special financing and subsidiary charges are added to the balance. The charge account is based on the assumption of a more or less enduring relationship between the customer and the store, but it calls for fairly frequent clearance of the accumulating debit balances. An instalment account, on the other hand, is usually opened in connection with the sale of a single article which may not be replaced for years, but it involves credit extension with a typical maturity of from 6 to 24 months. The instalment form of retail credit is best adapted to the marketing of expensive durable goods, which, however, may also be sold on open account to a selected clientele.

While instalment credit began to attract public notice only in the nineteenth century and did not come into real prominence until after the World War, open account credit dates much farther back. It seems to have been an integral part of the mechanism of commodity circulation in the agrarian stage of economic development,

when the bulk of the population realized income only once a year. Thus the mediaeval guild statutes and city ordinances suggest that retail selling on open account had wide currency in the fourteenth and fifteenth centuries and that even then measures were necessary to prevent its abuse. It did not abate appreciably thereafter, for a majority of the consumers continued to draw a living from the soil and city workers were paid at infrequent and irregular intervals. At the close of the seventeenth century Marperger, a German writer on trade, expressed alarm over the extension of retail selling on credit; and in 1673 a French edict required that bills be rendered by merchants and artisans within one year after sale. A century and a half later a Select Committee on the Recovery of Small Debts in England and Wales held that the great extension of credit was "an evil of considerable importance" (p. 9) and that, since tradesmen usually rendered their bills at the end of the year, it would not be unreasonable to refuse recovery of debts under £15 which had been outstanding two years or longer. Testimony before the committee indicated that selling on credit was more prevalent in smaller towns and among the smaller stores in large cities. The incipient differentiation between cash and credit retailing became more clearly marked in the course of the following century. This was connected with the successful establishment of consumers' cooperation, which regarded selling on credit as injurious to the interests of the working class, and with the later growth of capitalistic large scale retailing which emphasized price competition at the expense of collateral services to customers including the credit service. But neighborhood store keepers, small manufacturers and artisans who could not meet the prices or standards of larger and more efficient competitors were compelled to extend even more credit in order to retain patronage. At the same time the instalment business was established as a specialized although rather unimportant branch of retail trade. One type of instalment business was represented by stores which carried a wide assortment of goods for sale to working class housewives. These existed in London and the larger provincial cities of England as early as the first quarter of the nineteenth century; similar institutions, which, however, enjoyed a better reputation, were organized in France in the middle of the century and in central European countries two or three decades later. Another type of instalment business was carried on by furniture and house furnishings concerns and by firms selling machines to industrial home-workers which through agents and canvassers extended their operations also to country districts; it was apparently these establishments that were responsible for the early legislative regulation of instalment selling on the continent.

Development in the United States followed similar lines. In the early stages, when little ready cash circulated in rural localities, when craftsmen and laborers in towns were paid no more frequently than once a month and even then in scrip or store orders more often than in cash, trading on account appears to have been widely prevalent. As late as 1838 H. C. Carey found that there were "few circumstances connected with the American Union more worthy of remark" than the "extensive and universal system of credit" (*The Credit System in . . . the United States*, Philadelphia, p. 25) which governed the trade between wholesalers and retailers and of the latter with their customers. But already in the 1850's Horace Greeley advised that "the true man of business" should "inflexibly set his face against any system of loose, general credit on goods purchased for consumption" (Freedley, E. T., *A Practical Treatise on Business*, Philadelphia, 1855, p. 159), on the ground that it led to extravagance. Recurring crises compelled the abandonment of long credits in wholesale trade with the consequent contraction of retail credit. This development was facilitated by the expansion and improvement of monetary circulation following the California gold discoveries and the establishment of the national banking system and by the adoption of weekly or semimonthly wage payments in cash. In 1887 a committee of the American Economic Association concluded that the more experienced retail dealers were settling down to a cash basis, but this judgment was probably too optimistic. Data furnished by national banks a few years later indicate that only in 17 out of 37 states were average credits in retail trade shorter than two months, and that even in the 23 largest cities the average maturity for different branches of retailing ran from 1.1 to 1.4 months. It is clear nevertheless that the volume of retail credit was declining relatively if not absolutely. The Massachusetts Bureau of Statistics of Labor, which in the 1870's fought against the evil of store credits for workers, observed in 1906 that credit in ordinary retail establishments was extended almost entirely to the well to do. It reported also the appearance of instalment stores,

which in the United States followed the establishment of the instalment system in the sale of furniture and sewing machines. It is uncertain whether selling on open account sustained a relative increase after the World War, but it is generally agreed that there was a large and spectacular expansion in instalment credit particularly during and immediately following the industrial depression of 1920–21. Retail credit reached its greatest volume in 1929, when sales on open account amounted to $10,300,000,000 and instalment sales exceeded $6,500,000,000. According to the census of retail distribution 65 percent of the total retail business was transacted by stores which permitted credit sales; these constituted 52½ percent of their total sales. It was estimated that at the end of 1929 the consumers owed the retailers $5,220,000,000, of which $2,280,000,000 represented a debt on open account.

Differentiation between cash and credit selling and the establishment of large business units in retail trade has been accompanied by the rationalization of retail credit practise. For the rule of thumb judgment about prospective credit risks by the head of the store or its sales manager there has been substituted the specialized skill of the credit manager. He receives and solicits applications for credit, investigates the ability and willingness of applicants to meet their obligations, supervises collections and handles overdue accounts. In the final count it is the efficiency of the credit manager and of the department which he directs that determines whether the store obtains as much credit business as it can carry safely and whether the losses inevitably connected with it are reduced to a minimum. Thus he contributes substantially to the success or failure of the establishment, which, under modern conditions with a considerable proportion of the expenses represented by overhead, depends largely upon the volume of business.

The credit manager is assisted in his work by outside agencies which collect information bearing on the credit standing of applicants for charge and instalment accounts. Although the oldest of such retail credit information bureaus is said to have been established in London in 1803, their development has been particularly marked in the United States beginning with the 1880's. At the present time such bureaus are found in practically every town with a population of 25,000 or over; most of them are owned and controlled by merchants in the communities in which they are located and are affiliated with the National Retail Credit Association, through whose Service Department the facilities of every bureau are put at the disposal of the membership throughout the country. Unlike mercantile credit agencies, retail credit bureaus do not as a rule issue rating books but operate on the principle of individual reports incorporating the most recent information supplied by members. In addition to this primary duty the bureaus have assumed a number of other functions: they are probably the most important instrumentality in suppressing credit frauds; many of them furnish some type of collection service; in some communities they arrange for joint action in adjusting particularly bad cases of overindebtedness; and in others they have featured educational campaigns urging "prompt pay."

Little is known about the total cost of retail credit extension. While the cost of credit to the instalment purchaser can be measured by the financing and other charges imposed on him, the open account buyer is generally treated in the same manner as a cash customer; the cost of the credit service which he obtains is included in the price mark up and thus diffused among the entire clientele. This cost comprises three distinct elements: the cost of money tied up in receivables, the loss arising from bad debts and the office expense connected with credit extension. While the first two can easily be ascertained from ordinary accounting records, it is difficult to deal with the last item because in many establishments all of it and in all some of it is treated as part of the general overhead. In the United States data bearing on the first two have been made available for various retail branches by trade associations, bureaus of business research and similar bodies. In 1928 a national retail credit investigation was carried out by the Department of Commerce; it covered a sample of stores in 27 retailing lines and furnished, in addition to other information, collection and bad debt loss percentages for open and instalment credit accounts. Beginning in 1930 the department has conducted semi-annual surveys on a somewhat abridged program for a much smaller coverage (7 lines through the first half of 1932, and 8 lines thereafter). The data thus obtained on the average maturity of retail credits and losses connected with them are summarized in the accompanying table.

Retail credit has been criticized both as a form of consumers' credit, encouraging extravagance and overindebtedness and accentuating the amplitude of cyclical fluctuations, and as credit

MATURITY OF CREDITS AND BAD DEBT LOSS IN SELECTED BRANCHES OF RETAIL TRADE, UNITED STATES 1927 AND 1929–33

PERIOD	OPEN ACCOUNT CREDIT				INSTALMENT CREDIT			
	AVERAGE MATURITY		BAD DEBT LOSS		AVERAGE MATURITY		BAD DEBT LOSS	
	STORES REPORTING	DAYS OUTSTANDING	STORES REPORTING	PERCENTAGE OF LOSS	STORES REPORTING	DAYS OUTSTANDING	STORES REPORTING	PERCENTAGE OF LOSS
1927	3355	68	10,992	0.6	597	222	2681	1.2
1929: January–June			203	0.5			107	2.3
July–December	390	70			184	197		
1930: January–June	412	70	203	0.6	210	196	107	2.8
July–December	390	76			184	214		
1931: January–June	393	76	282	0.9	180	199	121	4.1
July–December	410	79			193	217		
1932: January–June	332	80	237	1.5	150	213	109	4.3
July–December	324	86			165	231		
1933: January–June	323	83	161	1.4	151	236	69	5.1

Source: Compiled from United States, Bureau of Foreign and Domestic Commerce, *Domestic Commerce Series*, no. 36 (1930), no. 42 (1930), no. 46 (1931), no. 53 (1931), no. 64 (1932), no. 72 (1932), no. 83 (1933) and no. 84 (1933).

issued by retailers, who do not specialize in granting it and may be tempted to sell credit terms rather than merchandise quality or price. It should be observed, however, that up to a certain point retail credit is properly articulated with the mechanism of income circulation; as long as the flow of incomes to consumers is not continuous but occurs at weekly, monthly or quarterly intervals, it is to be expected that the disbursement of income by consumers will follow a similar pattern. Again, to the extent that retail credit is used to reduce customer turnover it promotes efficient and rational organization of retail trade. And if retail merchants are not as careful as small loan institutions in the investigation of risks and the proper allocation of costs, this is accounted for in part by the fact that both risks and costs are on the average much smaller in retail credit than in cash credit to consumers.

"Merchant credit," or "store credit," to farmers is quite distinct from retail credit to urban consumers. It is largely production credit and its primary function is the financing of agriculture. The cost of such credit is usually high, in the United States no less than 15 or 20 percent per annum. It is used by some farmers solely because they are not able to borrow elsewhere. They require a credit service which banks are not prepared to provide or cannot supply profitably at the rates of interest usually charged by such institutions. In European countries, notably Germany, Italy and Ireland, the acuteness of the situation has been mitigated by the establishment of rural credit cooperatives. Although some effort has been made to transplant this system into the United States, it has failed to take root in the short term credit field, and merchant credit is still prevalent in certain sections, particularly in the south. In emergencies caused by bank failures, crop failures or poor prices it becomes indeed the major form of farm credit. Merchant credit imposes a severe penalty on the borrower who meets his debts because indirectly he pays the bad debts of others; and it encourages careless financial management on the part of both the farmer and the merchant. But, as a recent study suggests, graduation from store to bank credit requires not merely a change in financial practises but a reform in the type and methods of farming—less reliance upon a single cash crop, diversification with a view to making the farm more self-sufficient or an increase in the size of the farm unit.

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See: INSTALMENT SELLING; RETAIL TRADE; LOANS, PERSONAL; SMALL LOANS; AGRICULTURAL CREDIT; CREDIT COOPERATION.

Consult: Kuske, Bruno, "Die Entstehung der Kreditwirtschaft und des Kapitalverkehrs" in *Die Kreditwirtschaft*, 2 vols. (Leipsic 1927) vol. i, p. 1–79; Koch, Waldemar, *Das Abzahlungsgeschäft in Handel und Industrie* (Berlin 1931); United States, Congress, House of Representatives, 48th Cong., 1st sess., "Credit Systems of the Several Countries," *Miscellaneous Documents*, no. 12, pt. 4 (1884); Great Britain, Parliament, Select Committee on the Recovery of Small Debts in England and Wales, "Report and Minutes of Evidence," *Sessional Papers*, 1823, vol. iv, no. 386; Great Britain, Department of Agriculture and Technical Instruction for Ireland, *Report . . . on Agricultural Credit in Ireland*, Cd. 7375 (1914) sect. v; Avenel, Georges d', *Le mécanisme de la vie moderne*, 4 vols. (1st–3rd ed. Paris 1900–03) vol. iv, p. 375–84; Saint-Martin, André, *Les grands magasins* (Paris 1900)

p. 87–96; Martin Saint-Léon, E., *Le petit commerce français* (Paris 1911) ch. xi; Oexmann, H., *Barzahlung und Kreditverkehr in Handel und Gewerbe im rheinisch-westfälischen Industriebezirk*, Münchener volkswirtschaftliche Studien, no. 78 (Stuttgart 1906); Faucherre, H., *Die Händler-Rabattsparvereine* (Jena 1912); Nystrom, Paul H., *The Economics of Retailing*, 2 vols. (3rd ed. New York 1930) vol. i, chs. iii–iv, and vol. ii, chs. xx–xxi; Sparks, E. S., *History and Theory of Agricultural Credit in the United States* (New York 1932) ch. ii; "Conditions and Organization of Retail Trade" in American Economic Association, *Publications*, 1st ser., vol. iii (1888–89) 202–04; Kinley, David, "Credit Instruments in Retail Trade" in *Journal of Political Economy*, vol. iii (1894–95) 203–17; "Non-Collectable Indebtedness" in Massachusetts, Bureau of Statistics of Labor, *Labor Bulletin*, vol. x (1906) 241–54; President's Research Committee on Social Trends, *Recent Social Trends*, 2 vols. (New York 1933) vol. i, p. 256–57, and vol. ii, ch. xvii; Clark, Evans, *Financing the Consumer* (New York 1930) ch. ii, sect. i, and ch. iii, sect. ii; Froman, L. A., "The Cost of Instalment Buying" in *Harvard Business Review*, vol. xi (1932–33) 227–36; Carson, W. J., "Cotton Financing" in *Federal Reserve Bulletin*, vol. ix (1923) 162–71, 319–27; Wickens, D. L., and Seeley, B. D., "Merchant Credit . . ." in United States, Department of Agriculture, *Yearbook of Agriculture* (1932) p. 503–05; *The Internal Debts of the United States*, ed. by Evans Clark (New York 1933) ch. xi; United States, Bureau of Foreign and Domestic Commerce, "Survey of Retail Management Practices," by F. K. Hall, *Domestic Commerce Series*, no. 81 (1933); Bartlett, J. T., and Reed, C. M., *Retail Credit Practice* (New York 1928); Brisco, N. A., *Retail Credit Procedure* (New York 1929).

RETAIL TRADE. Retailing is that phase of general commerce devoted to the distribution and sale of goods to ultimate consumers. It includes the sale not only of merchandise but also of services incidental or necessary to the use of such goods. The term is not usually applied, however, to businesses engaged in selling nothing but services, such as public utilities, or to such businesses as laundries, barber shops and undertaking establishments or to the professions that serve consumers, such as banking, pawnbroking, dentistry, medicine and law. The distinguishing feature of the retail trade is that its business consists in selling merchandise to ultimate consumers. Its transactions may be effected in the consumers' homes or places of business, by mail, by telephone or, most commonly, in retail shops or stores.

Retailing is certainly the most widespread and probably the oldest form of trade. It existed in one form or another in every ancient tribe or nation of which there is any record and must have been important even in prehistoric ages. Artifacts of these ages, such as tools, weapons and ornaments, known from their raw materials to have come from very limited areas, have been discovered over entire continents; such distribution could be accounted for only by pillage and war or more probably by some form of peaceful exchange or trade.

In the earliest known historic periods, 2000 B.C. or earlier, there was a well defined retail trade; towns were full of shopkeepers; peddlers and traders were in constant movement from community to community. Back of such retail trade there must have been some sort of wholesale, import and export trade as well. Despite the importance of trade shopkeepers were as a rule held in low repute. Traders were lower in the social order than those occupied with politics, religion, military life or even agriculture. Moreover traders and shopkeepers were generally considered dishonest and immoral. Indeed the Greek and Roman deity of trade, Hermes, or Mercury, was likewise the god of thieves and pirates. There are students who believe that this points to the origins of trade in piracy and loot. In all probability many of the early traders were not above making a profit through sharp or shady deals, but there are many accounts and descriptions of business carried on at high levels of morality.

During the periods of prosperity and power of the Greek city-states and later of the Roman Empire retail trade, in common with commerce in general, developed to a very high point, not only as to forms and types of shops and methods of trading but also in extent and volume. Small shops were the rule. Goods were offered for sale in booths, on porches or in outer rooms facing the streets. The arrangements and displays of goods were probably much like those found in the shops or bazaars in the Orient today. The shopkeeper usually lived in the room or rooms back of his shop or on the floor above. The shops themselves were presided over by the proprietor and his wife, with the occasional help of children or of a slave or two. There was certainly a well established consumer interest in shopping, and retail trading sections of the larger cities must have had their daily crowds.

Men's and women's apparel, millinery, footwear, jewelry, perfumes and home furnishings were subject to fashion changes, and Rome in the days of the empire was the center of the fashion world. People of the most distant lands followed these fashions as closely as they could through the reports of travelers and couriers. Indeed there seems to have been a trade by

messenger and post comparable to the present mail order business. Professional shoppers residing in Rome served wealthy clients living in other parts of the empire by making purchases for them in such lines as apparel, jewelry and furnishings. It is difficult in fact to point to any type of retail institution or service—chain stores, department stores or specialty shops—which did not have more or less well defined beginnings in ancient Greece and Rome.

During the fourth and fifth centuries, when the Roman Empire went to pieces, retail trade declined along with commerce of all kinds. From 500 to 900 A.D. such trade as existed in western Europe was carried on by barter, through fairs, in primitive market places and by travelers and itinerant peddlers, generally without the protection of law. Many of the traders of this period carried their wares, such as eastern made fabrics, laces, jewelry, perfumes and spices, in packs on their backs or secreted in their clothing and thus traveled from castle to castle.

By the tenth century regularized channels of trade again appeared, particularly in the growing towns of Italy. The old market places were reopened, periodical fairs came into existence, shopping centers began to be established and traders dealing in consumer goods multiplied. By the fourteenth century trade had become a highly important activity in nearly every western nation. Societies of traders as well as of craftsmen had appeared and mercantile institutions assumed important places in economic life. As a consequence the merchant and trader began to rise in social as well as economic standing. Retail trade expanded in number of shops, in number of persons employed, in volume of business and in importance. The primitive forms of trading with consumers gave way to modern forms; peddling and periodical fairs were gradually displaced by established, permanent retail shops.

The eighteenth century saw the peak of the development of the small retail shop, specialized to handle individual lines of goods and designated by the lines carried. Thus there were fruiterers, greengrocers, butchers, wet salters, costermongers, cheesemongers, fishmongers, drapers, mercers, tailors, cobblers, hatters, riboners, perfumers, jewelers and so on. By 1725 there were said to be more than 6000 retail shops in London alone, and in 1727 Daniel Defoe estimated that not fewer than 2,000,000 people in England were either directly or indirectly dependent upon retail trade for their living.

These multitudes of small shopkeepers no longer themselves made the goods that they offered for sale but purchased them from wholesalers, who in turn bought and gathered them up from small hand producers scattered all over the country and transported them by pack trains and wagons to great city warehouses, where they were again sold and shipped to the retailers. Traveling salesmen, then called chapmen, selling from sample, found their place in the commercial system. Credit terms were standardized and retail resale price maintenance seems to have been in effect in many lines. Even the fixed, or one-price, system, believed by many to be of recent origin, was employed by English retailers as early as the first quarter of the eighteenth century. Another phase of the art of shopkeeping that characterized this remarkable period was the development of a distinctive retail shop architecture, including very attractive store fronts, effective window displays, highly artistic signs and clever use of lighting by the means then available.

In North America the evolution of trade in general and of retailing in particular followed of necessity somewhat different lines from those of Europe. The prehistoric Indian trade which existed before the arrival of white men gave way to the trading post period, in which commerce was carried on between white traders and the native Indians, generally on a basis of barter. With the beginning of white settlements there arose a type of retail trading establishment, the general merchandise store, which carried a wide variety of all sorts of simple necessities for the early settlers. This in turn slowly gave way to single line shops, much like those that existed in England and other European countries throughout the eighteenth and nineteenth centuries. From this stage onward the development of retail trade in America has been similar to that of other and older countries. Within the past generation a new factor has appeared in retailing everywhere but particularly in the United States; namely, the growth of large scale enterprise involving the use of extensive capital and exemplified in such institutions as department stores, mail order houses and chain stores.

Each of these early developments of trade has left its impress on present day institutions. There are still trading posts in the wild, unsettled regions of the northwest. There are still thousands of general merchandise stores. The small specialty shop is still the dominant form of retailing in the United States as well as in most

other countries of the world. The place taken by the newer forms of retail organization, the department stores, the mail order houses and the chain stores, will be discussed in further detail. Altogether the consumer is served today by a greater variety of shops and a greater diversity of methods of selling than ever before.

Retail establishments may be classified in various ways. Thus a classification may be made according to the principal line of goods carried, such as food, general merchandise, automotive supplies, apparel and others. Each of these classes may again be subdivided; thus food stores include groceries, meat markets, fruit and vegetable markets, delicatessens, dairy product stores, confectioneries, bakeries and so on. Classification may be based on services rendered, these ranging from automatic vending through self-service, cash and carry, limited service and full service. A classification by type of ownership or control would include the independent unit stores owned by individuals, partnerships or corporations, branch store systems conducted as subsidiaries to parent retail stores, manufacturers' outlets, industrial stores conducted as conveniences for industrial employees and their families, chains, or multiple stores, and consumers' cooperative stores. One of the interesting variations of the chain store method of control is the so-called voluntary chain, most frequently an organization of retailers combined by contract or understanding with a wholesaler to carry on more or less in the same way as a regular chain. There are also groups of retailers, either with or without wholesale resources, functioning as independent groups in competition with the regular chains. If interest centers in the territory served, retail stores are usually classified as metropolitan, suburban, neighborhood, village and country crossroad stores and also curbside or roadside markets and stands. Retailing is under constant change and new types of retail establishments are constantly coming into existence, while others are passing out. Often the new factors serve new consumers' requirements without actually forcing any of the older forms of institutions out of business.

The extent of retail trade and the amount secured by department stores, by chains and by cooperatives in each of the four largest western countries are shown in the accompanying table. For countries other than the United States the only figures available are more or less rough approximations.

The completion of the United States Census of Distribution for 1930 makes it possible to present a detailed picture of retail trade in that country. In 1929 there were, in round numbers, 1,500,000 retail establishments with total annual sales for the year of almost $50,000,000,000. There were more than 6,000,000 people engaged as owners or employees in the retail business, amounting to 4.9 percent of the total population, or approximately one eighth of the total number of persons gainfully employed. The total annual pay roll amounted to more than $5,000,000,000 and the average annual salary per full time employee was $1312. Of the total number of persons engaged in retail trade an average of about 14 percent were part timers. The proportions of men and women employees were respectively 68 percent and 32 percent of the total, but varying from about 50 percent and 50 percent in apparel shops to 93 percent and 7 percent in the automotive trades. Retailers owned the premises occupied by their businesses in only 28 percent of the retail establishments of the country. Nearly half of all the retail stores were on a strictly cash basis, but their sales amounted to but slightly more than a third of total sales. In this characteristic, as in most others, there was a wide variation among stores and particularly according to goods handled. Credit sales were far above the average in automotive goods, home furnishings, lumber and building materials and generally below the average in lines of low unit sales values.

As already indicated, one of the striking characteristics of retail trade is the large proportion of

RETAIL TRADE BY COUNTRIES AND TYPES OF CONCERN, 1929

COUNTRY	NUMBER OF RETAIL ESTABLISHMENTS	VOLUME OF RETAIL SALES (in $1,000,000)	PER CAPITA RETAIL SALES	PERCENTAGE OF RETAIL TRADE DONE BY		
				DEPARTMENT STORES	CHAIN STORES	CONSUMERS' COOPERATIVES
United States	1,543,000	50,000	$407	7.90	21.90	0.15
Great Britain*	778,000	13,300	291	4.00	14.00	8.20
Germany	788,000	8,750	167	5.00	1.00	4.00
France*	1,000,000	7,200	175	6.00	5.00	0.73

* For 1928.

Source: For the United States: United States, Bureau of the Census, Fifteenth Census, 1930, *Retail Distribution, Summary for the United States* (1933). For other countries: estimates revised and adapted from International Chamber of Commerce, Europe-United States Committee, *Europe-United States of America*, 7 vols. (Paris 1931) vol. v, p. 93; and from Hirsch, Julius, and Brandt, Karl, *Die Handelsspanne*, Forschungstelle für den Handel. Schriftenreihe, no. 1 (Berlin 1931).

small concerns. The average sales of all retail institutions in the United States in 1929 amounted to $32,000. Only 22 percent, however, of all the retail establishments in the country enjoyed sales of as much as or more than this amount. Less than 25 percent of all the stores in the country did more than 75 percent of the total retail business, while 1 percent of the stores, including the largest establishments, those with sales amounting to more than $300,000 annually, had 25 percent of the total business of the country. Half of the stores had sales of less than $12,000 annually, with an average of only $5500. There were in 1929 only 2059 stores which had sales volumes of more than $1,000,000 a year. Indeed small retail establishments constitute the majority of retail institutions the world over. In spite of the trend toward large scale retailing there is little to indicate any real decline in numbers of small dealers or in the actual volume of business they transact.

Of the new large scale forms of retailing the oldest is the department store. The department store is usually defined as a retail establishment carrying many lines of merchandise, including apparel and accessories for women and children, small wares, usually dry goods, and often home furnishings, each of these lines segregated and departmentalized not only in location within the store but also in operations and records. The department store is literally an organization of several shops, or stores, carried on under one roof and under one management. The stocks of each department are handled as if each were a separate store, but the operations of accounting, advertising, delivery, personnel and general management are usually carried on in a centralized way for all merchandise departments.

The department store of this kind is of distinctly modern origin. There were, to be sure, many previous instances of the operation of several shops under one roof. During the eighteenth century and earlier there were in various European centers buildings fitted up to hold several shops, but in all of these cases, so far as known, the building was operated by a landlord who merely leased space to independent shopkeepers. The department store with its shops integrated under one ownership and management appeared almost simultaneously in several western countries shortly after the middle of the nineteenth century. The Bon Marché of Paris, generally credited as being the first, was founded in 1852 by Jacques Aristide Boucicaut. Three years later in 1855 the Louvre, the second department store, was established, and in 1865 the Printemps was founded. The spectacular progress of these establishments attracted the attention of ambitious retail executives in all parts of the world. Retail institutions that had been dry goods or other types of stores took on more and more lines and in a few years became department stores. This appearance of the large entrepreneur in a field so generally regarded as that of the small merchant aroused hostility and opposition, particularly in Germany, where one of the demands of the middle class movement of the late 1890's was for legislation to curb the growth of department stores. Opposition, however, was in vain.

Department stores in the United States appeared in the 1860's. A. T. Stewart & Company of New York was probably one of the earliest to institute definite department store organization and operation. Others followed so quickly, however, that it is difficult to determine their order of precedence. Department stores spread and grew rapidly throughout the late 1890's and the early years of the 1900's, but more slowly from 1908 down to 1914 or 1915. With the impetus given to trade by the World War they again pushed forward. There was some check in growth during 1920–21 because of the business depression, but from 1922 department stores continued to grow until 1926 and 1927. Prior to 1929 there began to be indications that department stores, taken as a class, had almost reached a point of maturity. During the five years ending in 1930 very few new establishments came into existence and many if not most of the older concerns experienced a slowing up of sales increases. The business depression beginning in 1929 drove their sales volumes down precipitously.

By 1929 the total number of department stores in the United States, according to the Census of Distribution, amounted to 4221, less than .3 percent of the total number of retail establishments; and their sales volume for the peak year of 1929 amounted to $4,350,097,000, or just under 9 percent of the total retail trade of the country. In arriving at these figures, however, the Census of Distribution arbitrarily limited the term department stores to retail establishments with annual sales of $100,000 or more exclusive of food departments and included only those that carried men's goods, furniture and house furnishings as well as women's and children's goods. Clearly many

retail establishments counted by their owners or managers as well as others as department stores were not included. A more liberal application of the term in accordance with popular usage would have included all departmentalized dry goods stores, general merchandise stores and general stores. The combined volume of these classes of stores with those actually counted would probably have amounted in 1929 to as much as 14 percent of the total trade of the country.

While there are great differences between them, department stores usually exhibit certain common characteristics. They are ordinarily centrally located in the retail trading or shopping districts of large cities. They sell merchandise of many kinds and at price lines appealing to the masses rather than the classes, with highly developed services for consumers, such as free deliveries, the utmost liberality in exchange privileges and guaranties of satisfaction; with a few notable exceptions most department stores accord charge account privileges to their customers. Department stores are nearly everywhere large users of advertising. In the United States the daily newspaper is the customary medium for such publicity. Department store advertising has contributed in large measure to the successful development of the modern daily press, and correlatively the existence of newspapers with large but concentrated circulation has made the department store possible. Department store operation is usually characterized by high operating expenses, as for rent, advertising and delivery over a wide area. The modern department store has carried the principle of division of labor, specialization and organization farther than has any other type of retail establishment.

Mail order retail trade is as old as the postal systems of the world. Well known retail establishments, located in important retail trading centers, have always enjoyed a certain amount of trade with out of town customers. But it was not until after the rapid expansion of population over widening territories in the United States, Canada and other new countries that the mail order business as such began to be capitalized and established on its own basis. The earliest extensive, wide scale purely mail order developments in the United States seem to have resulted from experiments with advertising placed in the popular magazines that began to appear in the period from 1850 to 1875. During the late 1860's and early 1870's a number of concerns appeared, specializing in mail order selling of novelties, books, pictures and so on. The first general merchandise mail order concern was established in Chicago by A. Montgomery Ward in 1872. Its original purpose seems to have been to attempt to supply the merchandise requirements of the rapidly spreading farmers' cooperative organizations. Shortly thereafter Ward set out to develop a direct mail order business with farmers and small town people throughout the United States and succeeded in building an organization which was for many years not only the first but also the largest retail mail order business and which is today the second largest concern in this field.

Sears, Roebuck & Company, now the largest retail mail order concern in the United States, came into existence in 1886 in Minneapolis, Minnesota. Richard W. Sears, a railroad station agent located in a small village in the northern part of the state, had sold a few watches during spare time and saw the possibilities of expanding a watch and jewelry business for customers living in the country and in small towns far removed from the large trading centers. He established his first venture as a mail order watch business. A year later he was joined by A. C. Roebuck, a watch repair man. In 1890 the firm moved to Chicago and shortly thereafter sold out. Three years later the same partners established a new concern in Minneapolis, but added a number of other lines of merchandise and published a large catalogue describing these various goods. These catalogues, issued twice a year, were for some time successfully sold at a dollar each to farmers and villagers throughout the middle west. In 1895 this new concern moved to Chicago. The A. C. Roebuck share in the business was taken over by Julius Rosenwald, who later became the president and directing genius of the company.

Numerous other mail order concerns, not only in the United States but elsewhere, sprang into existence during the decade preceding 1900. The T. B. Eaton Company of Canada started as a small store in 1869 and gradually expanded not only into a chain but also as a great mail order house, so that by 1929 it had become the largest retail mercantile establishment of the British Empire. The mail order method also came into increasing use in a specialized way in the sale of many classes of goods, particularly books, periodicals, pictures, music and musical instruments, jewelry, nursery stock, educational correspondence courses and so on. For a number

of years preceding the World War period the mail order method was successfully used by many of the leading department stores. Large catalogues were regularly issued and a considerable volume of business was transacted.

The exclusively mail order establishment as a retail institution seems to thrive best in new and rapidly developing countries. It was particularly effective during the late nineteenth and the early part of the twentieth century in the United States, the Dominion of Canada and Australia. While a considerable volume of mail order trade exists and has always existed in the older countries, particularly in Great Britain and France, this trade developed as a part of the business of well established retail stores and not as an exclusively mail order business.

During the years following the World War department stores found increasing difficulty in conducting a mail order business. Consumers' requirements, particularly for style goods, had become more exacting than in pre-war years and the costs of operation exceeded any possible gross profits attainable. Department stores generally discontinued the issuing of catalogues, and many mail order specialty houses passed out of existence. By 1929 the mail order business had become but a fraction of what it had been in earlier years.

The factors that contributed to the early success of the mail order business, such as a widespread country population without adequate shopping facilities, have greatly changed. The development of good roads and the increased use of automobiles have given hundreds of thousands of families access to towns and good stores. Despite the efforts made by the mail order concerns to render a continuing satisfactory service the desire of consumers to shop and see the actual goods before purchasing has led to the decline of the mail order trade and to an increase in the regular retail trade in large shopping centers. To meet this decline the larger mail order concerns, more particularly Montgomery Ward Company and Sears, Roebuck & Company, began some years ago to establish chains of regular retail outlets. At the present time both organizations have so many retail stores as to rank well up among the largest chain store organizations of the country. More than half of the sales now reported by each of these two concerns are from their retail stores rather than from their mail order trade.

The term chain stores, or multiple shops as they are known in England, is applied to retail establishments combined and operated under one ownership and management. Chains differ from branch store systems in that in the chain each unit, entirely apart from every other unit, is conducted from a central office, while branch stores are stocked and operated from a central or parent store which serves as headquarters.

Technically there is the beginning of a chain whenever two or more stores are united under one ownership and management in the manner indicated above. Characteristic chain store operations do not appear, however, until there are a considerable number of units. The Census of Distribution of the United States, faced by the necessity of distinguishing chain stores from ordinary independent stores and branch systems, arbitrarily set a limit of four stores as a minimum number for classification in the chain store group. All groups of four or more stores, excepting branch systems, were classified as chains.

The chain store type of operation has had many forerunners. There are records indicating central ownership and management of retail shops in ancient Greece and Rome. For example, an inscription which was evidently a poster or advertisement, appearing on a wall of a building in Pompeii, destroyed by Vesuvius in 79 A.D., offered a five-year lease on property including 900 retail shops. There are said to be records of a Chinese business man, On Lo Cass, who owned a chain of a great many units in the Celestial Empire as early as 200 B.C. Jacob Fugger of Augsburg, Germany, in the fifteenth century established a chain of industrial enterprises, including wholesale and even retail shops. In 1643 the well known Mitsui organization of Japan began as a chain of apothecary shops. In 1670 the Hudson's Bay Company was chartered by the British crown and it continues today as the oldest existing chain store organization in the western world, with more than 250 trading posts and 10 modern department stores scattered through the Dominion of Canada. Somewhat more than a hundred years ago a well known chain of shoe stores in Brazil, the Campanhia Calcado Clarke Company, came into existence. Throughout the nineteenth century there was considerable chain activity. It was not at all uncommon for wholesale houses during the 1840's, 1850's and 1860's to own and control retail outlets either secretly or openly. Among New York wholesalers of that period who owned retail stores were A. T. Stewart and Lord & Taylor. During the 1870's John Wanamaker,

with his large department store in Philadelphia, attempted to conduct several men's clothing shops in various other cities. H. B. Claflin & Company and Carson, Pirie, Scott & Company, both dominant wholesalers, at one time had several retail outlets.

Of the definite retail chain store systems now in existence in the United States the Great Atlantic & Pacific Tea Company is the oldest. It was established in 1859 and has functioned as a chain store organization throughout the entire intervening years; it now has more than 15,000 unit stores scattered over the country, with total sales approximating $1,000,000,000 or more per year.

While many chain systems came into existence prior to 1900, the major development took place in the years immediately following the World War. Large scale enterprise, the fashion in every line of industry and finance, showed itself, in the field of distribution, in chain stores. In the ten-year period ending in 1929 retail trade increased probably 40 or 50 percent, but chain stores spread so fast that their sales must have quadrupled in these same years. Chain store organizations have appeared in nearly all parts of the world. There has been a marked development in Great Britain, in the Dominion of Canada and in other parts of the British Empire. Their growth was particularly rapid in the German Reich prior to 1929.

By 1929 about 10 percent of all the retail outlets in the United States were chain stores, using the term in the restricted sense employed by the Census of Distribution. According to that census there were more than 7000 chain store organizations with total sales for the year 1929 of $10,740,000,000, amounting to 21.9 percent of the total retail sales of the country. Out of a total of 159,638 chain store units, 52,465 were classified as local chains with aggregate sales of $3,293,890,000, amounting to 6.7 percent of total retail sales. Sectional chains operated 41,083 stores, with sales of $2,191,000,000, equivalent to 4.46 percent of total retail sales. National chains operated 51,058 stores, with sales of $3,960,000,000, equivalent to 8.06 percent of total retail sales of the country. The total of 21.9 percent was made up by the addition of other chain store systems, including manufacturer controlled outlets, utility operated retail organizations and leased departments.

The proportion of chain store sales to total retail sales varied greatly according to kinds of business. For example, among stores handling household appliances exclusively, chain stores accounted for slightly more than 50 percent of total sales; similarly, in stores selling only footwear chain stores enjoyed 45.7 percent of the total volume. In other lines, however, such as motor vehicles, restaurants and lunch rooms, hardware, jewelry and many others, the chain store volume fell below 15 percent of total sales. In the food group chain store sales amounted to 29 percent of total retail sales, in general merchandise 33.5 percent and in apparel 28.2 percent. These wide variations and uneven developments may be explained partly by the recency of the movement but perhaps better by differences in the difficulty of operation of chain store systems in these different fields. It remains to be seen whether chain store operation may be applied with equal success in all lines of retailing.

The business depression beginning in 1929 checked the sales progress of chain store organizations as well as of independent and other types of retailing. It quite definitely stopped the rapid growth of chains through mergers and other methods of accretion. It also remains to be seen whether the chain store idea may again develop at the rapid rates of the years preceding the depression.

Chain store operation has shown several advantages as well as some weakness, as compared with other systems of retailing. Some of the advantages, such as multiplied buying power, systematized standards and consequently economized operations and also the employment of the most expert overhead management, are inherent in the chain store method of operation. In many respects the chain stores prospered because of their prompt adoption of effective operating policies which, although open to other retailers, had not been generally applied. The chain stores were very prompt in seeking the best locations. They generally offered goods with limited services and consequently lower prices. They specialized on the most wanted and most popular lines of goods. They instituted better lighting and higher standards of cleanliness than were commonly found in most retail establishments.

On the other hand, chain store systems undoubtedly have had certain disadvantages. They are faced with the difficulty of securing flexible operation to meet the practical requirements of individual communities and customers; there has been lack of local management interest such as arises from individual ownership; there has always been and there still exists a strong an-

tipathy toward chains among local business interests—wholesalers, manufacturers, newspapers and others as well as retailers—who resent the intrusion of a chain operated from some distant headquarters; there is the growing competition of chains with chains; and, finally, the difficult problem of meeting antichain feeling in the form of adverse legislation, especially differential tax legislation.

Consumers' cooperative stores are distinguished from other forms of retail enterprise by the fact that their ownership is vested in a society, association or corporation made up of customers, or consumers, rather than of private business individuals or groups. Consumers' organizations are usually incorporated, but in accordance with certain well known principles of cooperative management the distribution of profits is based on the amount of purchases rather than on the amount of stock owned or capital contributed. Membership is usually open to all consumers by payment of a small fee, which constitutes each member's contribution to the capital of the concern. Consumers' cooperative retail establishments have generally found it wisest to sell their goods to their members as well as to others at current market prices, rather than to attempt to sell at cost or at cost plus expenses. Most consumers' cooperatives are also conducted on a cash and limited services basis, and consequently expenses of operation are kept down by the elimination of charge account and delivery operations. It has usually been found necessary, as a means of keeping enthusiasm and participation alive, to conduct for the members a more or less continuous education in the principles of and the necessity for cooperation.

There are many forms of consumers' cooperative retail establishments. They vary from temporary buying clubs, organized to make group purchases or to secure discounts, to well established retail stores. In several countries these local groups are still further organized for the ownership and control of wholesale societies and even of manufacture.

Consumers' cooperative retail establishments may be found in nearly all countries in the world but have been most strikingly successful in England, Scandinavia, Germany and Russia. The consumers' cooperative movement has made many beginnings in the United States and Canada but has so far not been able to obtain any large percentage of total retail trade. The movement is particularly weak in Italy, Spain and other Mediterranean countries. Its highest development is to be found in Soviet Russia, where cooperatives constitute the principal channels of consumer trade.

The objects of consumer cooperation are usually to reduce the costs of distribution and to save the profits of the retailers for the benefit of the consumers themselves. Consumers' cooperatives have in some countries been instrumental in securing honest weights and measures. They have often led in attacks on burdensome trade regulations and have invariably appeared whenever monopolies threatened in the distribution field. In consequence consumers' cooperatives have made the most rapid strides in communities in which the older forms of retail trade have been backward, burdensome or arbitrary. They stand in most western countries as a potential challenge to ineffective retailing carried on by other types of organizations.

One aspect of the retail trade, as of marketing in general, which has attracted increasing attention in all countries of the world in recent years is the increasing costs of operation. For the United States expenses of retail operation, taking an average of all lines, account for close to a fourth of the sales price to the consumer. Expenses of operation within the various types of retail establishments vary considerably as a result of differences in the amount of handling required, in amounts of capital invested, in risks involved and in other services. The lowest operating expenses are as a rule to be found in those types rendering the fewest services and handling the goods with the most rapid turnover and with the lowest capital investments. Establishments handling staple, non-perishable food products, purchased constantly by the consuming public, are of this kind. It is not unusual to find retail establishments in the food field successfully operated on expense margins of 10 percent or less of their retail sales. The highest operating expenses are to be found in retail establishments required to render a great deal of service, as, for example, in organizations handling jewelry, automotive supplies, fitted apparel, home furnishings requiring careful selling, optical supplies, cut flowers and similar goods and in prescription departments in drug stores. Department stores and other general retail establishments which carry many lines of goods incur the expenses of each, so that the overall operating expenses of such establishments are in most cases simply averages of the operating expenses of the various departments

included, ranging from 25 percent to 36 percent of sales.

The principal items of expense in retail operation are salaries and wages, rents, advertising, supplies, fuel, water, power, light, taxes and insurance, traveling and communication. Of these, salaries and wages are by far the most important, making up more than half of average total retail expenses. Rental approximates a sixth of total expenses of operation, while the remaining third goes for all of the other expenses listed above.

The expenses of operation in retailing have undergone and are still undergoing marked changes. There are at the present time several fairly distinct trends. In retail stores of various sizes, selling the same kinds of merchandise and offering about the same kinds of service, expenses of operation tend, up to a certain point, to decline on passing from very small to larger stores. Thereafter on passing to larger and larger stores there is a definite tendency for expenses to increase. This is quite contrary to popular views that increases in sales tend to reduce operating expenses. As a matter of fact in retailing, after certain sales levels have been reached, increases in volume apparently are followed by increases in expenses, not only absolutely but relatively as well. Retail operating expenses in the same type of stores, offering the same services, are generally lower in smaller towns and higher in larger cities. Similarly, operating expenses tend to increase on passing from stores in neighborhood and suburban centers to central locations in the same cities. There are fairly definite differences in operating expenses in various geographical centers. Generally speaking, in the United States the lowest are found in the south and middle west, the agricultural areas, while the highest are found in the east and northeast, the industrial and commercial centers of the country.

Retail operating expenses have shown a rising tendency over a period of many years. For example, department stores in the United States maintained operations in the 1890's at expense rates amounting to less than 20 percent of net sales. This expense rate had increased to 25 percent by 1914. During the World War period, from 1914 through 1918, operating expenses either remained the same or actually declined. Following the World War an upward trend of expenses again occurred, so that by 1929 the average expense rate in American department stores had passed 30 percent. The inclusion in the Census of Distribution figures of reports from many small establishments disguises the extent of the rise in expenses for typical department stores, resulting in an average of 26.74; the figure of 32.8 percent compiled by the Harvard Bureau of Business Research is more nearly representative. Following 1929, throughout the business depression, expense rates increased still more. Intensive efforts have been made for years to curb these increases in operating expenses but without avail. It is probable, however, that if the efforts had not been made the expenses might have gone considerably higher. It seems likely that the predepression expense rates may again be established, but there is nothing to indicate as yet that the end of this long term trend of increasing retail expenses has been reached.

PAUL H. NYSTROM

See: MARKETING; MIDDLEMAN; COMMERCE; MARKET; RETAIL CREDIT; MARKETS, MUNICIPAL; COOPERATION; CONSUMERS' COOPERATION; PRICES; RESALE PRICE MAINTENANCE; UNFAIR COMPETITION; BUSINESS; SALESMANSHIP; ADVERTISING; SPECIALIZATION; STANDARDIZATION.

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RETALIATION. *See* REPRISALS; TARIFF.

RETORSION. *See* REPRISALS.

RETROACTIVE LEGISLATION. The principle that laws should not apply to events which occurred before their passage dates at least from Roman times. Cicero berated Verres for making retroactive a provision of the *Lex voconia* and the Justinian Code repeated a prohibition of retroaction as settled law (bk. 1: 14, 7). Bacon (*Maxims*, Reg. 8) and Coke (2 *Inst.* 292) established it as an ancient maxim of the English common law long before Blackstone wrote his condemnation of ex post facto laws.

The provisions in the United States constitution forbidding both federal and state governments to pass any ex post facto law (art. i, sects. 9, par. 3, and 10, par. 1) had indigenous precedent in the Maryland, North Carolina and Delaware constitutions of 1776 and the Massachusetts constitution of 1780. At the Constitutional Convention many delegates believed such provision unnecessary; but caution triumphed over faith, and the prohibition of retroactive laws has become a standard clause for constitutions. In the United States almost all state constitutions ban ex post facto laws, as do the constitutions of France, Mexico, Norway, Portugal, Chile and Brazil. The German constitution of 1919 contains a similar clause; but this did not prevent the National Socialist government in 1933, in the famous Van der Lubbe case, from retroactively changing arson from a non-capital to a capital crime. Since the *Code Napoléon*, codes in civil law systems admonish the law administrator, if not the lawgiver, that laws are to have only a prospective effect. The canon law boasts of similar rectitude. In English law, where Parliament is avowedly not restricted in its power to pass retroactive legislation, the judges have for centuries reiterated that no legislation should be interpreted retroactively "unless the intention of the legislature that it should be so construed is expressed in clear, plain, and unambiguous language."

The United States Supreme Court, in its first case interpreting the term ex post facto law, held that it was used in a technical sense embracing only retroactive criminal or penal laws [Calder *v.* Bull, 3 U. S. 386 (1798)] and was intended as protection against bills of attainder and similar legislation with which the framers were familiar not only from English but also from recent colonial history. This restrictive interpretation has been consistently followed with regard to both federal and state constitutions. Its accuracy, however, has been questioned by some, who cite instances prior to the constitution of a broader use of the term. It has been suggested moreover that in inserting this provision into a constitution otherwise barren of a bill of rights the framers were thinking "more of contracts and paper money" than of oppressive criminal legislation. The records of the Constitutional Convention yield little evidence, however, upon which a confident opinion may be based.

The controversy has been rendered academic by the later development of the due process clause to prohibit all "unreasonable" retroaction. The more limited ex post facto or contract clauses may now be regarded simply as encyclopaedic subdivisions of the due process clause. Eight state constitutions expressly prohibit retroactive civil laws as well as ex post facto laws, but there is no evidence that private property is safer from legislative impairment in those states than in the others.

Not all retroactive civil legislation is invalid, however, either under the express constitutional interdict or under the amorphous due process clause. Change is inevitable and cannot be made without upsetting some interests, plans, expectations or inchoate transactions. Characteristically, the courts have not developed any acid test for differentiating the permissible from the non-permissible retroactive laws. The latter are condemned as "arbitrary" interferences with "vested rights," as "unreasonable" impositions of duties and obligations on the basis of past events, as "unjust" deprivations of substantial defenses which had fully matured under the

previous law. Those which are given judicial sanction are termed changes of legal remedy, not right; changes in procedure, not substance; "curative" of "technical defects," "informalities," "irregularities" or "innocent mistakes" which fortuitously created rights or defenses under the prior law contrary to the "justice and equity of the case"; or "reasonable" exercises of the "police power" to prevent injurious future consequences of past conduct.

Retroactive criminal legislation has been virtually unknown in the United States since the adoption of the constitution. In the Supreme Court only two cases under the ex post facto clauses have involved political legislation directed definitely toward the oppression of a class of people for their past conduct. Both were concerned with legislation enacted in the passion of the Civil War period and calculated, by means of a prescribed test oath, to deny to sympathizers with the Confederacy access to a large number of occupations. In both cases the legislation was invalidated, but only by a majority of five to four [Cummings *v.* Missouri, 71 U. S. 277 (1866); *ex parte* Garland, 71 U. S. 333 (1866)]. All other cases under these clauses have dealt with attempts by individual defendants to take advantage of the fortuitous fact that their offenses, crimes when committed, occurred prior to some legislation which was concededly reasonable for criminal law administration. Such, for example, are laws changing the number of jurors required on a grand or petit jury or the requirement of unanimity in jury verdicts; or making competent as witnesses persons theretofore held incompetent; or effecting other changes in the method of trial; or modifying the form of punishment. Occasionally defendants have been successful, as in cases where the number of jurors necessary to convict had been reduced; more frequently the attacks have failed. In Calder *v.* Bull the court attempted to be specific: within the constitutional interdict, it stated, is "every law" that "makes an action done before the passing of the law and which was innocent when done, criminal, and punishes such action, . . . aggravates a crime, or makes it greater than it was, when committed, . . . changes the punishment, and inflicts a greater punishment than the law annexed to the crime when committed, . . . alters the legal rules of evidence, and receives less or different testimony than the law required at the time of the commission of the offense, in order to convict the offender." The court is now more circumspect. The "constitutional provision," it states, "was intended to secure substantial personal rights against arbitrary and oppressive legislation," and "not to limit the legislative control of remedies and modes of procedure which do not affect matters of substance." Just what changes "of procedure will be held to be of sufficient moment to transgress the constitutional prohibition cannot be embraced within a formula or stated in a general proposition. The distinction is one of degree" [Beazell *v.* Ohio, 269 U. S. 167 (1925)].

The due process clause is held to restrain all governmental agencies, judicial as well as legislative. But the ex post facto clause, like the contract clause, does not restrain the judiciary from changes in judicial decision even when resulting in retroactive operation [Ross *v.* Oregon, 227 U. S. 150 (1913)]. The doctrinal reasons are that courts do not "pass" laws, but merely "apply" them to specific cases; that the overruled decision was a mistake as to the law and consequently never was the law; that the overruling decision is not a new law but an application of what is, and theretofore had been, the true law. Doubtless there are better reasons.

The antipathy to retroactive laws is founded on the notions that persons act in bona fide reliance upon the law existing at the time of their conduct and that security as to the consequences of their conduct is distinctly desirable. Even the credulous, however, can hardly believe that all persons always act in reliance upon all the laws that may affect their conduct. The assertion that persons who act in ignorance of the law, or under what is subsequently labeled a mistaken view of it, have their own ignorance to blame for their plight can scarcely be held to meet the challenge of the underlying notions. The truth is that in private litigation courts are constantly making retroactive law, not simply because new and undecided issues are continually arising but because conduct reviewed by courts after it is completed and with full knowledge of its consequences can hardly appear to them in the same light as to the parties involved at the time of the conduct. The process is deemed fair because courts, unlike legislatures, deal with individual cases and can shape their decisions to avoid the hardships of general retroaction. Although some retroactive legislation appears likewise to be fair and necessary in the light of experience and social change, a universal stigma attaches to abstract retroaction in the law. "Circumlocutions" and "forms of words" de-

signed to distinguish the fair from the unfair have been developed in abundance. As a consequence logomachy has sometimes triumphed over wisdom or substance. Courts have differed with legislatures and with each other on the issue of fairness. But generally in times of calm legislatures, like courts, entertain the human feeling that ex post facto laws are "oppressive." And in times of strife or excitement judges, like legislators, are only human, although the constitutional mandate coupled with judicial habit may have a mollifying influence.

HARRY SHULMAN

See: CRIMINAL LAW; JUSTICE, ADMINISTRATION OF; CIVIL LIBERTIES; DUE PROCESS OF LAW; RULE OF LAW; CONSTITUTIONAL LAW; CONTRACT CLAUSE; ATTAINDER.

Consult: Roubier, P., *Les conflits de lois dans le temps*, 2 vols. (Paris 1929–33); Gabba, C. F., *Teoria della retroattività delle leggi*, 4 vols. (Pisa 1868–74); Cooley, T. M., *A Treatise on the Constitutional Limitations Which Rest upon the Legislative Powers of the States of the American Union*, 2 vols. (8th ed. by W. Carrington, Boston 1927) vol. i, p. 136–37, vol. ii, p. 771–92; McGovney, D. O., *Cases on Constitutional Law* (Indianapolis 1930) ch. ix; Dodd, W. F., *Cases and Other Authorities on Constitutional Law* (St. Paul 1932) chs. xviii and xxii; Field, O. P., "Ex Post Facto in the Constitution" in *Michigan Law Review*, vol. xx (1922) 315–31; McAllister, Breck P., "Ex Post Facto Laws in the Supreme Court of the United States" in *California Law Review*, vol. xv (1927) 269–88; Smith, B., "Retroactive Laws and Vested Rights" in *Texas Law Review*, vol. v (1927) 231–48, and vol. vi (1928) 409–31; Petroncelli, M., *Il principio della non retroattività delle leggi in diritto canonico*, Milan Università Cattolica del Sacro Cuore, Pubblicazioni, 2nd ser., vol. xxix (Milan 1931).

RETZIUS, ANDERS ADOLF (1796–1860), Swedish anthropologist. Retzius became interested in anthropology through his father, Anders Jahan Retzius (1742–1821), who was professor of natural history at Lund and was regarded by Linnaeus as one of the foremost of his followers. The younger Retzius was professor at the Karolinska Institute in Stockholm from 1824 until his death and founded there an anatomical museum. His system of classifying human types according to head form and facial angle, first put forth in 1842, constitutes his most important methodological contribution to anthropology. He formulated the concepts of dolichocephaly and brachycephaly, prognathism and orthognathism, and believed that these measurements formed the basis for a systematic and scientific classification of all human types, a view long popular but more recently regarded as untenable by anthropologists who require a wide variety of measurements before deciding upon biological relationships. The facial angle has not proved to be as important in describing human types and subtypes as Retzius considered it, largely because of the difficulties involved in obtaining accurate measurements; but in spite of the fact that it is methodologically unsatisfactory it is frequently employed today. The terminology proposed by Retzius has not only persisted but is approved in contemporary anthropological nomenclature, while his technique of combining head measurements into indices has been extended so that indices of face, nose and ear forms and of body dimensions are now in common use.

MELVILLE J. HERSKOVITS

Works: *Om formen af nordboernes cranier* (Head forms of northern peoples) (Stockholm 1843); *Anmärkningar om antrum pylori hos menniskan och några djur* (Remarks on the pyloric antrum among humans and among certain animals) (Stockholm 1855); *Blick på ethnologiens närvarande ståndpunkt med afseende på formen af hufvudskålens benstomme* (Christiania 1857), tr. from French by C. A. Alexander as "Present State of Ethnology in Relation to the Form of the Human Skull" in Smithsonian Institution, *Annual Report, 1859* (1860) p. 251–70; *Anders Retzii samlade skrifter af ethnologiskt innehåll*, ed. by G. Retzius (Stockholm 1864), tr. into German as *Ethnologische Schriften von Anders Retzius, nach dem Tode des Verfassers gesammelt* (Stockholm 1864); *Skrifter i skilda ämnen jämet några bref af Anders Retzius* (Writings on various subjects together with several letters), ed. by G. Retzius (Stockholm 1902).

REUTER, BARON VON, PAUL JULIUS (1816–99), founder of the British telegraphic news agency which bears his name. Born in Cassel of Jewish parents, he became interested in experiments with the telegraph during his early years. The opening in 1849 of the first telegraphic line on the continent, that from Berlin to Aix-la-Chapelle, gave him an opportunity to set up an organization which, using couriers, railways and carrier pigeons as well as the telegraph, was successful in transmitting news of the financial markets much more rapidly than the regular methods. But he was hampered by governmental censorship, and when the Dover-Calais cable was completed in 1851, he moved his headquarters to London and became a British citizen. At first his service was purely commercial, but even before the Crimean War a little of his information appeared in some newspapers. The developed press agency, however, dates from 1858, when after a difficult task of persuasion he secured a number of the London papers as his customers. From this point "Reuter's" rapidly

became in England "synonymous with foreign news" and within fifteen years was able to charge £1000 for its full annual service. The business was incorporated in 1865 and Reuter retired from active management in 1878.

Reuter's success was in the first instance due to his capitalization of the opportunity offered by the untried telegraphic system, which grew up very rapidly. Newspapers could take advantage of this only through the organization he offered them. His agents and correspondents were everywhere and were trustworthy, his political impartiality was absolute and he contributed a good deal to actual cable laying. He founded and accelerated the development of the world organization of communications, which still persists.

H. DONALDSON JORDAN

Consult: Collins, H. M., *From Pigeon Post to Wireless* (London 1925); *People of the Period*, ed. by A. T. C. Pratt, 2 vols. (London 1897) vol. ii, p. 305–06; Wynter, A., *Our Social Bees* (8th ed. London 1865) p. 297–303.

REVENUE FARMING is the practise of assigning public revenue to private individuals or institutions in return for the payment of a lump sum to the public treasury. The difference between the amount paid and that actually collected constitutes the profit of the revenue farmer. The practise may be applied to revenue derived from public property or from taxation. While the farmer of revenue from public property may derive his return from the application of improved methods in the utilization of the specific property, thereby creating the source of his profit, the tax farmer as a rule secures his profit by increasing the collections at the expense of the taxpayer. Fiscal opinion generally regards tax farming as a wasteful form of revenue administration which has no place in a modern system of fiscal organization. A method intermediate between direct collection of taxes by government organs and revenue farming is the device, employed in several countries, of entrusting the collection of revenue, particularly of taxes, to private individuals who act on account of the fisc and receive a definite percentage of the receipts as commission.

Tax farming is an ancient practise. It arose whenever the growth of public revenues was not accompanied by the development of a permanent and salaried body of government officials equipped for the complex task of assessing and collecting taxes. This was the case in Greece and in the early period of the Roman Republic, where government offices were positions of honor assigned by rotation to all free men. As the officials were not trained in financial matters, they inevitably assigned the collection of customs duties and other fiscal levies to wealthy citizens who advanced the funds to the treasury and employed commercially trained slaves to collect the taxes.

In the Greek cities and in the early period of the Roman Republic the results were not unsatisfactory; the amounts involved were not large and the compactness of the state made possible effective public control which prevented the tax farmers from reaping huge profits at the expense of the taxpaying citizenry. But with Rome's territorial expansion the fiscal administration became increasingly complicated. Farming of taxes and of the rents and taxes to be paid by tenants of the *ager publicus* in the provinces involved large funds of capital and serious financial risks. Pledges had to be given to the treasury for the sums due to the state. In order to raise the necessary capital tax farmers united into companies (*societates publicanorum*), which secured profitable contracts to supply the materials for public works and also engaged in usurious lending to provincial municipalities. The increasing size of administrative areas and the growing economic and political power of the tax farmers prevented an impartial control of the provincial magistrates in checking the manifold abuses of the tax farmers.

With the inauguration of the empire certain reforms were initiated: the farming of direct taxes was abolished and an impartial administration by permanent and well trained officials was attempted although never fully realized. The emperors continued to farm indirect taxes, especially customs duties, but provided some measure of supervision to counteract the high profit and other abuses of the tax farmers. After the first century of prosperity, when taxes were relatively low, the position of the taxpayer in the Roman Empire became progressively worse and from the time of Diocletian Roman subjects were no better off than under the *publicani*. Collection of direct taxes in the provinces was more and more entrusted to the municipal authorities. The municipalities, however, were in such bad financial shape that they were unable to guarantee the public revenue as the tax farmers had done during the republican period. In order to protect the treasury against financial losses the Roman government finally adopted a system in which the wealthier citizens were made to

answer for the taxes owed by all inhabitants; the ten or twenty wealthiest members of the local communities were forced to make up any deficit in the amount assessed to their district. This system could have no other effect than to deter people from saving and investing.

Difficulties also multiplied in the administration of indirect taxes. As the government tightened the control over the activities of the farmers of customs duties and other indirect taxes, the profits tended to decline and there was no incentive for private capitalists to bid for tax farming. Consequently the government resorted to compulsory methods; the person designated was obliged to assume the task of tax farming and was personally responsible for the delivery of the assessed amount. Nominally farmers of taxes, these persons became in reality unpaid or badly paid state officials. A general system of despotic compulsion prevailed first in the oriental provinces and from the third century A.D. in the other parts of the empire. The position of the tax receiver, whether or not he was a tax farmer, was universally dreaded. That of the taxpayer was still worse, for non-payment of taxes involved not only confiscation of property but also corporal punishment. The emperor endeavored to check the harsh methods employed in the collection of taxes by appointing *procuratores* to supervise the activities of the tax collectors; but from the third century abuses continued to multiply.

In the later period of the empire the big landlords offered to deliver in a lump sum to the treasury the taxes due from their possessions in return for their right to collect taxes from their tenants. This system was still more pernicious than tax farming, since it favored the spread of feudalism. In the cities the corporations of artisans and of small traders were held responsible for the sums imposed upon them and individuals were not allowed to leave their trade or to relinquish their membership in the corporation. The failure of the Roman Empire to develop an effective and impartial tax administration undoubtedly contributed greatly to the ruin not only of private households but finally also of the public finances.

Another instance in which long retention of the system of tax farming ended in abuse and financial disorder is to be observed in the history of the French kingdom. The early resort of the French kings to revenue farming was probably due to the general absence of a permanent body of government officials in the early Middle Ages. The practise may have been further suggested by the custom whereby the *prévôtés* collected the rents and taxes from the king's domain. The farming of special forms of revenues, such as fees, was resorted to as early as the thirteenth and the fourteenth century. Whatever the origin of the different forms of revenue farming in France, there is general agreement that the retention of tax farming long after the development of a permanent bureaucracy as an instrument of public administration was due to bribery of prominent members of the court and to the chronic financial difficulties of the treasury, which came to depend largely upon the advances of the wealthy tax farmers. Even such honest and able financial administrators as Sully and Turgot could not abolish tax farming, because the government was never able to repay the advances of the farmers when they became due. As late as 1706 out of 150,277,864 livres of public revenue farmed revenue amounted to not less than 59,520,000 livres.

Similar conditions and abuses existed in mediaeval and postmediaeval Spain and Portugal. For a short time tax farming was tried in the Netherlands, in England, in Germany and in the Italian cities. It was resorted to at Bagdad during the decay of the Arabian empire and continued into the modern period in Turkey. In Russia taxation of alcoholic drinks was farmed out from the time of Peter the Great until 1861. Two features characterized many of these tax farming experiments: foreigners figured prominently among the revenue farmers, and the accumulation of vast fortunes by the tax farmers provided a stimulus to the development of modern capitalism.

While tax farming assures the government a fixed income and thus enables it to plan the budget, the abuses attendant upon the device of farming and the dangers inhering in the existence of a wealthy group of tax farmers, whose interests frequently conflict with those of the taxpaying citizenry and of the state, outweigh the possible benefits of the system. Fiscal doctrine and practise in modern times regard the collection and administration of taxes as a direct function of public authorities. Turkey, for instance, abolished tax farming as soon as modernization of its political and fiscal system permitted. The collection of indirect taxes of municipal bodies by farmers against payment of a lump sum is not generally held as dangerous but is uncommon at the present time. Special forms of collection by private individuals on

government account, against the payment of a commission, are in use in Italy; and a somewhat similar measure (the "tax ferrets" system) whereby percentage rewards are given to private persons instrumental in tracking down tax delinquencies has been used in the state of Ohio in the United States.

In the administration of public revenue other than taxation the tendency is likewise toward direct state management. With the exception of public farm lands, which are generally let to tenants for private utilization in return for fixed rental, other forms of public property, such as utilities, mines, forests and mints, are administered in most countries directly by public authorities. Frequently such enterprises adopt the form of joint stock companies, whose shares are owned by public authorities. In recent years some countries in search of credit have resorted to a form of revenue farming; for example, the revenue from the match monopoly was assigned to the Swedish match concern of Ivar Kreuger in return for a loan secured by the latter. Considerations of state prestige probably account for the retention of the practise of farming revenues from gambling establishments.

W. LOTZ

See: TAX ADMINISTRATION; FORTUNES, PRIVATE; CORRUPTION, POLITICAL.

Consult: Andreades, A. M., *Historia tes hellenikes demosias oikonomias*, vols. i–ii[1] (rev. ed. Athens 1928–31), vol. i tr. by C. Brown as *A History of Greek Public Finance* (Cambridge, Mass. 1933); Rostovtzeff, M. I., "Geschichte der Staatspacht in der römischen Kaiserzeit bis Diocletian" in *Philologus*, supplementary vol. ix (1904) 329–512; Mitteis, L., and Wilcken, W., *Grundzüge und Christomathie der Papyruskunde*, 4 vols. (Leipsic 1912) vol. i, pt. i, ch. v; Marquardt, K. J., *Römische Staatsverwaltung*, Handbuch der römischen Alterthümer, vol. ii (2nd ed. Leipsic 1884) p. 298–316; Bouchard, Léon, *Système financier de l'ancienne monarchie* (Paris 1891); Vuitry, A., *Études sur le régime financier de la France avant la révolution de 1789* (Paris 1878) p. 485, and *Études . . . nouvelle série*, 2 vols. (Paris 1883) vol. i, p. 432, 464, and vol. ii, p. 150–51; Lotz, Walther, *Studien über Verbreitung und Organisation der öffentlichen Unternehmungen in der Gegenwart*, Münchener volkswirtschaftliche Studien, n.s., vol. xx (Jena 1933); Wagner, Adolph, *Finanzwissenschaft*, Lehrbuch der politischen Oekonomie, vol. vi (2nd ed. Leipsic 1890) p. 746–52.

REVENUES, PUBLIC. Public revenue comprises the receipts and income by which the agencies and services of government are supported. This revenue is always drawn in some manner from the people, but the particular methods by which it is obtained have varied in different periods, although at all times they have been fairly closely adapted to the prevailing economic and political structure and to the current objectives of government itself. As the term implies, there should be an element of public purpose in the collection and application of public revenues; the source of the authority which defines the public purpose has, however, differed with the type of government. Under the feudal system the source was the feudal overlord, who traced his authority to a divine right of rulership; in the democratic state the people are the constitutional source of all authority; in the autocratic state might makes right, and expropriation of personal and political opponents becomes a method of providing public revenue.

One of the most significant characteristics of modern political history is the slow but steady emergence of popular government. Accompanying this evolution there has been, on the fiscal side, an increasing emphasis upon the obligation of the people to support their government. This obligation now clearly depends, in the democratic state, upon the right of the people to consent to its imposition. Rulers have always derived their sustenance and the financial support of their regimes from the territories over which they rule and the people therein or from the conquest of other groups. But governmental income and revenues so obtained have acquired a full and complete status as public revenues only in proportion to the acquisition by the people of the right of participation and finally of that of determination of their amount, their character and the purposes for which they are to be spent.

The development of the public aspect of fiscal relations is illustrated clearly in the emergence of taxation as the principal form of public revenue. Although various kinds of taxes were known and used both in ancient and in mediaeval times, taxation occupied on the whole a minor position in the ranking of public revenues until well into the modern period of democratic national development. The "readiest means" available to the ancient or the mediaeval state were obtained by other methods than taxation. The fiscal policy of such states was shaped in accordance with the current economic situation and the demands of political expediency, and an extreme reliance upon the taxing power was inconsistent with the basic objectives of governmental policy and method. The emphasis which the later cameralist writers and Adam Smith placed upon canons or principles of just taxation

reflects the dangers which inhered in an arbitrary and unrestricted exercise of this power, uninfluenced by those considerations of public welfare and public purpose which are now accepted as fundamental.

A survey of the attempts at formal classification of public revenues reveals the changing emphasis upon different revenue sources. Jean Bodin in 1576 (*Les six livres de la république*, bk. vi, ch. ii) wrote that the following seven ways of raising revenues "include all that may be thought of": the landed domain, conquests, gifts, tributes, public trading, customs, taxes. Of these he regarded the first as the most just and certain, while the last, taxation, was to be used only if all other means were insufficient and an urgent necessity existed. The emphasis upon the landed domain, the property of the prince, was natural in the sixteenth century, for many princes then owned large estates. The revenues from these private sources and those obtained from the subjects in various ways were not segregated. There was no fundamental distinction between public revenues and the private revenues of the sovereign, nor was there clear distinction between the expenditures for public purposes and those for the private, personal purposes of the ruler.

Bodin's list of revenues omits one group which was certainly important in his time and which was stressed by later cameralist writers—the regalian revenues. Von Justi, a German cameralist, writing in 1758 (*Staatswirthschaft*, 2 vols., Leipsic, vol. ii) classified the revenues of the state according to their chief sources as follows: from the crown estates, or the domain; from the regalia, or royal privileges; from taxation; from miscellaneous sources. It is significant that as late as the middle of the eighteenth century taxation was considered by the trusted financial advisers of the German princes as of less importance than the domain and the regalian rights carried over from the feudal regime.

Adam Smith shifted the emphasis which had formerly been given to the sources of revenue and put taxation in the first place. By his time the English crownlands had been alienated in large part by a succession of extravagant monarchs, and the public character of government finance had definitely been established under the English constitution. Parliamentary control over taxation was assured, although this did not yet mean popular control in the fullest sense. Smith's primary classification of public revenues distinguished that obtained from some fund which belongs peculiarly to the sovereign or commonwealth and that drawn from the revenue of the people. Since public stock, or capital, and public lands, the two important sources of revenue under the first category, were at once improper and insufficient sources for defraying the expenses of any "great and civilized state," Smith concluded that the greater part of these expenses must be met from the revenues of the people by taxes of one kind or another, "the people contributing a part of their own private revenue in order to make up a public revenue to the sovereign or commonwealth" (*Wealth of Nations*, bk. v, ch. ii, pt. i). In fact Smith stressed the costliness of the revenue from the crownlands and advised their sale, suggesting the application of the proceeds to the payment of the public debt.

Taxation has continued to be the most important source of public revenue and the public domain has dropped well toward the bottom of the list. During the nineteenth century there was some reaction against Adam Smith's extreme conclusions regarding the public domain, although not until extensive, costly alienation had occurred, both in the United States and in Europe. In particular the existence of valuable natural resources and the possibilities of their conservative exploitation through a controlled leasing system were overlooked in the United States until the richest stores of such wealth in the public domain had been wasted or alienated. At present some states are once more building up their public land domain, but the motive is conservation rather than direct revenue.

Public trading, approved by Bodin, who said that it was better for a prince to be a merchant than a tyrant and better for him to traffic than to steal, but disapproved by Smith, who thought that no two characters seemed more inconsistent than those of trader and sovereign, grew in popular favor during the later nineteenth century, especially in the field of municipal ownership. This extension of the public domain into the industrial field, often characterized as the industrial public domain, was not infrequently inspired and induced by other motives than revenue. Indeed some of the most costly of these ventures, such as the state owned railway systems, have only the remotest prospects of overcoming the deficits which their operation incurs. In many individual instances, however, municipally owned industries have consistently returned a profit which has been available for the reduction of local taxation. Much depends of

course upon the policy of prices and management. The federal post office in the United States could no doubt yield a profit if it were operated on the basis of a strict cost principle rather than on that of supplying an essential service. At the other extreme stand certain industrial monopolies, such as those of salt, tobacco and matches, which have been operated primarily for fiscal advantage, with quality and service as secondary considerations.

The weight of taxation and the extension of governmental services into many activities in which the special benefit to individuals tends to overshadow the general public benefit have led recently to some emphasis upon prices or specific charges, as against general taxation, to provide the necessary funds for construction or operation. Fees have long been used to cover the cost of certain types of special service of an administrative nature. Special assessments have been levied quite commonly for the improvement of streets. Tolls, once generally relied upon to finance roads and bridges, are being restored after a period of disuse. Service charges for the expense of sewer operation are likewise gaining in favor. Tuition charges for higher public education may be instituted in the near future. It is quite unlikely that these developments, in the aggregate, will ever supplant taxation as the major source of public revenue. They constitute an effort to correct the defects and shortcomings which are encountered in even the most carefully worked out system of taxation, and within reasonable limits they are useful and important devices for securing public revenue.

Public borrowing may be viewed, as of the time of issue, as a source of public revenue. Public loan proceeds increase the government's spending power at the time and thus either augment or replace the revenue, otherwise derived from taxation. In the end, assuming that the loan is repaid in something like the same monetary unit as that current at the time of issue, the process becomes simply a device for rearranging the time distribution of the burden of taxation.

The developments in public revenue in modern times have naturally influenced the treatment of revenue classification in fiscal literature. Bastable suggested two main divisions: revenue obtained by the state in its various functions as a great corporation or "juristic person" operating under the ordinary conditions which govern individuals or private companies, and revenue taken from the people. H. C. Adams proposed a threefold classification: direct, derivative and anticipatory, relating respectively to the revenue from industry and the domain, from taxation and from public loans. E. R. Seligman's major grouping is also threefold: gratuitous, referring to gifts donated to the state; contractual, covering the whole range of payments for services supplied by public property and government owned industries; and compulsory revenue, derived by the state by virtue of its taxing power. The last category also includes income received by the state by virtue of its right of eminent domain and its power to impose fines and penalties. Continental writers generally have sought to distinguish between ordinary and extraordinary revenue, placing in the former category income from the domain and other property, fees and taxes and in the latter such items as the profit from the sale of state property, public loans, the profit from forced or debased currency and so on. The primary distinction between ordinary and extraordinary revenue is obviously difficult to maintain in all cases.

The essential thing about a scheme of revenue classification is that it should be logical, appropriate to the subject matter and reasonably realistic. None of the schemes mentioned above distinguishes adequately between those revenues obtained from the conduct of some economic activity and those received as an incident to the performance of routine administrative acts. Seligman's suggested treatment of gifts, or gratuitous revenue, as coordinate with contractual and compulsory revenue is logical but unreal. In any tabulation of public revenues by governmental units there would be far more blanks than entries under this head.

A workable compromise classification which appears to meet the requirements reasonably well is the following: commercial revenues; administrative revenues; tax revenues; public loan revenues (viewed as of the time of issue); bookkeeping revenue transactions. The extent of governmental agency transactions in modern times calls for bookkeeping revenues, which represent amounts collected or handled for or on behalf of other governmental units. This is especially important as between the states and their inferior jurisdictions, such as counties, municipalities and school districts.

In each country the public revenue system is a product of local developments and conditions, and international comparisons are of small significance. Taxation provides the bulk of central

and local revenue everywhere, although the proportion obtained in this way varies, being smallest in those countries which have important fiscal monopolies. The revenue derived from state lands and other capital investments, aside from fiscal monopolies, is insignificant in all national budgets. In nations under a federal government, such as the United States, there tends to develop, especially during periods of fiscal strain, a certain rivalry between federal and local governments in tapping the more productive tax sources, with the result that the tax load may be concentrated heavily on certain classes of taxable objects. The problem of allocating or sharing revenue sources among different grades of governmental units, all of which must be supported from the same fund of wealth and income, is seldom approached in such cases from the standpoint of equalizing and allocating financial burdens and responsibilities as well as revenues. The result has been an extensive development of aids, subsidies and grants from superior to inferior units, with little or no regard for the capacity of the beneficiary units to perform efficiently the services in aid of which the grants are given.

Viewed from the time aspect, public borrowing acquires special significance as a means of providing public revenue. Emergency public financing, whether occasioned by war, by disaster, by the desire to promote industrial recovery after a depression or by the need of making extraordinary improvements, has usually involved strong reliance upon public loans. As a device for equalizing the financial burden of an emergency in time the loan policy is defensible, although the all taxation policy has not lacked ardent supporters. What is commonly overlooked in the loan policy, however, is that no emergency may safely be regarded as nonrecurring. The few cases in which a reliable judgment on this point would be extremely difficult have served as a general excuse for the failure to make drastic provision to repay, before the next recurrence, the loans issued to finance an emergency. Unless vigorous efforts are directed toward this end the augmentation of public revenues by borrowing may lead to an insupportable burden for debt service. Repudiation, direct or indirect, is the usual avenue of escape under such circumstances.

HARLEY L. LUTZ

See: TAXATION; PUBLIC DOMAIN; GOVERNMENT OWNERSHIP; MONOPOLIES, PUBLIC; PUBLIC DEBT; CUSTOMS DUTIES; TRIBUTE; LOTTERIES; REVENUE FARMING; FINANCIAL ADMINISTRATION; PUBLIC FINANCE; BUDGET.

Consult: Seligman, E. R. A., *Essays in Taxation* (10th ed. New York 1925), especially ch. xiv; Lutz, H. L., *Public Finance* (2nd ed. New York 1929); Bastable, C. F., *Public Finance* (3rd ed. London 1903); Adams, H. C., *The Science of Finance* (New York 1898); Eheberg, K. T. von, *Finanzwissenschaft* (18th–19th ed. Leipsic 1922); Lotz, Walther, *Finanzwissenschaft* (2nd rev. ed. Tübingen 1931); Nitti, F., *Principi di scienza delle finanze* (5th rev. ed. Naples 1922); Small, A. W., *The Cameralists* (Chicago 1909).

REVILLAGIGEDO, CONDE DE, JUAN VICENTE DE GÜEMES PACHECO Y PADILLA (1740–99), Spanish colonial administrator. After a military career Revillagigedo was appointed to the viceroyalty of Mexico in 1789 and until 1794 occupied this office, which had been held by his father from 1746 to 1755.

Revillagigedo was the greatest of the eighteenth century viceroys—honest, energetic, statesmanlike and, for a Spanish administrator of his period, a wise economist. Sympathizing thoroughly with the reforms projected by José de Gálvez he tried to check abuses, improve viceregal administration and promote industry. He assisted in installing the intendant system and was interested in education and the founding of schools. Under his rule finances were reformed and the public revenues reached the highest figure in colonial times. The administration of justice was also improved and the secretariat systematized so that documents became more accessible. He caused a census to be taken, aided the construction of bridges, roads and canals and attempted to prevent the spread of epidemics by enforcing sanitary rules. Measures were taken to improve coast defense, and subsidies were sent to border provinces. Mexico city was particularly benefited by his regime. Revillagigedo left for his successor a document entitled *Instrucción reservada* . . . (Mexico 1831), which shows a remarkable understanding of the machinery of Spanish colonial government.

LILLIAN ESTELLE FISHER

Consult: Agüeros de la Portilla, A., *El gobierno del 2° Conde de Revillagigedo* (Mexico 1911); Bancroft, H. H., *History of Mexico*, 6 vols. (San Francisco 1883–88) vol. iii, p. 478–84; Fisher, L. E., *Viceregal Administration in the Spanish-American Colonies* (Berkeley 1926).

REVIVALS, RELIGIOUS. In its broadest sense the term religious revival includes all religious practises involving mass enthusiasm or group excitement. Mass excitement, ranging from collective dread or joy to hysteria, is one

of the most primitive and pervasive aspects of religion. Typical forms are found in the corroboree rites of the Australians, the shamanistic performances of the Siberian tribes, the Peyote cult of the Winnebago Indians, extreme forms of *bhakti* in modern Hinduism or of Shinran Buddhism in Japan, the frenzy of the maenads in the Dionysiac mysteries and Chassidism among the Jews. To these random examples from various religions might be added a few illustrations from the history of Christianity: the first Pentecost, the crusades, occasional outbursts at the shrines of healing saints and regular demonstrations at seasonal celebrations, such as the exuberance of a Russian Easter or the pilgrimages of Holy Year.

In a second and more restricted sense the designation is applied, particularly by Christian theologians, to periodic awakenings of religion over large areas and in connection with more general social movements. According to certain schools of theology religion naturally obeys a periodic law, stagnation and decline being followed by more or less sudden and unforeseen waves of "spiritual awakening"; but it is evident that social processes and transformations throw more light on these revivals than the mere formulation of a periodic law. Of many such waves in the history of Christianity only a few of the most significant may be singled out. The activities of the mediaeval friars, especially the Franciscans, began a revival and led to such reform movements as those of Wycliffe and Savonarola. In general they were occasioned by the growth of town life and the concomitant decline or corruption of the feudal aspects of ecclesiasticism. Later the growth of nationalism sometimes took the form of religious revivals, as in Bohemia in the fifteenth century, Scotland in the sixteenth and seventeenth centuries, Norway and Denmark in the eighteenth and nineteenth. The social and economic upheavals of the seventeenth and eighteenth centuries were especially fruitful in stimulating revivals, notably in the case of the Quakers and Anabaptists, whose prophetic warnings and extreme observances were protests against growing poverty and oppression, and of the Pietists, who attempted to reform society by cultivating personal piety, engaging in elaborate devotional exercises and promoting missions and other philanthropic enterprises. The Oxford Movement and the recent Catholic "renewal" are spoken of as revivals in this sense.

In its third, and most technical and distinctive, sense the term signifies the phenomena and methods of modern evangelism (*réveil*, *Erweckung*), directed as a rule to the founding of evangelistic churches or societies. The characteristic features of such evangelism are itinerant preaching and camp meetings; extreme emotional appeals and religious demagogy; public confession, conversion and more or less permanent reform of personal conduct; fixed seasons for revival meetings when whole congregations or communities are organized for a period of intense emotional stimulation and of concerted appeals to the "unregenerate."

The rapid spread of this type of revivalism in the modern period had been forwarded in large part by the fact that religious forms of excitement and enthusiasm in which even the humblest and most abject could participate effectively offered a convenient form of relief for the growing monotony and misery of the proletarian classes. A second factor in the spread of modern revivalism has been the wide prevalence of frontier conditions, the hardships and isolation of which demand simple forms of entertainment, popular worship and imaginative escape to larger issues and wider communities. Another factor has been the exploitation by skilled leaders of adolescents, of the uneducated, of "primitive" peoples or of other groups readily subject to emotional disturbances. At times all of these factors may be operative, as in the case of certain Negro communities in the United States whose contacts with modern civilization subject them to extreme social tensions. Revivalism still has its strongest hold among the Negro congregations of the evangelical churches, whereas otherwise it fell into disuse when the social conditions conducive to it ceased to prevail. Especially prevalent are the hypnotic rhythms and cadences of the Negro spirituals, the enthusiasm of the "experience meetings," violent "mourning" over sin, "falling out" under the conviction of sin and hysterical dancing, shouting and rejoicing. Other instances of the flourishing of revivalistic religion as a result of Christian impact on primitive cultures are: the new religion which spread among the Indians of northern New York early in the nineteenth century as a result of the revelations of the Great Spirit to Handsome Lake, a Seneca medicine man; the naked "shakers" among the Puget Sound Indians; the Peyote cult among the Winnebagos, which combined the effects of eating the narcotic cactus (peyote) with the exaltation and ecstasy of Christian mysticism; and

the Ghost Dance religion, which spread about 1890 among the Plains Indians as a result of the prophecies and visions of Wovoka and Sitting Bull. The mission field in general affords numerous illustrations of similar phenomena. Revivalistic methods were commonly applied by the early evangelical missionaries, but as a rule such tactics have been largely displaced by educational methods. The most recent revivalistic movement in the Orient was the Shanghai Revival of 1925, promoted by the World Wide Revival Prayer Movement. In general the decline of revivals may be explained not so much by the disappearance of conditions promoting them as by the appearance of secular forms of diversion and secular movements of revolt and collective action.

In the history of American revivals three types may be distinguished. Local outbursts may be caused by unconventional preaching or by social crises or by both, as, for example, the revivals of 1734–40 centering about the preaching of Jonathan Edwards and the popular belief that the Spirit of Grace was being poured out and was working regeneration by supernatural and drastic means in the face of ecclesiastical decline. The financial panics of 1837 and 1857 were accompanied by similar revivals in many of the larger cities. The southern armies during the Civil War underwent numerous revivals, although as a general rule war time is not favorable to revivalism.

A second type centers about the activities of itinerant evangelists. The first movement of this kind was the Great Awakening, beginning in 1740 with the preaching of George Whitefield in New England and spreading over the whole Atlantic seaboard in the following decades. In addition to Whitefield and the Methodist pioneer itinerants, the outstanding preachers of this movement were Gilbert Tennent and James Davenport, whose highly emotional appeals marked a new epoch in homiletic oratory. After the American Revolution there was a revival of religion in the colleges, students being swayed from the prevailing rationalism by the preaching of Timothy Dwight, Lyman Beecher and other educational leaders. In 1800, under the influence chiefly of James McGready, the Kentucky revival began, centering in Logan county, which was notoriously peopled by reprobates, and spreading over a large area, chiefly among the Scotch-Irish settlers. It was characterized by many so-called physical symptoms of supernatural grace, the "jerks," "singing ecstasy" and the like. Other revivals were led by Lorenzo Dow, a Methodist itinerant, by Asahel Nettleton among the northern Congregationalists and by Charles G. Finney in central New York. The last named evangelist is of especial significance because he used less emotional appeals and was successful in converting mature men. A lawyer with almost hypnotic power, he appealed by argument to legal minds and his famous Rochester revival of 1842 was noteworthy for its lasting effects on the adult population. The greatest of all the evangelists, however, was Dwight L. Moody, whose campaigns in the United States, Great Britain and Ireland between 1857 and 1899 not only influenced millions but also raised revivalistic methods to a somewhat higher plane. Perhaps equal in power to his oratory were the hymns and singing of his partner, Ira D. Sankey. Moody and Sankey contributed to revivalism a pervasive literature, a technique for conducting highly organized campaigns and several enduring educational institutions. Of the succession of evangelists since their day who have conducted similarly organized campaigns B. Fay Mills, Sam Jones, R. A. Torrey, J. Wilbur Chapman, William A. Sunday and Gipsy Smith are worthy of mention.

The third type of revivalism is promoted not merely by itinerant individuals but by organized churches, sects or other religious bodies. About the middle of the nineteenth century the evangelical churches began to lay less stress on revivalistic methods. Minorities, however, especially among the Methodists and Baptists, organized to maintain the emphasis on "perfect love" or "holiness" and to continue itinerant evangelism and revivalistic camp meetings. From such groups several distinct churches arose, as the Church of the Nazarene, the Churches of God, the "full gospel" churches and certain branches of the fundamentalist movement. For the most part, however, revivals were promoted within the older denominations by interested minorities. Among the Methodists and Baptists revivalistic efforts were confined to certain seasons, usually midwinter. Since the days when Horace Bushnell's *Christian Nurture* launched the first effective attack against the conceptions of sudden regeneration and conversion, revivalistic methods have declined steadily in these churches as well as in other organizations, such as the Salvation Army and the Young Men's Christian Association, which originally devoted a large share of their energies to revivals.

In England revivalism began with the Wesleys in 1743. While John Wesley was in some respects a social reformer, his chief social significance lies in the fact that he gave the English urban proletariat a democratic religion and an effective emotional outlet. The religious experience of mass emotion and collective action by working men contributed indirectly to the labor movement, although in its inception it had no economic program or application. Moody's Ulster revival of 1859, his Edinburgh revival of 1873 and his various English revivals, on the other hand, had little if any effect on the labor movement and found their chief stronghold in the middle classes. The Welsh revival of 1904–06 had an effect on the miners of Wales similar to that of the Wesleyan revivals on English workers, with two additional features: it stimulated a religious nationalism and it generated an interest in occult phenomena. The Scottish revival of 1843, led by Thomas Chalmers, marked the founding of the Free Church of Scotland. In Geneva, R. Haldane had begun evangelistic efforts as early as 1816 and after the revival there in 1828 the Société Évangélique was founded in 1831 and the Église Évangélique Libre de Genève in 1849. In France similar movements led in 1833 to the founding of the Société Évangélique de France, which in 1910 became the Société Centrale Évangélique.

The nineteenth century revivals in Germany had some historical connection with eighteenth century Pietism through the continued activities of Spener's *Stillen im Lande*, of the Moravians and of the Methodists, but they were caused primarily by the romantic reaction against the Enlightenment and the belief in Germany's providential deliverance from Napoleon. Of this general revolution in religious sentiment Schleiermacher was the theological spokesman. In addition, however, the movement in some of its aspects had economic causes and consequences. Socially speaking, there were three contrasting revivals. In the northwest during the years 1814 to 1836, coincident with the industrial revolution, there appeared the religious phenomena typical of the Wesleyan revivals in England. The most influential leaders were Krummacher, pastor at Elberfeld; Weisgerber, a converted shoemaker; Tersteegen, an itinerant evangelist; and J. H. Volkening, whose hymnal, *Kleine Missionsharfe*, set the mode for revivalistic singing in Germany. This revival was characterized by a general interest among the laboring classes in otherworldly salvation and rejoicing in divine love, while among the upper bourgeoisie there was a general turning from worldliness to philanthropy. Laymen and laywomen took a prominent part. Politically the revival encouraged liberalism. Ecclesiastically it led to the founding of German Baptist churches (Hamburg, 1834) and German Methodist "missions" (Bremen, 1849). Many who participated in the revival remained Lutherans, notably Spitta and Petri of Hanover.

The contemporary southern revival was definitely Old Lutheran, antifederationist and on the whole confined to the intellectual classes. Among its leaders was the philosopher Schelling, and its chief organ was the noteworthy *Zeitschrift für Protestantismus und Kirche*.

The revival in the northeast was politically and socially conservative. It began in Berlin in 1810 with the founding of the Christlich-deutsche Tischgesellschaft among the aristocracy, which culminated in the fashionable Pietism of Frederick William IV and of Bismarck. Klopstock, Gerlach and others were encouraged to cultivate a Pietistic learning, while the nobility organized missions, Bible societies and other religious philanthropies among the peasants. The middle classes, apart from writers and pastors, were scarcely touched by the revival. The government appointed only "awakened" pastors, thus forming a strong evangelical wing in the Lutheran church, which eventually came into conflict with the Old Lutherans of the south.

Among Catholics the activities most closely approximating evangelical revivalism are those of the missions, which are in the hands of various orders. Chief of these are the Society of St. Vincent de Paul, which in addition to its philanthropies has promoted the practise of general confession, the Brethren of the Common Life, the Capuchins, the Lazarists, the Redemptorists, the Passionists and the Paulists. These have all been active in reviving religious interest among the lower classes, while the Jesuits as a rule have worked among the wealthy. But the work of these orders is seldom similar to the methods of evangelical revivalism.

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See: PROSELYTISM; CONVERSION, RELIGIOUS; MISSIONS; FRANCISCAN MOVEMENT; DOMINICAN FRIARS; RELIGION; RELIGIOUS INSTITUTIONS, CHRISTIAN; CULTS; COLLECTIVE BEHAVIOR.

Consult: Davenport, F. M., *Primitive Traits in Religious Revivals* (New York 1905); Pratt, J. B., *The Religious Consciousness* (New York 1920), especially

ch. ix; Overton, J. H., *The Evangelical Revival in the Eighteenth Century* (London 1886); *A New History of Methodism*, ed. by W. J. Townsend, H. B. Workman, and G. Eayrs, 2 vols. (London 1909); Dimond, S. G., *The Psychology of the Methodist Revival* (London 1926); Warner, W. J., *The Wesleyan Movement in the Industrial Revolution* (London 1930); Beardsley, F. G., *A History of American Revivals* (New York 1904); Loud, G. C., *Evangelized America* (New York 1928); *The Rise of Methodism in the West, Being the Journal of the Western Conference 1800–1811*, ed. by W. W. Sweet (New York 1920); Gewehr, W. M., *The Great Awakening in Virginia 1740–1790* (Durham, N. C. 1930); Cleveland, C. C., *The Great Revival in the West 1797–1805* (Chicago 1916); Maury, L., *Le réveil religieux dans l'église réformée à Genève et en France (1810–1850)*, 2 vols. (Paris 1892); Bois, Henri, *Le réveil au pays de Galles* (Toulouse 1905), and *Quelques réflexions sur la psychologie des réveils* (Paris 1906); Tiesmeyer, L., *Die Erweckungsbewegung in Deutschland während des 19. Jahrhunderts*, 4 vols. (Cassel 1902–12); Wendland, W., *Die Erweckungsbewegungen im 19. Jahrhundert in Deutschland* (Frankfort 1926); Lütgert, W., *Die Religion des deutschen Idealismus und ihr Ende*, 4 vols. (Gütersloh 1923–30), especially vol. iii; Park, Robert E., and Burgess, Ernest W., *Introduction to the Science of Sociology* (2nd ed. Chicago 1924), bibliography p. 942–44.

REVOLUTION AND COUNTER-REVOLUTION. The term revolution, outside the natural sciences, connotes a sudden and far reaching change, a major break in the continuity of development. Its application is often specifically indicated by a qualifying adjective, as in the expression cultural revolution or industrial revolution. In nineteenth century political science the term when used alone was meant to refer to political revolution. It is for this reason that the ideas of revolution and violence appeared to be so closely connected. For no political system is so flexible as to be susceptible of fundamental change by "legal" means; and illegality implies resort to force by the revolutionist as well as by the state which he attacks. To a modern student of social science the identification of revolution with political upheaval and the consequent emphasis on violence as its salient characteristic appear misplaced. The government does not function *in vacuo*; its personnel, organization and policies reflect the correlation of forces in the society which it rules. It is unnecessary to argue a perfect correspondence between state and society to maintain that a major change in the political order—not merely a shift in the personnel of the government or a reorientation of its concrete policies—must be preceded or accompanied by a drastic change in the relations among the different groups and classes in society. Thus a recasting of the social order is, at least in modern times, a far more important characteristic of revolutions than a change of the political constitution or the use of violence in the attainment of this end. This aspect of revolution distinguishes it also from coup d'état, rebellion and insurrection, with which it is sometimes confused. In the present discussion therefore the social aspects of the revolutionary process will receive particular emphasis.

The quality of the change characterized as revolution cannot be grasped without consideration of the type of society in which it occurs. This may be described in highly simplified terms as a society torn by an internal antagonism between a small upper class which by virtue of its proprietary claims to certain sources of income receives a considerable portion of the social product and a large lower class which performs all the manual, routine labor and subsists in relative poverty. The conditions of existence of the two classes present a sharp contrast and their interests are directly opposed; for, *ceteris paribus*, the greater the share of the propertied class in the national dividend, the smaller is that of the laboring class. It need not be assumed that the upper class is entirely sterile or parasitic. The full fledged citizen of the Greek city-state cultivated the arts and sciences; the *cives romani* built and ruled a world empire; British landed aristocracy in the course of centuries developed an amazing skill in statesmanship; Prussian junkers supplied the Hohenzollern monarchy with many efficient army officers and civil administrators. In capitalist societies the upper class is even engaged in economic tasks—not in subordinate manual duties, to be sure, but in organization and management. Yet the income of the capitalist entrepreneur, like that of the slaveholder of antiquity or of the feudal lord of the Middle Ages, is based exclusively on the right of ownership. This becomes abundantly clear with the spread of the corporate form of business organization; despite the fact that the functions of production and business management pass to salaried employees, the income claims of capitalists and entrepreneurs remain unimpaired. In addition to the mutually antagonistic upper and lower class such societies comprise a number of intermediate strata. While the relative weight of these middle groups, their traditions, political orientation and cultural make up have a definite bearing upon the origin and development of revolutionary processes, the dynamic factor of revolution is always the tension generated by the conflict of interests of the

upper and lower class. This holds true even in those situations where by various devices of political propaganda an attack from below against the social position of the upper class is made to appear as an offensive imperiling the status of the intermediate groups.

The significance of a revolution lies in the fact that it is not merely a violent and profound modification of the social organization but a major shift in the relations between social classes whereby the dominance of the upper class is destroyed and the lower class emancipates itself from economic exploitation buttressed by political subordination. In the process the old social order is discarded and a new one erected in its place. Bourgeois revolutions, as illustrated par excellence in the French Revolution, signify the social emancipation of the bourgeoisie and the recasting of the feudal corporative regime into a capitalist bourgeois social system. In a socialist revolution the proletariat rises to the position of a ruling class and destroys capitalism by socializing the means of production.

The political and psychological aspects of a revolution are emphasized when it is regarded as an uprising of the many against the few, the subjects against the rulers. For some time before the outbreak of a revolution the upper class finds itself in the position of a minority isolated from the rest of society; and the old order is finally overthrown by the aroused majority because it appears to serve only the interests of the few at the top. A revolutionary outbreak is likewise preceded by a decline in the power and prestige of the political authority; simultaneously there develops among broad masses of people a consciousness of separation from and opposition to the state. Weighted by its own weakness and the growing resistance of the populace, the machine of the state gives way at various points, until a concerted attack by revolutionary forces results in its complete breakdown. Then, as the political system is changed, power passes from the last legitimate to the first revolutionary government; thus the gulf between the rulers and the ruled is, at least for the moment, bridged. In the typical bourgeois democratic revolution this reunion of the people with the state is formalized through the convocation of a constituent assembly which embodies the principle of popular sovereignty.

A counter-revolution is an attempt to reverse the transformations effected in a revolution; its success signalizes the triumph of the upper class, which has been endangered and temporarily displaced by the revolution. Yet a counter-revolution seldom resuscitates the regime overthrown by a revolutionary onslaught; and the more intelligent advocates of counter-revolution never propose a faithful restoration of the old order. This would scarcely be conceivable in theory or desirable in practise. Revolutions are not undertaken lightheartedly to please the fancies of idealistic youth or to sate the fury of revolutionary agitators; a great revolution occurs only when the disintegration of the dominant social system has reached an advanced stage and its stultifying effect upon progressive forces has become intolerable. A revolutionary trend therefore cannot be neutralized by a return to the very conditions which produced it. A counter-revolutionary movement will look back with longing upon the old system, but the conception of the past from which it derives its goal for the future is a refined and idealized version of the historical reality. Moreover, since it must operate in a revolutionary environment, it is virtually compelled to accept many current ideas and methods; it must learn at least to couch its proposals in the popular phraseology of revolution. In word and in deed counter-revolution is thus an ambiguous mixture of the old and the new. It dare not preach a pure and simple return to the past lest it jeopardize its success with the masses affected by the revolutionary ferment; and it cannot adopt a clear cut revolutionary program if it is to remain true to its historic mission.

A revolution occurs, as Lenin observed, when the upper class cannot and the lower class will not continue the old system. The period leading up to a revolution is marked by increasing inability at the top to maintain the status quo and by growing unwillingness at the bottom to tolerate it. The bourgeois revolutions in western society, for instance, were preceded by an epoch of economic and social change extending over several centuries during which the power of the capitalist bourgeoisie grew at the expense of the feudal nobility. The stage for revolution was set when capitalist enterprise had spread from trade to all the important branches of production and when the feudal nobility had been transformed into a class of absentee landowners living on tribute exacted from the peasantry and on bounty from the state treasury. Similarly a proletarian revolution comes at the close of a fairly prolonged development which culminates in the creation of a proletarian mass conscious of its own power and in the concentration of produc-

tion in a few large plants controlled by private monopolies or by the state.

The maturing of new and potentially revolutionary forces within the old social framework is at first so slow and gradual as to be imperceptible. So long as the new appears to be closely bound up with the old and permeated with the characteristic elements of the traditional ideology, the dynamic character of this development, the fact that it must ultimately transcend the bounds of the existing society, is scarcely intelligible either to the potential advocates of change or to the future partisans of conservatism. In eighteenth century France, for instance, the rise from *ourvrier* to *maître ouvrier* and thence to entrepreneur was still so common that it would have been difficult indeed to perceive in worker and entrepreneur the two antithetical poles of fully developed capitalism, and to foresee that the conflict between capital and labor was to be of much greater historical significance than the opposition between the privileged and the third estates, which was the avowed motivation of the French Revolution.

When the new forces have developed to a certain point, their essential difference from the old must be recognized if they are to continue to grow. A bourgeoisie which is unconscious of its specific characteristics, which does not rise to the conception that the third estate is nothing and should be everything (according to the bold formulation of Abbé Sieyès), which is content to permit the feudal nobility to assimilate its wealthiest and most distinguished members, cannot attempt the reconstruction of state and society. If it is to undertake such a venture it must become aware of itself as an element alien to the established system and develop the courage to fashion the world after its own image. In more general terms, an effective revolutionary ideology must reveal to the rising social class that it is and why it is a class distinct from the society into which it was born; it must offer a critique of the existing order and draw the general outlines of the ideal substitute. The present and the future must be contrasted if only that the claims of the present to absolute validity may be denied.

Even if conceived in the study of a solitary thinker, a revolutionary ideology cannot for long remain isolated from practical life. It must seek to materialize itself; that is, to arouse the masses to the pitch of enthusiasm requisite to the triumph of a major social interest. The transformations thus effected through the ideology and in it are evident when it becomes the basis of an organized movement. It would nevertheless be a mistake to assume that ideology is more important than organization or that the former precedes the latter; social ideation and social volition do not work independently of each other, nor does organization represent merely a more or less accidental juncture of the two. A thinker in isolation does not evolve a really revolutionary ideology unless his ideas move toward the type of solution being worked out in the world of action. Ideology does not create organization; it merely reenforces and broadens the process of organization by clarifying its causes and aims.

Not all revolutionary organizations are set up ad hoc. In many instances organizations integrated with the existing regime become revolutionized and help to destroy it. The village, the factory, the tenement, the proletarian quarter, develop into active units in a revolutionary struggle. Even the armed forces of the state are subject to transformation. A revolutionized army strikes, or in military terminology mutinies, signalizing thereby its dissolution as a fighting body. The revolutionary service which it renders is not the active one of supplying the revolution with a military instrument, but the purely passive one of leaving the tottering regime defenseless. Refusal to obey the old command, abandonment of discipline, is all that may be expected of a fatally diseased military organism. For the armed force of the state a revolution never means simply a change of battle standard; no revolutionary regime inherits from its predecessor an army whose fighting strength is not thoroughly undermined.

Revolutionized organizations operate alongside those which have been revolutionary from their inception. Even among the latter, however, there are some which have been neither formed nor maintained for political purposes; these have nevertheless a definite political orientation which colors and invigorates their activities. An outstanding example of this type of revolutionary organization was the salon of eighteenth century Paris, in which liberalized aristocrats and atheistic clergymen foregathered with bourgeois intellectuals. The salons had been social meeting places for the aristocracy long before the power of the *ancien régime* was at all shaken. But with the approach of the revolution they underwent a complete transformation: they grew in number, they were no longer exclusively aristocratic and they adopted an equivocal attitude, de-

nouncing the government in theory and supporting it in practise. It is initially the revolutionists who set up political organizations; only later do those whom the revolutionists attack establish rival institutions. Under peaceful conditions the ruling class is organized as the state and needs no other specifically political associations; the lower class, on the other hand, must strive to consolidate itself on both the economic and the political front.

The role of organization is likely to be more important in a proletarian than in a bourgeois revolution. The transition from capitalism to a classless socialist society involves more radical and far reaching changes than supersession of the feudal order by the bourgeois system, both of which are marked by an internal antagonism between an upper and a lower class. The social status of the banker, the manufacturer and the highly paid professional prior to a bourgeois revolution is much superior to that which any element of the proletariat can hope to achieve under capitalism; for many bourgeois groups their revolution simply confirms an accomplished change. The proletariat, on the other hand, must organize in order to overcome its sense of subjection and to prepare for the seizure of political power, which represents merely the first decisive step toward its social emancipation. Nor is the socialist movement as limited in dealing with the problems of organization as is bourgeois liberalism. Groups professing a belief in the beneficence of free competition in all spheres of social life will be somewhat averse to rigidity and centralized control in politics, while those whose aim is a planned society will naturally favor the highest degree of organization.

The importance of organization in the achievement of socialism may be illustrated by a comparison of the Russian Revolution of October, 1917, with the German Revolution of 1918. In Russia the Bolshevik party at the head of the masses of peasants, workers and soldiers overthrew capitalism, which, it should be noted, was still rather weak. In Germany the predominance of a nominally socialist but in fact petty bourgeois reformist party helped to save capitalism. The German experience has shown that, just as some organizations of non-revolutionary origin become revolutionized under certain circumstances, associations founded for essentially revolutionary purposes may develop an antipathy to revolutionary action and indeed, without formally disavowing their revolutionary past, may turn into counter-revolutionary bodies.

With regard to legality of revolutionary organization there are certain theoretical differences between the situation confronting revolutionary liberalism and that which socialism must face. Whereas the former attacks a state which does not in principle tolerate any association with political aims, the latter arises under conditions of more or less developed political democracy. In practise, however, the distinction is not as sharp as these formal considerations suggest. For it is unwise to assume that a bourgeois state will permit revolutionary socialist parties to develop to the point where they can command the allegiance of an electoral majority and can grasp political power by parliamentary means; on the other hand, it is a matter of historical record that for some time before its final collapse absolute monarchy was too weak seriously to combat revolutionary agitation and propaganda. Despite its essential "illegality" the revolutionary party or bloc may, in a situation where the disintegration of the old political system is far advanced, arrogate to itself a great many governmental and administrative functions thus competing with the lawfully constituted authorities (parliament with the crown, soviet with the democratic legislature).

Revolutions are often preceded by public calamities, such as famines and wars, which shortsighted observers incorrectly regard as causative. Their true significance from the standpoint of the revolutionary process lies in the fact that they serve to spread and to intensify the inclination to revolutionary action. Such events weaken the loyalty of the intermediate strata to the existing order and assure their neutrality if not their active cooperation in the first stages of a revolution.

The approach of a revolutionary storm is heralded by growing restiveness of the masses and increasingly frequent outbursts of violence on a local scale: assassination of prominent leaders of the government or of government parties; bombing of important buildings in the city and firing of landlord mansions in the country; burning of court records and mortgage deeds; strikes of producers of essential foodstuffs, mass demonstrations and workers' strikes. The immediate effect of each of these occurrences taken separately may be virtually nil, but in the aggregate they indicate that the revolutionized strata are no longer content to remain passive. Any incident, however petty, is apt to set off the actual revolution; the Revolution of 1848 in Bavaria seems to have begun with the dropping of a

student's cane from the balcony into the orchestra pit of a Munich theater.

When a great revolution finally breaks, it encounters virtually no internal opposition; it appears to unite the people rather than to separate them into hostile camps. Psychological drives, such as suggestion and imitation or fear, play a part in this process, although it cannot be entirely reduced to these simple terms. Nothing is more contagious than success in politics as in every other field of human endeavor. The fact that a revolutionary attempt has succeeded, that under pressure from below the governing machinery of the state has collapsed, seems to put the adherents of the old order in the wrong. Few of them have so clear a conviction and so fervid a faith in the correctness of their pre-revolutionary ideals as to persist in their old beliefs under such circumstances. Most of the former conservatives adopt to a varying extent the philosophy of the victorious revolution. The swing in political opinion is so abrupt and so wide that it results in a glaring inconsistency between present professions and past performances. Many converts seem entirely to forget their past; some may see it in a new light as a state of delusion caused by ignorance and abetted by the misleading propaganda of the old regime.

Fear is just as universal a drive as suggestion and imitation. If a revolution fails, few will admit having instigated it, but if it succeeds almost everyone will claim that he worked for and participated in it. In a revolutionary situation fear is a particularly important factor, because revolutions are always movements of the lower class against the upper class. It would be silly to maintain that the under dog is by nature more courageous than the top dog, but it is not unreasonable to assume that such differences develop because of the conditions under which the two classes live. The atmosphere of upper class existence tends to favor delicacy and sensitivity and to discourage self-assertiveness, while survival in a lower class environment is conditioned upon physical endurance and spiritual fortitude. Furthermore the upper class is not habituated to protecting itself by its own efforts, for in normal times this duty devolves upon the police and the courts. But when the old guardians of law and order are replaced by the agencies of the revolutionary mass, the upper class is left exposed and must seek to protect itself. Indeed it stands to lose a great deal unless it can find some way of safeguarding its interests, a fact which in itself explains the amazing professions of revolutionary sympathy on the part of those whom the revolutionist would instinctively regard as his natural enemies.

Yet in the last analysis psychological factors are merely the superficial manifestations of more fundamental forces. While the upper class individual plays dead, the class as such does not disappear. If at a later stage it is to become the core of the counter-revolutionary movement, it must go along with the revolution in its early phases. In so doing it will attempt to restrict the scope of the revolutionary transformation and to forestall the ascendancy of revolutionary extremism, a task quite consistent with its future role, since the counter-revolution, however reactionary, will accept some of the changes introduced by the revolution.

Upper class participation in revolution is facilitated by the fact that the revolutionists themselves are divided into moderates and radicals. When a revolutionary outbreak occurs, the ruling group grants many demands for which a long and vigorous but futile struggle has previously been waged. The psychological value of these victories is not as great as that of far less important concessions won by peaceful methods, for the occurrence of a revolution and the apparently weak resistance with which it meets raise the hopes and expectations of the revolutionary stratum. But the practical influence of such achievements can scarcely be overestimated, since they lead to a division in the revolutionary camp, previously united in the fight against the common enemy. For the revolutionary mass is never a homogeneous whole; it consists of a large number of groups and subgroups, some of which even before the revolution were not far removed from the level of complete social emancipation while others have still a long way to go. In general the closer a social group is to its goal, the less likely it is to undertake revolutionary action and the more eagerly it will exploit a revolution for its exclusive benefit. After the first concessions have been gained, the groups which have thereby achieved emancipation—the bourgeoisie proper in a bourgeois revolution, the labor bureaucracy and the proletarian élite in a proletarian revolution—tend to withdraw from the revolutionary struggle and to constitute themselves a new party of law and order.

The split between those who have had enough of revolution and those who would continue it leads necessarily to a programmatic and prac-

tical rapprochement between the moderate revolutionists and the prerevolutionary conservatives. The groups whose interests are represented by the moderates are now forced to shift their position; they discard their general anti-government attitude and develop a sympathetic understanding of the benefits of peace, order and authority. Moreover in their efforts to build up a strong governmental apparatus which will defend the new regime against reaction from the right and radicalism from the left, the moderates are compelled to seek the aid of officers of the old army and of the officials of the old government, thus reviving the sense of importance and power of the latter elements. The converted revolutionists and the moderates form the bloc which supports the first revolutionary government.

It is of decisive importance for the further development of the revolution that the new alliance does not endure for long, because its right and left wings gain in strength at the expense of the center. This phenomenon is entirely consistent with the typical conditions of a revolutionary situation. So long as the new government has not consolidated its power and does not enjoy the prestige of legality, the relations among the conflicting social forces remain fluid. Both reaction and radicalism have a better chance to gain their ends before the compromise between the middle groups is finally settled and normal conditions are resumed; they will therefore attempt to prevent stabilization and will push vigorously ahead while it is not too late. The growth of extremism is traceable also to economic factors. Although revolutions are not deliberately planned to provide an immediate cure for economic ills, economic disturbances serve to release revolutionary energies. It is important therefore that in its early stages a revolution aggravates rather than mitigates economic difficulties. Revolutionary strikes of workers and food producers, disruption of communication and transportation, destruction wrought by armed conflicts between loyalists and revolutionists, the sudden and complete impoverishment of many formerly prosperous families, disorganization of state finances, growing insecurity of property—all these make a bad economic situation worse; the material losses thus inflicted constitute the more or less fixed economic cost of a revolution.

In a situation so beset with difficulties there is little likelihood that the moderates who have risen to power on the crest of the first revolutionary wave will long retain control. Their right wing is too close to reaction and their left wing too much inclined to radicalism to permit a rigorous exercise of authority against either extreme. Their revolutionary past will prevent them from attempting to restore the old order, and they cannot establish the new one on firm foundations because their fear of the left compels costly commitments to the right. The weakening of the middle groups, the strengthening of reaction and radicalism and the intensification of social conflicts into a bitter struggle between the right and the left justify the belief that a great revolution culminates not in a free, libertarian regime but in either a "white" or a "red" dictatorship. Although similar in externals, these dictatorships move toward fundamentally different and mutually opposed social systems.

The growth of the right wing of the moderate party signifies ipso facto an increase in the strength of reactionary groups not included in the government bloc and paves the way for counter-revolution. In a bourgeois revolution, counter-revolution is the concern of royalty, nobility, clergy and aristocratic officers and officials, while in a proletarian-socialist revolutionary attempt it is the function of the capitalist bourgeoisie and its following. The fundamental practical problem which counter-revolution must seek to solve arises from the fact that the groups which stand to benefit by it are too weak numerically to carry it through by their own unaided efforts, especially since the revolution has deprived them of much of the prestige and social influence which they enjoyed under the old regime. But, as history has shown, those who are outspoken in demanding restoration—aristocratic émigrés during and after the French Revolution, the Russian anti-Soviet White guard organizations, the monarchist unions and officers' leagues in Germany after 1918—do not succeed in enlisting popular support. To fulfil its historic mission reaction must become plebeian; it must devise a program appealing to those elements which in their social background and outlook are but remotely related to the central group of original counter-revolutionists. These volunteers in a cause essentially alien to their interests must be kept ignorant of the fact that they are organized and directed by reaction; otherwise they will not join or will refuse to act after they have been recruited.

Difficult though it is, the practical problem confronting counter-revolution is not insoluble.

In the period of preparation for a decisive struggle between reaction and radicalism—under the government of the moderates—the former ruling class is still in possession of considerable economic and political resources; the influence of wealth, authority, tradition, reputation and personal connections does not evaporate overnight in a revolutionary uprising. By such means reaction succeeds in winning the support of those elements which never had a strong attachment to the revolution and did not expect much from it; while they may have been affected by the enthusiasm evoked by its early victories because these were immediately beneficial to their interests, they are vigorously opposed to any attempts to carry the revolution further. On the other side reaction makes an appeal to the disillusioned revolutionists, those to whom the revolution seemed to promise a great deal, who fought its heaviest battles and who have thus far gained very little or nothing at all. A typical example of the first group is the mass of the middle and petty bourgeoisie in the German Revolution of 1918. These elements supported or tolerated the revolution so long and in so far as they saw in it a movement to end a war which had degenerated into senseless butchery. But in the face of attempts to shunt the revolution from the democratic reformist rut on to a socialist-proletarian track they immediately flocked to the counter-revolutionary standard which proclaimed the defense of property rights. Reactionary appeal to the other extreme was illustrated in the nineteenth century by the overtures of feudal elements toward the proletariat; the latter was to be won over by the promise of social and political reforms to the side of the royalty, nobility and clergy in opposition to bourgeois liberalism. The position of bourgeois counter-revolutionists is more difficult, because there are no classes lower than the proletariat to whom they can appeal. The experience of National Socialism in Germany has shown, however, that counter-revolution in a radical socialist disguise can attract the support of the unemployed, the youth and the unskilled more readily than that of skilled labor organized in free trade unions and educated in the traditions of Social Democracy.

There are two distinct stages in the development of a counter-revolution. In the first the groups with which counter-revolutionary tendencies originate recognize the necessity of accepting the achievements of the revolution in order that it may be stopped before it undermines the old structure at the really decisive points. It is probable that even at this time there exists a small group of convinced admirers of the old order; but in so far as they frankly advocate restoration they do not count politically. The outstanding leaders of the class endangered by the revolution understand clearly that at this juncture intransigence means political suicide. In the second stage the division between moderate and extreme revolutionists leads to armed encounters; the economic situation does not improve but grows worse; the popular prestige of the revolution is impaired; and broad masses of people begin to experience an essentially passive yearning for a return to the old. Only then does counter-revolution, strengthened in numbers and drawing its support from a broader social base, begin to give articulate expression to its true program. No longer promising to respect the gains made in the first period of the revolution, it sets as its goal the reestablishment of a refined and idealized version of the old order, a sort of *Zukunftsstaat* in reverse.

Development of a counter-revolutionary movement implies the weakening of the revolutionary class and its ultimate defeat. Historically, however, no reaction has ever expunged all traces of the revolution. The destruction of the existing order by the revolution, the defeat of the revolutionary groups by the counter-revolution, the apparent freedom with which the reactionary leadership proceeds against various classes after it attains to power, the fact that the counter-revolutionary regime can be identified neither with the prerevolutionary system nor with that envisioned by the revolution, all these developments lend plausibility to the notion that counter-revolution instead of merely restoring the old in a new disguise actually creates a new order in which the *ancien régime* and the revolution are negated and transcended in a dialectic synthesis.

It is far more difficult to construe types of counter-revolution than to classify revolutions. A revolution, whatever the obstacles it encounters and the sacrifices it demands, can settle the difficulties which provoked it; in this respect a counter-revolution necessarily and inevitably fails. The reactionary waves released by bourgeois revolutions have retarded but not stopped the victorious march of the bourgeoisie, of capitalism and of parliamentary democracy. Ultimately the antibourgeois forces of the past could reassert themselves only by entering the service

of the bourgeoisie in the support of imperialist expansion and the suppression of the revolutionary labor movement—the policies of finance and monopoly capitalism. A counter-revolution whose practise comes closest to its theory, which, in other words, most nearly achieves restoration, is always in danger of succumbing to a new revolutionary onslaught. On the other hand, a counter-revolution which deviates farthest from the prerevolutionary order, which makes large concessions to the defeated class, in effect reestablishes the old system on a more stable basis; such a counter-revolution marks the opening of a new era whose outcome is altogether unpredictable.

The situation which results when the revolution passes its first stage and runs into political and economic difficulties may be represented as a race between reaction and radicalism. The natural reservoir of radical revolutionary strength is to be found in those strata which are farthest removed from social emancipation, which participate most actively in the revolutionary struggle and gain least by its early achievements. An objective consideration of the various forces at work would seem to indicate that at this point reaction stands a better chance of victory. "The revolution is finished," chant the conservatives in revolutionary disguise in unison with the new advocates of order, the former revolutionists whose ardor has cooled. These groups are united in the desire to prevent the complete materialization of revolutionary potentialities; and in impetuously pushing forward radicalism is laboring under a tactical disadvantage, for it is made to appear subversive of peace and normalcy. A more important handicap is the composition of the radical camp. While the central body of reactionaries includes the stratum habituated to the idea and practise of state power, the radical forces are rooted in the lower class, people who have never had an opportunity to wield any sort of authority. The radical program, which calls for a complete reversal of the traditional relations between the upper and the lower class, now encounters the resistance not only of the propertied classes but also of large groups of professional people and petty bourgeois who believe themselves better fitted to rule than the lower strata on whose behalf the radicals aspire to power. Even to those at the bottom of the social scale the idea that they are to occupy the seat of power appears strange. Their natural response is that of slaves suddenly set free: they tend either to remain loyal to their old masters or to waste their newly found strength in riot and debauch.

To overcome these difficulties a strong and militant radical organization is of course essential. In addition radicalism must strive to neutralize certain groups and to secure the active cooperation of others, especially from the ranks of the moderate revolutionists. This latter objective is not impossible to attain, since most of the radicals come from a social milieu close to if not identical with that of the adherents of the moderate party, and since the concrete program of radicalism represents the most straightforward and logical application of the general principles of the revolutionary ideology to which both radicals and moderates adhere. Radicalism is favored also by the dynamic character of the revolutionary situation; it is not easy to move large masses to action, but it is equally difficult to stop them once they have been set in motion.

Desertions to the radical camp weaken the moderates and leave them oscillating helplessly between the right and the left. The growth of the extreme left appears to force the moderates into closer union with reaction, the traditional guardian of law and order; but a move to the right threatens further to disorganize and reduce the ranks of the moderate party. For the moderates fear the friendship of their old enemies even more than the enmity of their old friends; on the whole they regard the radical as a brother in arms who must be convinced of his errors rather than as a foe to be destroyed—an emotional handicap of which radicalism is entirely free.

As radicals seize power they have to contend with a strengthened and unified opposition. All those who fear the loss of privileged or preferred status are now joined in the fight against the common enemy. In this antiradical camp the differences among the various groups—the ultra-reactionaries, the revolutionists by adoption and the moderates—now tend to disappear. Furthermore there is the potent threat of intervention by foreign powers. Under such conditions it is fatal to falter or to hesitate. If the radicals are to retain control of the situation they must at once secure an organized force capable of defending the revolution: a Committee of Public Safety, a Cheka, a New Model Army that can combat the armies of foreign states ruled by reactionary governments and break up the dangerous alliance between domestic and foreign counter-revolution.

These developments will necessarily influence the outlook of revolutionary radicalism. Impelled by the dynamics of struggle, not by opportunistic compromises as in the case of the moderates, radicalism temporarily moves away from its final goal of a classless and harmonious society. At this point there is need of a theory of "the transition period" which will reconcile the contradictions between the final goal and the means used to attain it. Such, for example, was Robespierre's doctrine that "the despotism of liberty against tyranny" is necessary in order to prepare the ground for a free egalitarian society. The dictatorship of the proletariat is, according to Marx and Lenin, the inevitable link between capitalism, a society in which antagonistic forces reach their highest development, and socialism, the first social order based on principles of solidarity.

Even more significant are the structural changes in a country where a radical revolution has achieved victory. While the elements which constituted the old society have disappeared, the groups which have been in the ascendant have become exhausted by their prolonged struggles in the defense and consolidation of the revolution. A condition develops which is not unlike that produced by a victorious counter-revolution: it appears that an enormous and powerful state machine is now free to disregard the interests and wishes of society or of any groups within it. In control of such a machine the conservative landlord Bismarck could create the German Empire and the communist revolutionary Lenin introduce the New Economic Policy.

A radical revolution does not travel directly to its announced goal and it exacts a heavy toll in human life and suffering; but the transformations it effects are more fundamental and permanent than those achieved at smaller cost under the leadership of moderates. Neither the Thermidor reaction nor the Bourbon Restoration modified in any important particular the structure of French society as established by the revolution; and that social system might not have been so firmly intrenched if the Jacobin dictatorship had not saved the revolution from the cul-de-sac into which it had blundered.

ALFRED MEUSEL

See: INSURRECTION; REBELLION; MUTINY; COUP D'ÉTAT; CIVIL WAR; BRIGANDAGE; CLASS; CLASS STRUGGLE; ARISTOCRACY; NOBILITY; BOURGEOISIE; MIDDLE CLASS; PEASANTRY; PROLETARIAT; INTELLECTUALS; INTERESTS; STATE; OBEDIENCE, POLITICAL; VIOLENCE; TERRORISM; RIOT; GENERAL STRIKE; AGITATION; CONSPIRACY, POLITICAL; POLITICAL OFFENDERS; POLITICAL POLICE; REFORMISM; RADICALISM; ANTIRADICALISM; FRENCH REVOLUTION; COMMUNE OF PARIS; RUSSIAN REVOLUTION; FASCISM; NATIONAL SOCIALISM, GERMAN; DICTATORSHIP.

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psychische Massenerscheinung, Grenzfragen des Nerven- und Seelenlebens, no. 107 (Munich 1920); Sorokin, P., *The Sociology of Revolution* (Philadelphia 1925); Geiger, Theodor, *Die Masse und ihre Aktion* (Stuttgart 1926).

RHETT, ROBERT BARNWELL (1800–76), American statesman. In 1837 Rhett, dropping his parental name of Smith, assumed the name of a colonial ancestor whose male line had become extinct. When in the same year he entered Congress as representative from South Carolina, he had completely formulated the political creed to which he adhered steadfastly during the rest of his life. He was devoted to the older variant of the doctrine of states' rights which in emphasizing the sovereignty of the state repudiated both the legal hegemony of the union and the ethical hegemony of a section. Rhett's aggressive localism coincided with the emergence in the South of a new attitude, essentially nationalistic, which was designed to draw all the southern states into a close association and to determine the policy of each by the welfare of all. His opposition to all centralizing tendencies whether on a sectional or on a national scale is reflected in the important events of his life. Shortly after entering Congress he became an avowed secessionist. The "Bluffton Movement," precipitated by a speech which he made at Bluffton, was an attempt, frustrated by Calhoun, to argue his state out of the union as the first step toward a southern confederacy which would include Texas. Following the Compromise of 1850 Rhett eagerly participated in another attempt to break the union. The "Southern Nationalists" withdrew from this movement when they found that the South as a whole was not ripe for secession, but Rhett stuck to his guns to the bitter end. Soon after the failure of this movement he retired to private life; he issued forth again, however, as the secessionist leader of South Carolina in 1860, and considerable efforts were made to elect him president of the Confederacy. When his successful rival, Davis, entered upon his work of administrative centralization, Rhett became his bitter opponent. During the remainder of Confederate history he took part in every effort to limit the power of the administration and to exalt that of the separate states. After the downfall of the Confederacy he lived in retirement.

N. W. STEPHENSON

Consult: White, L. A., *Robert Barnwell Rhett, Father of Secession* (New York 1931); Boucher, C. S., "The Annexation of Texas and the Bluffton Movement in South Carolina" in *Mississippi Valley Historical Review*, vol. vi (1919–20) 3–33, and "The Secession and Cooperation Movements in South Carolina, 1848 to 1852" in *Washington University Studies*, Humanistic series, vol. v, no. ii (St. Louis 1918); Stephenson, N. W., "Southern Nationalism in South Carolina in 1851" in *American Historical Review*, vol. xxxvi (1930–31) 314–35; Carpenter, J. T., *The South as a Conscious Minority, 1789–1861* (New York 1930); Hamer, P. M., *The Secession Movement in South Carolina, 1847–1852* (Allentown, Pa. 1918), especially ch. vi.

RHIGAS, KONSTANTINOS (*c.* 1757–98), Greek nationalist and poet. Very little is known of Rhigas' life until about 1790, when he left his native land for Bucharest. He was a student there for several years and later became secretary to the hospodar. While in Bucharest he organized a group to promote a Greek revolt against Turkish absolutism and in order to further the movement went to Austria, where he won the support of many of the Greek merchants in Vienna and Trieste. During this period he had his revolutionary poems and writings distributed secretly throughout Greece. Rhigas was greatly influenced by French revolutionary doctrines and was negotiating with Napoleon for assistance in the Greek cause when, together with several friends, he was arrested by the Austrian government. He was handed over to the Turks and put to death.

Rhigas played a preeminent part in developing an ideological basis for the Greek revolutionary struggle. His works were read extensively and stimulated a revival of nationalist sentiment. His purpose was the liberation not only of Greece but of the entire Levant from the sultan's yoke. In this connection he gave expression for the first time to the idea of a Balkan league, which was to include the Levant of Asia Minor. All Rhigas' writings, with one exception, have a socio-pedagogical and political content. Of special importance are his celebrated *Song of Freedom*, which sought to incite to revolution not the Greeks alone but all the subjects of the sultan, and his *Proclamation on Liberty, Equality and Fraternity*, which contained a detailed plan for the constitution of the new state. The *Proclamation* was influenced chiefly by the French constitution of 1793, although many of its precepts are reminiscent of the constitutions of 1791 and 1795 as well as of those proposed by Sieyès and Condorcet. It is distinctive, however, because of its deliberately cosmopolitan point of view: it speaks only of "the rights of man" and not of the "rights of citizens," for in the new state citizenship was to be a necessary qualification only for positions in

the public administration and otherwise all were to enjoy equal rights and privileges.

PANAJOTIS KANELLOPOULOS

Consult: Edmonds, E. M., *Rhigas Pheraios* (London 1890); Nicolapoulo, C. A., *Notice sur la vie et les écrits de Rhigas* (Paris 1824).

RHODES, CECIL JOHN (1853–1902), English empire builder and colonial statesman. As a young man Rhodes went to south Africa for his health and became interested in the diamond diggings at Kimberley. His business career culminated in the consolidation of these diamond fields in the hands of the De Beers Mining Company. Rhodes had already entered political life at Cape Colony, had aided in establishing British power in Bechuanaland and, like others, had foreseen eventual expansion of British power to the north. In 1889 he organized the British South Africa Company, chartered by the crown, which with De Beers funds undertook to establish a British colony in what is now Rhodesia, anticipating apparent Boer, Portuguese and German aims in this direction. Meanwhile Rhodes became prime minister of Cape Colony and also began the development of deep level mines on the Rand through the Consolidated Gold Fields Company. His native policies both at the Cape and in Rhodesia have been much criticized. With respect to the Boers he advocated a South African policy which would promote a federal union of all states with unified railway and tariff control. Impatient to achieve his ends, he planned a revolt at Johannesburg against Boer rule, sustained by Rhodesian forces. The abortive Jameson raid brought his program to a sudden end in 1896. Rhodes continued to wield power unofficially in his northern domains, aided in suppressing a serious Matabele uprising and projected telegraph lines and railways along the Cape to Cairo route. At the Cape he was leader of a pro-British party, which greatly exacerbated Dutch-English relations and strengthened the resolution of the Boer republics to resist British encroachments. The Boer War curbed his independence of action and his influence upon the course of events.

Despite numerous biographical works by associates the personality of Rhodes remains something of a mystery. He was clearly a man of mystical temperament, with few close friends, attached to mediocrities, more captivated by a South African than by a British view of empire and desirous of wealth as a means of power. The publication of his will with its provision for scholarships at Oxford for British, American and German students encouraged the rapid rise of Rhodes legends which serve as a gloss for the ruthlessness of his methods. Rhodes symbolizes the mixture of sharp business practise and political ambition which characterized the expansion movement of the last quarter of the nineteenth century. His fortune arose from shrewd exploitation of native labor and his power was a function of the expansion movement itself, which shaped his personality and made him its boldest and most imaginative leader.

LELAND H. JENKS

Consult: *Cecil Rhodes; His Political Life and Speeches*, ed. by "Vindex" (F. Verschoyle) (London 1900); Michell, Lewis, *Life and Times of the Right Honourable Cecil John Rhodes*, 2 vols. (London 1910); Williams, Basil, *Cecil Rhodes* (London 1921); Millin, S. G., *Cecil Rhodes* (London 1933); Plomer, W. C. F., *Cecil Rhodes* (London 1933); Harris, John H., *The Chartered Millions* (London 1920); Hole, H. M., *The Making of Rhodesia* (London 1926).

RHODES, JAMES FORD (1848–1927), American historian. Rhodes, after having spent a year each at New York University and Chicago University, returned to his native city of Cleveland, Ohio, to enter the coal and iron business which his father had built up. For the next fifteen years he was associated with his brother-in-law, Mark Hanna, and succeeded in collecting a comfortable competence. In 1885 he was able to retire, and after more than a year spent in European travel he set about his life work, residing first in Cleveland, then in Cambridge, Massachusetts, and after 1899 in Boston.

Selecting the Civil War period as his field Rhodes published in 1893 the first two volumes of his *History of the United States from the Compromise of 1850* (7 vols., New York 1893–1906; new ed., 9 vols., 1928). The year 1877 had been set as the original goal of his history, but in 1919 Rhodes published also the *History of the United States from Hayes to McKinley, 1877–1896* and in 1922 *The McKinley and Roosevelt Administrations, 1897–1909*. In 1917 there appeared his one-volume *History of the Civil War*, which Rhodes called "not an abridgement . . . but a fresh study of the subject." Between 1885 and 1927 he wrote various short essays on historical subjects, some of which were incorporated into his later books.

Rhodes' fame as a historian rests upon his original volumes, especially the first five. These are not so much a history of the United States

as a chronicle of the slave struggle and particularly of its political aspects. Despite the fact that he was a northerner and a Republican in politics and had been brought up in a section where abolitionist sentiments had been pronounced, he gave a remarkably unprejudiced presentation of the southern position. Rhodes had a real flair for the picturesque and spectacular, and his pages abound in graphic descriptions of some of the more sensational events of the period he was treating; his pen portraits of political and military personages are also noteworthy. His earlier work was built up painstakingly on diligent study of the sources with much utilization of the newspapers; and although later scholarship has succeeded in questioning some of his conclusions, his history still stands as the best single, detailed study of the political and military events of the years 1850 to 1877.

Rhodes' lacunae were serious, however, and prevent his history from being a true record of all the main currents of American national life from 1850 down to the close of reconstruction. For example, he showed no awareness of the nature of the economic antagonisms between the southern slavocracy and the growing northern capitalistic class; while he scarcely noticed the influence of the west in the shaping of the politics leading up to the Civil War. The diplomatic, naval and general social aspects of the Civil War period were slighted also. His two volumes covering the years 1877–1909 are generally unsatisfactory, and they prove that Rhodes in his own times was quite at a loss as to the true significance of industrial and financial growth and organization, the rise of labor groups and struggle, and agrarian discontent.

L. B. SHIPPEE

Consult: Howe, M. A. De W., *James Ford Rhodes, American Historian* (New York 1929); Adams, C. F., "Mr. Rhodes's Fifth Volume" in Massachusetts Historical Society, *Proceedings*, 2nd ser., vol. xix (1905) 311–56; Shippee, L. B., "Rhodes's History of the United States," and Miller, R. C., "James Ford Rhodes; a Study in Historiography" in *Mississippi Valley Historical Review*, vol. viii (1921–22) 133–48, and vol. xv (1928–29) 455–72; Lynch, J. R., *Some Historical Errors of James Ford Rhodes* (Boston 1922).

RICARDO, DAVID (1772–1823), English economist. Ricardo was born in London of Anglo-Jewish parents. He passed his childhood in a restricted world of civic security, material well being, religious orthodoxy and social exclusion. Destined for a financial career, he was sent as a young boy to a school in Holland, where he remained for two years. Upon his return to England he continued to receive a common school education, until at fourteen his father began to employ him in the brokerage business. Soon after attaining his majority Ricardo married Priscilla Anne Wilkinson, a non-Jewess. Whether in consequence of this step or in general reaction against the rigid orthodoxy of his father's religious practise, a rupture occurred between father and son extending even to business affairs. Thrown upon his own resources, Ricardo displayed exceptional capacity in the money market and within a short time had established himself securely. Outside of business affairs natural science seems at first to have interested him. He was one of the original members of the Geological Society and made a collection of minerals.

The sensational events which led up to and followed the Bank Restriction Act of 1797 and the ordinary happenings of his everyday life on the Stock Exchange could not have failed to interest Ricardo in general financial principles. Yet the determining impulse to economic speculation came from almost chance acquaintance in 1799 with Adam Smith's treatise. Ricardo's début as an economic writer took the modest form of an unsigned paper on the bullion controversy, contributed in 1809, at James Mill's instance, to the *Morning Chronicle* and subsequently expanded into a forceful pamphlet, *The High Price of Bullion* (London 1810). It led to intimacy with Malthus and upon the incorporation of its substance into the bullion committee report of 1810 established Ricardo as a convincing exponent of monetary principles and an authoritative champion of "the true doctrine" against contemporary attack.

The corn law controversies of 1813–15 brought Ricardo again to the fore, first as a pamphleteer advocate of free trade principles in opposition to the protectionist leanings of Malthus, and later as an author of a systematic theory of economic distribution and tax incidence. Greater intimacy with James Mill, active correspondence with Malthus, Trower, McCulloch and Say and retirement from the stock exchange to the tranquil ease of a Gloucestershire country seat in 1814 tended to broaden the range of Ricardo's economic thinking and culminated in the publication of his *On the Principles of Political Economy and Taxation* (London 1817, 3rd ed. 1821). In 1819 Ricardo entered the House of Commons as member for Portarlington, an Irish pocket borough, and

parliamentary issues became his prime interest. Formal duties were supplemented by participation in current discussion: resumption of specie payment, bank practises, tax proposals, sinking fund policy, Owen's schemes, savings banks and popular education projects.

Much of present day wisdom with respect to currency, taxation and international trade is based upon Ricardo's analyses. In the matter of currency Ricardo's service was not merely to confirm and amplify earlier opinions but to coordinate them with actual monetary practise. He inspired the bullion committee report of 1810; his advocacy of disassociating issue from discount functions foreshadowed the bank act of 1844; and his "economical and secure currency" has become the monetary system of enlightened states. In the field of taxation Ricardo must be credited with the current acceptance of the principles that the social utility of any tax is determined not by its productivity but by its ultimate incidence and that this effect is governed by the laws of economic distribution; these considerations have become the fundamental criteria of all modern testing of tax proposals. The theory of international trade as left by Ricardo and expounded but not substantially altered by J. S. Mill has furnished the scientific basis for the practical rule of free trade.

There is a certain superficial warrant for the widespread opinion that the economic radicalism of the nineteenth century is an emanation of the Ricardian economics. Socialism, both in its earlier English phase and as developed by Rodbertus and Marx, rests upon the assumption that value is "embodied labor"; the appropriation by the state, wholly or in part, of economic land rent, either as a social panacea as urged by Henry George or as a fiscal device as contemplated by recent tax reforms, is based upon the differential theory of rent formulated by Malthus and accepted by Ricardo. Careful students have, however, distinguished between Ricardo's opinions and the misinterpretation or outright perversion of them. Ricardo accorded a place to "embodied labor" not as the cause but as the measure of value. So too in the matter of economic rent he insisted that with the progress of society capital tended to increase, and in consequence of limitation upon the productive capacity of the soil profits tended to fall and rents to rise; but he maintained that these phenomena, far from betokening any social injustice, were "the most unequivocal truths of wealth and prosperity."

Critics differ as to the validity of Ricardo's doctrines. There is little dissent as to his high service in establishing the concept of political economy as a body of uniformities dealing with the phenomena of wealth. His data may have been incomplete, his method in part defective, his conclusions at times misleading, but Ricardo's great contribution lay in his definitive conversion of economic speculation from detached inquiry or specific theorization into an integrally related body of principles. To this extent Ricardo is to be regarded as the true founder of the science of economics. With respect to particular principles—the theory of money, the laws of fiscal incidence, the scheme of economic distribution—Ricardo's contributions were important. But it is in the large influence of concept and method that the explanation of his dominance is to be found.

JACOB H. HOLLANDER

Works: *Works of David Ricardo*, ed. by J. R. McCulloch (London 1846). For Ricardo's letters to J. B. Say, see "Correspondance avec David Ricardo" in Say's *Oeuvres diverses* (Paris 1848) p. 406–29; *Letters of David Ricardo to Thomas Robert Malthus, 1810–1823*, ed. by James Bonar (Oxford 1887); *Letters of David Ricardo to John Ramsay McCulloch, 1816–1823*, ed. by J. H. Hollander, American Economic Association, Publications, vol. x, nos. 5–6 (New York 1895); *Letters . . . to Hutches Trower and Others, 1811–1823*, ed. by J. H. Hollander and James Bonar (Oxford 1899); *Three Letters on the Price of Gold, Contributed to the Morning Chronicle in August–November 1809* (Baltimore 1903); *Notes on Malthus' "Principles of Political Economy,"* ed. by J. H. Hollander and T. E. Gregory (Baltimore 1928); *Minor Papers on the Currency Question 1809–1823*, ed. by J. H. Hollander (Baltimore 1932). A definitive edition of Ricardo's writings is in preparation by the Royal Economic Society.

Consult: McCulloch, J. R., "Memoir" in his edition of Ricardo's *Works*; Hollander, J. H., *David Ricardo; a Centenary Estimate*, Johns Hopkins University, Studies in Historical and Political Science, 28th ser., no. 4 (Baltimore 1910); Diehl, Karl, *Sozialwissenschaftliche Erläuterungen zu David Ricardos Grundgesetze der Volkswirtschaft und Besteuerung*, 2 vols. (2nd ed. Leipsic 1905). For excellent bibliography of Ricardiana, see Biaujeaud, H., *Essai sur la théorie ricardienne de la valeur* (Paris 1934).

RICCA-SALERNO, GIUSEPPE (1849–1912), Italian economist. Ricca-Salerno was professor of finance at the University of Pavia and later taught economics at Modena and Palermo. His early works, notably *Sulla teoria del capitale* (Milan 1877) and *Teoria generale dei prestiti pubblici* (Milan 1879), attracted attention for their remarkable critical insight. In his monograph "La teoria del valore nella storia delle

dottrine e dei fatti economici" (in R. Accademia dei Lincei, Classe di Scienze Morali, *Memorie*, 5th ser., vol. i, Rome 1893, p. 137–305) Ricca-Salerno attempted to integrate the value theory of the Austrian school with that of the classical economists and contributed original observations on monopoly value. Of fundamental importance is *La teoria del salario* (Palermo 1900), presenting a most effective combination of deductive reasoning and factual analysis, in which he applied the doctrine of reciprocal demand to capitalist exchange between entrepreneurs and workers and treated the problem of distribution of wealth in its general and particular aspects.

Ricca-Salerno is to be remembered also for his contributions to fiscal science. His "Storia delle dottrine finanziarie in Italia" (first published in R. Accademia dei Lincei, *Memorie*, 3rd ser., vol. ix, Rome 1881; 2nd ed. Palermo 1896) is outstanding for its scope of analysis, its coordination of doctrine and fact and its comparison of Italian with foreign fiscal doctrines. No less important is the *Scienza delle finanze* (Florence 1888, 2nd ed. 1890), valuable for its economic analyses of fiscal in relation to political conditions, in which he departed from the concepts of Emil Sax and modified some of the latter's propositions; this study contains also a critical, synthetic exposition of the tax systems, pointing out their essential tendencies and principal relationships. Ricca-Salerno wrote numerous economic and fiscal monographs, most of which have been published in Italian and foreign reviews. His more general essays "Le entrate ordinarie dello stato" and "Finanze locali," published in *Primo trattato completo di diritto amministrativo italiano* (ed. by V. E. Orlando, vol. ix, Milan 1902, p. 1–386 and 685–899), treat the problems of fiscal jurisprudence in the light of the general principles of fiscal science.

AUGUSTO GRAZIANI

RICCI, MATTEO (1552–1610), Italian Roman Catholic missionary. Ricci was born in Macerata. As a young man he entered the Society of Jesus and in 1577 was sent to the Jesuit missions in the east of Asia. After about four years in India he was assigned to China, reaching there in 1582. During the preceding thirty years courageous but largely ineffective attempts had been made to renew Roman Catholic missions in the Middle Kingdom, where they had lapsed for more than two centuries. It was due largely to Ricci that these efforts succeeded. By slow stages covering many years he made his way to Peking (1601), where he resided until his death. In order to gain a foothold for Christianity in the country he addressed himself primarily to the dominant scholar-official class, winning their respect by showing that he possessed greater knowledge than they in mathematics and astronomy, subjects in which he had specialized in Europe. With the same end he made himself expert in the Chinese language and literature. Desiring to avoid antagonizing this ruling class, he adopted the garb of a Confucian scholar, employed in his translation of the word God the terms *T'ien*, *Shang-ti* and *T'ien chu*, which he found in the ancient classics, and decided that such ceremonies as those customarily employed in honor of ancestors could consistently be engaged in by Christians. It was his approach which most Roman Catholic missionaries in China were to adopt for more than a century after his death. After prolonged controversy some of his adaptations to Chinese customs and terms were forbidden by Rome. His appeal to the governing groups through western science, however, continued until early in the twentieth century. The precedent which Ricci set for missionaries in studying Chinese lore laid the foundations for European Sinology.

K. S. LATOURETTE

Consult: *Opere storiche del p. Matteo Ricci*, ed. by P. Tacchi Venturi, 2 vols. (Macerata 1911–13); Sainte-Foi, Charles, *Vie du R. P. Ricci, apôtre de la Chine*, 2 vols. (Tournay 1860); Latourette, K. S., *A History of Christian Missions in China* (New York 1929) p. 91–98, 133–55.

RICHARD, HENRY (1812–88), the foremost figure in the nineteenth century British peace movement. The son of a Welsh Calvinistic minister, Richard in 1835 became pastor of Marlborough Chapel in London. For almost forty years he served the London Peace Society as its most active and responsible officer. With Elihu Burritt (*q.v.*) he organized a series of popular peace congresses in Great Britain and on the continent. As editor of the *Herald of Peace* (1848–84) and the *Morning Star* and *Evening Star*, the former of which contains his most important writings, he vigorously exposed "war scares" and professional patriotism, denounced the Crimean War and condemned imperialism. As a Liberal member for Merthyr Tydfil (1868–88) he was the leading exponent of the peace movement in the House of Commons. His program included the reform and codification of international law, parliamentary control over the declaration of war, and the reduction of

armaments. The heart of his proposals, however, was the establishment of a general and permanent system of arbitration, and to this he committed the House in 1873 notwithstanding the opposition of Gladstone. His influence also led directly to the adoption of similar resolutions in several continental legislative bodies. Despite the Christian inspiration of his thoroughgoing pacifism he did much to make the peace movement less religious and sentimental and more political in character.

In his associations with revolutionary liberalism of the continental type Richard insisted that the Christian principle of non-violence was even more applicable in civil than in international war. His middle class point of view also made him unsympathetic with various revolutionary movements which appealed dramatically to the masses of Europe in the name of "peace and liberty." An outstanding mediator between Wales and England, he won the admiration of Welshmen for his stanch defense of nonconformist interests, religious liberty and popular education in the land of his birth.

MERLE E. CURTI

Works: *Defensive War . . . a Lecture Delivered 5th February, 1845* (London 1846, 2nd ed. 1890); *On Standing Armies, and Their Influence on . . . Nations* (London 1868); *On the Application of Christianity to Politics* (London 1877); *Letters on the Social and Political Condition of the Principality of Wales* (London 1866, 2nd ed. 1884).

Consult: Miall, C. S., *Henry Richard, M. P.* (London 1889); Appleton, Lewis, *Memoirs of Henry Richard, the Apostle of Peace* (London 1889); Davies, R. T., *The Story of Henry Richard, a Welsh Apostle of Peace* (Wrexham 1925).

RICHELIEU, ARMAND-JEAN DU PLESSIS DE (1585–1642), French cardinal and statesman. Richelieu was born in Paris, took holy orders and in 1607 was made bishop of Luçon. He was a member of the clerical estate in the Estates General of 1614 and through Concini's intercession was made secretary of state in 1616. He received the protection of Marie de Médicis and was elevated to the rank of cardinal in 1622. In April, 1624, he became a member of the council of state; here, thanks to the unwavering confidence of Louis XIII, he remained in unchallenged primacy until his death.

Richelieu has been recognized unanimously as one of the most extraordinary political geniuses the world has known. His policies often varied, but he knew how to avoid extreme solutions and he always persevered in his endeavors regardless of the obstacles in his way. He had two chief aims, to make the king of France actual master of the entire realm and to assure him of hegemony over Europe. This twofold objective explains his policy of subjugating the nobles and removing them from the government, as well as the fact that he suppressed the Huguenots as a political party while he made no attempt to encroach upon their liberty of conscience or worship. He developed the institution of intendants and augmented their powers, abolished a large number of local privileges and contributed more than any other individual to making France a centralized state under royal domination. He has been criticized very severely, however, for his failure to correct the faults of the financial administration. In foreign affairs Richelieu's policy was to remove the Hapsburgs from their position of supremacy in Europe. He supported the Protestant princes of Germany in the Thirty Years' War and assured for France the definite conquest of Alsace, Artois and Roussillon. His designs in the colonial sphere were no less grandiose. Aiming to vest in France control of the seas he created numerous commercial companies in Senegal, Madagascar and Canada and encouraged emigration and colonization. In his economic policies he followed the doctrine of national interests in espousing the cause of mercantilism. Richelieu was also an outstanding patron of art and literature; the founding of the Académie Française in 1635 depended in large measure upon his support and cooperation.

PAUL HARSIN

Works: *Mémoires*, ed. by J. Lair and others, Société de l'Histoire de France, Publications, nos. 335, 340, 358, 389, 399, 410, 413, 416, 420, 426, vols. i–x (Paris 1907–31); "Maximes d'état et fragments politiques," ed. by G. Hanotaux in *Mélanges historiques; choix de documents*, Collection de Documents Inédits sur l'Histoire de France, vol. iii (Paris 1880) p. 705–822; *Lettres, instructions diplomatiques et papiers d'état*, ed. by V. d'Avenel, Collection de Documents Inédits sur l'Histoire de France, 8 vols. (Paris 1853–77).

Consult: Caillet, J., *L'administration en France sous le ministère du cardinal de Richelieu*, 2 vols. (new ed. Paris 1861); Hanotaux, G., *Histoire du cardinal de Richelieu*, vols. i–iii (Paris 1893–1933); Palm, F. C., *The Economic Policies of Richelieu*, University of Illinois, Studies in the Social Sciences, vol. ix, no. 4 (Urbana, Ill. 1920); Lodge, R., *Richelieu* (London 1896); Carlow, Georg von, *Richelieu als merkantilistischer Wirtschaftspolitiker und der Begriff des Staatsmerkantilismus*, Beiträge zur Geschichte der Nationalökonomie, vol. vi (Jena 1929); Federn, Karl, *Richelieu* (Vienna 1926), tr. by Bernard Miall (London 1928);

Perkins, J. B., *France under Mazarin, with a Review of the Administration of Richelieu*, 2 vols. (New York 1886) vol. i, chs. i–vi.

RICHMOND, MARY ELLEN (1861–1928), American social worker. The professional life of Mary Richmond represents in epitome the history of the charity organization movement and the establishment of social case work technique in the United States. When Miss Richmond assumed the general secretaryship of the Baltimore Charity Organization Society in 1891, that movement was well under way, but it reached its full development in the course of the next two decades and largely under her leadership.

Miss Richmond's work and writings went through three distinct although overlapping stages, each decisive for social work and particularly for the field of family case work. The first of these centered on the promotion of the charity organization program as a whole, in which the coordination of charitable efforts in the community occupied at least an equal importance with the individualization of service. The second stage was devoted to social case work, its formulation, elucidation and development. This stage reached its fruition in *Social Diagnosis* (New York 1917) and ended with the publication of *What Is Social Case Work?* (New York 1922). The former is significant for its emphasis on multiplicity of causation of social problems in the community, the need for investigation and critical use of social evidence, as well as for its insistence on the scientific method and on a practical appreciation of the fact that the individual case reflects dynamically the entire social environment. In the latter book the concept of social case work is focused increasingly on psychological aspects, in contradistinction to the sociological emphasis of the earlier view. Social case work is here defined as consisting "of those processes which develop personality through adjustments consciously effected, individual by individual, between men and their social environment." At this point social case work development received a fresh impetus from the new movement of mental hygiene and from the emerging theories of psychoanalysis, and Miss Richmond shared leadership with these influences. The third stage of her interests—a concentration on the family as a cultural unit and as a social institution requiring protection and enrichment—was reflected in her study of marriage laws and their administration from the viewpoint of safeguarding family life and resulted in the publication of *Child Marriages* (New York 1925) and *Marriage and the State* (New York 1929), both written in collaboration with Fred S. Hall.

In 1909 after having served nine years as general secretary of the Philadelphia Society for Organizing Charity (now the Family Society of Philadelphia) Miss Richmond went to New York, devoting the remaining years of her life to research under the auspices of the Russell Sage Foundation.

Although she was largely self-educated, her intellectual powers, imagination and philosophical grasp placed her among the leading contemporary social scientists. She was among the first to advocate the establishment of professional schools of social work and taught in the earliest of them in New York.

PHILIP KLEIN

Consult: Richmond, Mary E., *The Long View, Papers and Addresses*, ed. by Joanna C. Colcord and Ruth Z. S. Mann (New York 1930), with bibliography p. 621–23; Colcord, Joanna C., and others, in *Family*, vol. ix (1928–29) 319–59; Klein, Philip, "Mary Richmond's Formulation of a New Science" in *Methods in Social Science*, ed. by Stuart A. Rice (Chicago 1931) p. 95–106; Robinson, Virginia P., *A Changing Psychology in Social Case Work* (Chapel Hill, N. C. 1930), especially chs. v–vi; "Mary E. Richmond, 1861–1928" in *Survey*, vol. lxi (1928–29) 69–70.

RICHTER, EUGEN (1838–1906), German political leader. Richter was born in Düsseldorf. His bold criticism of the Prussian administration during his youth brought him into conflict with the government and as a result he was cut off from a career in the government service. When in 1864 his election to the office of burgomaster failed to receive official confirmation, he decided to become a political publicist. In this capacity he exerted a powerful influence in Germany for many decades, more as a result of his critical objectivity than because of the brilliance of his literary style. During his early years he took an active part in the founding of many social, political and educational organizations of the Prussian liberal opposition. In 1867 he was elected to the Reichstag, where together with Windhorst, the leader of the Center party, he became the most consistent and obstinate opponent of Bismarck in matters of domestic, financial and economic policy. Richter took very little interest in questions of foreign policy, concentrating most of his attention on domestic affairs. He was the spokesman of determined liberalism, advocating cooperative self-aid and bourgeois laissez faire as opposed to state inter-

vention in economic matters and a state system of social welfare work. As a determined opponent of every form of state socialism and national mercantilism he came into open hostility to the Social Democratic movement. His historical position in German history is based on his inexorable and expert criticism of étatism. He was distinguished by his diligence in mastery of detail, his quick wit as an orator, his untiring persistence in attack and his vigorous defense of bourgeois liberalism. His influence on the general development of the liberal parties in Germany was negative. With all his devotion to the cause, he was thoroughly authoritarian, mistrustful and harsh. The divisions in the German liberal parties are partly the result of his lack of conciliatory spirit. Had he not remained in the opposition, he might have achieved positive results through his excellent plans for state financial and administrative organization instead of being overshadowed by the more illustrious Bismarck.

THEODOR HEUSS

Consult: Rachfahl, F., "Eugen Richter und der Linksliberalismus im neuen Reiche" in *Zeitschrift für Politik*, vol. v (1911–12) 261–374; Ullstein, L., *Eugen Richter als Publizist und Herausgeber*, Das Wesen der Zeitung, vol. ii, pt. i (Leipsic 1930); Röttger, H., *Bismarck und Eugen Richter im Reichstag 1879–90* (Münster 1932).

RICHTER, JOHANN PAUL FRIEDRICH (Jean Paul) (1763–1825), German author. Richter was the son of a poor village preacher and was brought up under conditions of extreme poverty. He is practically the only great figure in classical German literature in whose works the lower classes play a significant role. In his idyllic tales (*Schulmeisterlein Wuz*, *Quintus Fixlein*, *Fibel* and others) he portrayed with intimate familiarity and kindly humor the life and pursuits of the small schoolmasters, village clergy and petty bourgeoisie. In his more ambitious novels he wrote of the life of the upper classes, particularly of the court and nobility. These he treated with biting satire, even though in his later years he enjoyed familiarity with them. His profound sympathy and feeling of social responsibility, as expressed, for example, in his *Leichenrede auf den Bergmann Zaus* (1796) and *Leichenrede auf die Jubelmagd Regina Tanzberger in Lukas-Stadt* (1822) led Börne to call him the "advocate of the poor and poet of the humble." Richter did not, however, conceive it to be his task to inspire among the lower classes dissatisfaction with their lot. On the other hand, he tried to show that happiness can prevail even in poverty and that whereas the lesser joys available to the poor are genuine and valuable, riches and luxury usually bring discontent and unhappiness. He demanded that the harmless pleasures and occasional excesses of the lower classes should not be limited or misjudged and that they should not be hindered by narrow censorship measures and petty bureaucratic methods in their attempt to gain access to the treasures of culture and opportunities of advancement. It is one of the many contradictions characteristic of Jean Paul that despite his friendliness toward the lower classes his works are quite the reverse of folk literature; because of his heavy style burdened with learned technical expressions and allusions his writings appeal only to the educated. Also in his chief pedagogic work, *Levana* (2 vols., 1807; English translation, London 1848), unlike his contemporary Pestalozzi, he directed his attention chiefly to the upper classes. Although he was in many respects a faithful disciple of Rousseau, whom he venerated both as a man and as a writer, he was not of a revolutionary nature. He hailed the French Revolution at first with enthusiasm but, like most Germans of his time, he later turned away from its extreme manifestations. He took for granted for the most part class differences as well as the cleavage between educated and uneducated and hoped that a more equitable adjustment would come, not so much from the abolition of material or political inequalities as from mutual understanding and sympathy. The "young Germans" were therefore only partly justified when they set him up as the "democrat" against the "aristocrat" Goethe. With all his opposition to encroachments by the upper classes he retained for the most part the social attitudes of his time.

EDUARD BEREND

Works: *Werke*, 60 vols. (Berlin 1879); *Sämtliche Werke*, ed. by Eduard Berend, 1st ser., vols. i–ix, 2nd ser., vols. i–iii (Weimar 1927–33).

Consult: Berend, Eduard, *Jean-Paul—Bibliographie* (Berlin 1925); Alt, Johannes, *Jean Paul* (Munich 1925); Harich, Walther, *Jean Paul* (Leipsic 1925); Müller, Josef, *Jean Paul und seine Bedeutung für die Gegenwart* (2nd rev. ed. Leipsic 1923).

RIDGEWAY, SIR WILLIAM (1853–1926), Irish archaeologist. Ridgeway, who was born in King's county, Ireland, was educated at Trinity College, Dublin, and at Gonville and Caius College, Cambridge. He was appointed professor of Greek in Queen's College, Cork, in

1883 and Disney professor of archaeology in Cambridge in 1892. His *The Origin of Metallic Currency and Weights Standards* (Cambridge, Eng. 1892) combined a grasp of detail and an erudition remarkable even among classical scholars with a breadth of interest rare among them. In refusing to reason as though Greece were a province set in a vacuum apart from the civilization of the world he put himself in advance not only of his own generation of classicists but even of later ones. He did not despise light shed upon Greece even by the cultures of peoples generally regarded as barbarous and beneath notice. His weakness, common to archaeologists, was that he relied too much on direct evidence, eking out its blanks with conjectures often based on a false psychology of primitives. In 1901 he embarked with increased power on a larger task, the reconstruction of prehistoric Greek culture (*The Early Age of Greece*, 2 vols., Cambridge, Eng. 1901–31). *The Origin of Tragedy* (Cambridge, Eng. 1910) was followed by *The Dramas and Dramatic Dances of Non-European Races* (Cambridge, Eng. 1915). In the latter volume he contended, after a vigorous critique of conflicting theories, that totemistic beliefs are dependent on the primary belief in the immortality of the soul; that men first pray to the dead and not to abstract spirits for rain and good crops; and that tragedy, including Greek tragedy, arose out of dramatic dances in honor of the dead.

Ridgeway turned research into a battle ground; his combative spirit made enemies but it vivified his vast learning and placed the Cambridge Department of Archaeology and Anthropology in the forefront of adventurous research.

A. M. HOCART

Consult: Haddon, A. C., in *Nature*, vol. cxviii (1926) 275–76; Conway, R. S., in British Academy, *Proceedings*, vol. xii (1926) 327–36.

RIDOLFI, MARCHESE COSIMO (1794–1865), Italian agriculturist and statesman. Ridolfi, who was a noble Tuscan landed proprietor at Meleto, early interested himself in scientific methods of cultivation and in agricultural education. He improved his own estates, founded the famous agricultural school at Meleto in 1834 and the Istituto Superiore di Agraria at Pisa in 1842, was professor of agronomy at the University of Pisa from 1840 to 1845 and was outstanding in the activities of the Accademia dei Georgofili for half a century. Ridolfi also took a prominent part in the liberal right politics of Tuscany and later of the Kingdom of Italy. The author of some four hundred pamphlets and articles, he was not a theoretical economist but a statesman with a clear program of economic policy. This program, deriving from Sallustio Bandini and the Tuscan tradition of agricultural free trade and linked with the post-Smithian literature, which Ridolfi knew intimately, stressed the importance of agriculture for the attainment of Italian economic prosperity. As an agronomist he helped in the perfecting of the method of cultivation called the *colmata di monte*; this technique of piling up the earth in terraces for the purpose of reclamation has been of great importance to Tuscan agriculture.

JACOPO MAZZEI

Important works: *Prolusione alle lezioni di agronomia e pastorizia* (Florence 1843); *Lezioni orali di agraria in Empoli*, 2 vols. (Florence 1857, 3rd ed. 1869); *Annunzio della fondazione di una scuola di insegnamento reciproco; utilità e piano della medisima* (Florence 1819); *Sulla libertà del commercio frumentario* (Florence 1825); *Rendiconto economico rurale dell' Istituto agrario di Meleto* (Florence 1841). For complete bibliography see Ferrari, Prospero, *Scritti del Marchese Cosimo Ridolfi* (Florence 1899).

Consult: Ridolfi, L., *Cosimo Ridolfi e gli istituti del suo tempo* (Florence 1901); Serpieri, A., and Oliva, A., in Accademia dei Georgofili, *Atti*, vol. xxix (1932) 401–17; Baldasseroni, Francesco, *Il rinnovamento civile in Toscana*, Biblioteca Storica Toscana, vol. vi (Florence 1931); Hancock, W. K., *Ricasoli and the Risorgimento in Tuscany* (London 1926).

RIEGER, FRANTIŠEK LADISLAV (1818–1903), Czech nationalist leader. Rieger is a representative of the transition period in the evolution of Czech nationalism from its beginning as a literary revival in the early nineteenth century to its culmination in a fully developed national life toward the end of the century. He first came into prominence as one of the leaders in the revolutionary movement of 1848 and acquired wide renown as orator while serving as member of the Austrian parliament in Vienna and Kroměříž. When the parliament was suppressed in March, 1849, by the reactionary government which shut the door to all liberal and democratic policies for a decade, Rieger visited France and England, studied economics and after his return to Bohemia undertook in 1858 the editing of a Czech encyclopaedia, *Slovník naučný*. He organized the Czech national theater in Prague and many other cultural institutions of the reawakened nation but devoted his attention mainly to politics. In 1859 he wrote in Nice a pamphlet, *Les slaves d'Autriche et les Magyars* (Paris 1861),

to inform European statesmen concerning Austria and its nationalities.

With the resurrection of parliamentarism in Austria in 1860 Rieger again resumed the political leadership of his people. The difficult position of the nation, which since 1620 had been forcibly deprived of political independence and but slowly achieved modern political consciousness during the nineteenth century, along with the mighty political pressure of the absolutist dynasty, the feudal lords and the pseudo-liberal Germans and Magyars of Austria combined to defeat him on many occasions and finally to undermine his once enormous popularity. Yet, when in 1891 his party was wiped out by the radical Young Czech party, the general political, economic and cultural position of the nation had advanced markedly from the beginning of Rieger's career.

EMANUEL CHALUPNÝ

Consult: Traub, H., *F. L. Rieger* (in Czech) (Prague 1922); *Příspěvky k listáři Dra. Františka Ladislava Riegra* (Contributions to the letters of F. L. Rieger), compiled by Jan Heidler, Česká Akademie Věd a Umění, Historický Archiv, vols. xliv–xlv, 2 vols. (Prague 1924–26); Leger, Louis, in *La renaissance tchèque au dix-neuvième siècle* (Paris 1911) p. 160–205.

RIEHL, WILHELM HEINRICH (1823–97), German historian and sociologist. Riehl began his career as a journalist but was appointed professor at the University of Munich in 1854, first to teach political science and in 1859 to teach *Kulturgeschichte*. His studies in folklore and cultural history have ranked him with Jakob Burckhardt and Gustav Freytag as one of the chief representatives of that field in nineteenth century Germany. Riehl was not a systematic worker and he never developed a definite methodology. His information was for the most part gathered on numerous travels through southern and central Germany.

Riehl's concept of cultural history was that of the "history of the entire civilization [*Gesamtgesittung*] of nations as revealed in their art, literature, science and economic, social and political life." He often spoke of a "universal cultural history of mankind" and of a "recognition of the Spirit in history" and he also called cultural history the true philosophy of history. Riehl's own works, however, reveal a preoccupation only with the static elements and not with the movement of events and the interrelationship of all life throughout history. He opposed the use of the statistical method because he believed that great personalities and not the masses were the decisive factors in history. From the romantic movement he derived his view of the nation and the "immutable" national spirit as the basic elements in historical development. While he often hinted at laws of history and spoke of his desire to establish the natural laws of the life of a people as determined by the struggle between necessity and freedom, he never developed these ideas in full. His specialized fields of study were folk life, the plastic arts and music; but even in these fields he never investigated the more general relationships. He was at his best in describing the conditions in the German local states of the seventeenth and eighteenth centuries.

Riehl's significance is perhaps more important in connection with the development of sociology. By virtue of his studies of German society in the middle of the nineteenth century, based on personal observations and a thorough study of the family, Riehl must be considered, with Lorenz von Stein, as the founder of sociology in Germany. Stein excelled in his general theories of philosophy of history, Riehl in his description of customs and institutions within a limited region.

WALTER GOETZ

Chief works: *Kulturstudien aus drei Jahrhunderten* (Stuttgart 1859, 7th ed. 1910); *Kulturgeschichtliche Charakterköpfe* (Stuttgart 1891, 3rd ed. 1899); *Freie Vorträge*, 2 vols. (Stuttgart 1873–85); *Musikalische Charakterköpfe* (Stuttgart 1853; new ed., 2 vols., 1899); *Die Pfälzer* (Stuttgart 1857, 3rd ed. 1907); *Die Naturgeschichte des Volkes als Grundlage einer deutschen Sozial-Politik*, 4 vols. (Stuttgart 1851–64, new ed. 1881–92).

Consult: Simonsfeld, Henry, *Wilhelm Heinrich Riehl als Kulturhistoriker* (Munich 1898); Steinhausen, G., "Freytag, Burckhardt, Riehl und ihre Auffassung der Kulturgeschichte" in *Neue Jahrbücher für das klassische Altertum, Geschichte und deutsche Litteratur*, vol. i (1898) 448–58; Gothein, E., in *Preussische Jahrbücher*, vol. xcii (1898) 1–27; Gooch, G. P., *History and Historians in the Nineteenth Century* (London 1913) p. 574–77.

RIESSER, GABRIEL (1806–63), German-Jewish liberal leader and protagonist of Jewish emancipation. Riesser was born in Hamburg. He studied law but as a Jew was refused a lectureship in Heidelberg and admission to the bar in his native town. In 1830 he published *Über die Stellung der Bekenner des mosaischen Glaubens in Deutschland* (Altona, 2nd ed. 1831), demanding for the first time full emancipation for the Jews; this pamphlet was followed by other writings and by the publication of Reis-

ser's periodical *Jude* (Altona 1832–36). He carried on widespread activity on behalf of Jewish rights in German states, insisting upon complete emancipation without any preliminary conditions of renunciation of the Talmud or orthodoxy, and became the moral and intellectual leader of contemporary German Jewry.

Riesser also participated wholeheartedly in the general liberal movement in Germany. He was an ardent German patriot imbued with the best heritage of German enlightenment and idealism. In 1848 he was elected to the Frankfort Assembly, where he became its second vice president, sitting with the left wing of the liberal center. He supported the idea of a constitutional monarchy under the leadership of Prussia and was a member of the deputation sent to offer to King Frederick William IV the imperial crown. The year 1848 brought greater liberties to the Jews and gave Riesser a wider field of activity. In 1850 he was elected to membership in the German Union Parliament at Erfurt and in 1859 he became judge at the new Upper Court of Hamburg, the first Jew to hold such office in Germany. He served for two years as vice president of the Hamburg parliament.

HANS KOHN

Works: *Gesammelte Schriften*, ed. by M. Isler, 4 vols. (Frankfort 1867–68), with a life of Riesser by Isler in vol. i (2nd ed. Frankfort 1871).

Consult: Friedländer, Fritz, *Das Leben Gabriel Riessers* (Berlin 1926); Feiner, Joseph, *Gabriel Riessers Leben und Wirken* (3rd ed. Leipsic 1911); Dubnow, S. M., *Noveishaya istoriya evreiskago naroda*, 3 vols. (3rd ed. Berlin 1923), tr. into German by A. Eliasberg as *Die neueste Geschichte des jüdischen Volkes* (Berlin 1920–24) vol. ii, p. 35–44.

RIOT

GENERAL AND HISTORICAL ASPECTS. A riot is an outbreak of temporary but violent mass disorder. It may be directed against a particular private individual as well as against public authorities, but it involves no intention to overthrow the government itself. In this respect riot stops short of insurrection or rebellion, although it may often be only a preliminary to the latter. The American, French and Russian revolutions were preceded by persistent rioting. Riots are an index of social unrest. Although their character has varied greatly in different civilizations and historical periods, those which have been truly symptomatic have directly reflected their chief foci of conflict. The most significant types of riots have been religious, political, economic and racial. Such riots are as much a symptom of social disease as pain is a symptom of biological disorder. The efforts of governments to suppress great popular riots without removing their causes have in the long run failed.

In the Greek city-states riots were a feature of the class warfare which finally destroyed them. In the Roman Empire riots of slaves often passed into servile wars; there was a continuous social struggle between the plebs and the patricians; in the provinces there was resistance to the plundering administrative methods of the Roman governors; in Asia Minor city mobs attempted something like a social revolution; in Alexandria there were Jewish pogroms; while in general there was always a fear of riots from a rabble population when there were breakdowns in the supply of bread or a paucity of games. In Byzantium the games acquired such a political significance that the hippodrome was the scene of political demonstrations and riots which shook the throne. In Rome itself the emperors had no cause to fear the "rabble" as long as the praetorian guard was loyal.

In feudal society the settlement of private quarrels between the armed retainers of great lords could not be suppressed completely. A right of private war had to be allowed to those whose arms were the only force behind the state. But while the Middle Ages tolerated private war, peasant riots which threatened the social order were regarded as treason. After the middle of the fourteenth century peasant uprisings throughout Europe became inspired by a spirit half religious and half socialistic. In the sixteenth century in England they ranged from mere collisions between angry mobs and the gentry to small civil wars suppressed only with the aid of foreign mercenaries. The riots which occurred in the mediaeval European towns were partly the result of the struggles of political factions, partly the disorders inherent in early town life and partly the outcome of guild disputes.

The industrial revolution changed the problem of riot. In the country instead of risings of well to do peasants, which were not unlike a combination of May Day demonstration and successful strike and which when serious sometimes cost the government a military campaign, there was the sporadic violence of starving laborers. Some of the early industrial riots were directed against machines rather than men. In the towns instead of the brawls and riots between rival families, rival guilds, town and town or natives and foreigners there was a social problem threatening the state itself. In the

country a riot might be checked by the local gentry and their retainers—peasant and agricultural laborers were averse to senseless destruction. But in the towns there was a class of criminals with nothing to lose but their chains.

By the seventeenth century the condition of London was notorious. There were gangs which rejoiced in the names of Muns, Tityre Tus, the Hectors, the Scoureres, the Nickers and the Mohawk. Their gang ruffianism was a symptom of the breakdown of the traditional administrative system for keeping the peace, which, according to Macaulay, had become utterly contemptible. The judicial Silences and Shallows were unable to deal with the Falstaffs, Pyms and Bardophs when they became gangsters. With the breakdown of the police system the government had to use the military. But these often feared the verdict of a jury should they fire. "The magistrate," said Dr. Johnson, "dare not call the guards for fear of being hanged. The guards will not come, for fear of being given up to the blind rage of popular juries." In 1780 there occurred the famous Gordon anti-Catholic riots and London was in the hands of the mob for a week. Newgate was burned; a camp was formed, cannon were drawn out in Hyde Park and people trembled at the rumor that the lions in the tower and the lunatics in Bedlam were to be released. In 1819 a riot broke out in Manchester at a meeting of some 50,000 people assembled to demand parliamentary reform. Charged rather precipitously by cavalry, the riot has gone down in history as the "Manchester Massacre." In the Bristol riots in 1830 nearly a hundred were killed and wounded. The Chartist riots of 1839 were controlled only by the skill and tact of Sir Charles Napier, who concentrated his 6000 troops and 18 cannon at strategic points, ignoring the clamor of every mayor and master that his own town and factory should be garrisoned. Subsequent riots in England, such as the Trafalgar Square riots in 1888, and the Featherstone riots in 1893–94, have not been of comparable seriousness.

There were few riots in colonial America until the revolutionary period. A violent outbreak in Baltimore in 1812 is mentioned by de Tocqueville. But in the 1830's a series of mob riots swept the country. There was a fight in Boston in 1837 between the fire companies and the Irish, involving 15,000 persons. Negro riots in Philadelphia in 1838 resulted in the burning of Pennsylvania Hall and many deaths. In 1844 native American riots lasted three months. In the 1850's Philadelphia rejoiced in the Blood Cubs, the Rats and the Schuylkill Rangers, while New York had the Bowery Boys and the Dead Rabbits. In many cities street fighting was the only Sunday recreation. Preceding the Civil War there were the abolitionist riots. In the 1870's the great railroad strikes were known as the "great riots"—uprisings of jobless and hungry men. In 1886 the Haymarket riot in Chicago, in which a bomb was thrown, led to the execution of four of the participants, who were charged with murder. Race riots have frequently become local wars against Negroes. One of the worst occurred in East St. Louis, Illinois, in 1917. Strike riots have become battles between strikers and armed men hired by employers. In 1914 the New York police department found that arson, riot and murder were committed by guerrilla bands hired by strikers or employers. In 1922 a massacre at Herrin, Illinois, arising out of a mining strike caused twenty-five deaths and led to no convictions for murder. Since the beginning of the economic depression in 1929, there have been many riots. In the last year of the Hoover administration there occurred in the national capital the "bonus riots," as a result of which war veterans were expelled from the city by the federal forces. In the middle west there have been riots against mortgage foreclosures.

Mob violence in the United States is explained by many factors. There are the tradition of the frontier and the violence of the mining camps. There is the geographical isolation of great industries. There is the fragmentation of political power before powerful economic forces, which results in the utilization of the local political machinery as a tool in the economic struggle. The police are often employed on behalf of employers when they should not have been used at all. There are the obvious racial clashes arising from a problem of racial heterogeneity unlike anything in Europe. Many American cities are a mosaic of alien populations each the size of a European city, and in addition there is the Negro problem.

Riots in continental European countries since the French revolutionary period have been not infrequent. Anticlericalism, royalism, anarchism and syndicalism have all been the occasion of rioting. Militant labor movements have precipitated great industrial riots, such as the Ferrer riots in Spain in 1909, the labor riots in Sicily in 1893–94 or those in Milan in 1898. But since the revolutionary period of 1848 the great riots

in continental countries have had a markedly political tinge and have been only the preludes to revolution. The Spartacist riots in Germany after the World War were revolutionary in nature, and the contentions of private armies since then have been skirmishes in a political battle rather than riots. The instigation of riots was used as a definite technique by the German Nazis in their march to political power. In 1934 one of the greatest riots in the history of Paris followed the Stavisky pawnshop scandal involving many government officials. It was followed by rioting in Austria when the government in a last effort to halt German Nazi infiltration allied itself with the native fascist Heimwehr and attempted to outlaw the Socialist party. The armed resistance of the Socialists rapidly took on the aspect of civil war.

In the East riots arise from religious, racial and economic conflicts, which the presence of a ruling foreign power restrains but cannot entirely eliminate. In a conquered country forces which are powerless to seek a political outlet erupt in sporadic social violence. The governing power has imposed an order from above for which the general traditions of the country are unprepared. An imperial American power established in Europe might be able to prevent a Franco-German war; it would, however, have to face serious communal riots on the Franco-German frontier, just as the British government in Belfast had to face the communal riots of Catholics and Orangemen. The peculiarity of the communal riots in the East is that to economic stress is added the power of rumor acting upon racial and religious fanaticism. There are usually no organizations to be broken or recognized leaders to be held responsible. The riots are followed by furtive and indiscriminate murders by individuals after the actual mobs have been dispersed.

The police system in British India, which has been copied in other British possessions in the East and also in Africa, has been especially designed to meet the threat of frequent rioting. Organized upon a military basis and subject to military discipline, the police have been able to maintain order in the most warlike Indian provinces, although the force has less than 1 policeman to 5000 inhabitants. While the lower ranks of the police hierarchy have even more opportunity for oppression and graft than in western countries, the force is effective in dealing with all disturbances except those which arise from the will for political independence.

In western countries the development of police systems has solved the problem of ordinary riots. Sometimes special riot squads exist. Tear gas, very effective in dispersing mobs, has been added to the weapons of the police since the World War. Fire hose has long been used. In the case of serious and persistent riots troops are called out. Nowadays no dangerous riot can occur unless the rioters have secured the possession of plentiful arms and are prepared to use them. But an effective use of modern arms can be made only by those who have the resolution, organization and resources to turn a riot into a revolution.

K. SMELLIE

LEGAL ASPECTS. Fundamentally two legal conceptions of riot may be distinguished; in both the mob character of the offense is recognized, but under one riot is an aggravated form of breach of the peace, the aggravation lying in the mob character of the breach, while under the other riot is an aggravated form of resistance to or attack upon public authorities, the aggravation lying in the mob character of such resistance or attack. Under either conception the offense may be qualified by the number of persons who are involved or by the possession of arms as well as by other circumstances. The law of riotous offenses under whatever name they appear really comprises all those forms of attack upon the public tranquillity or integrity of the state which stop short of treason. Indeed in the critical periods of the rise of organized states there is a tendency to confuse the two and to treat riot as treason, at least as regards the instigators or ringleaders.

The crime of riot is characterized in the sources of the Roman law as *seditio*, but the exact nature of the concept remains obscure, a fact which is not surprising in view of the turbulent history of the Roman state. *Seditio* included not only the instigation of an insurrection against public authority, which was a *crimen laesae majestatis*, but also participation in a riotous assembly directed against either public authority or private persons, which in the first case appears to have been regarded as a *vis publica* and in the second as a *vis privata*, although the distinction does not seem always to have been held tenaciously. The law of *majestas* was based on earlier legislation than the law of *vis*, which supplemented it, and in application the two were doubtless confused.

The law of riot in the early Middle Ages was

comparatively mild. In the Germanic codes even the leaders of a riot were punishable only by monetary fines, as in the *Lex Baiwariorum* or the *Lex Visigothorum*. Because of the turbulence of the Germanic tribes the offense probably did not normally seem heinous. In most of the German as well as the Italian town laws of the thirteenth and fourteenth centuries the fines were even lighter, a fact which may be attributed perhaps to the degree of constitutional appeasement which had been achieved within the town walls. The possession of arms and the number of participants played a particularly great role in the Italian town laws. The later law, which drew on the sources of the Roman *crimen majestatis*, became much more severe. The extremely influential *Constitutio criminalis carolina* subjected the instigators of riots to the sword; and German common law doctrine, while it assimilated the Roman *crimen majestatis*, recognized the possibility of *seditio simplex*.

The powerful English state, which was making the king's peace the fulcrum of a growing public criminal law, certainly was not hesitant in treating riot as treason. A statute of 1549–50 punished certain forms of riot as treason. According to Coke it was resolved by the English judges in the reign of Henry VIII that "an insurrection against the statute of labourers, for the enhancing of salaries and wages, was a levying of war against the king" (3 *Inst.* 10). As late as 1675 some of the judges thought that a riot of weavers for the purpose of destroying looms was treason (Hale, P. C. 1, 143–46). Even in 1710 it was actually held to be treason to precipitate a riot to destroy all dissenting meeting-houses (15 Howell's State Trials 522).

As now settled at the English common law, after preliminary development in the Star Chamber, a riot is a misdemeanor which consists of a tumultuous disturbance of the peace by an assembly of three or more persons. It must employ such a show of violence that at least one person of reasonable firmness is put in fear. A "rout" is said to exist when the assembly has taken the first steps to put its purpose into execution. A mere unlawful assembly is itself an offense, but it is now held that it must meet not only for an unlawful purpose but for one that will cause fear of violence. The Riot Act of 1715, passed in consequence of riots in many towns following the accession of George I, made a riotous assembly a felony instead of a misdemeanor when twelve or more persons were involved and failed to disperse within one hour of the reading of the riot act, which had to be read in the exact form prescribed by the statute.

Apart from the Norwegian law, which is closely allied to the English, most of the continental codes are said to treat riot not as an aggravated form of breach of the peace but as an aggravated form of attack upon the public authorities. Two subgroups among the continental codes may, however, be distinguished; in one the example of the German and in the other that of the French law is followed. The German law requires no fixed number of participants for *Aufruhr*, which it regards simply as a mob crime against public authority, although it recognizes that the leaders and the actual perpetrators of violence should be punished most severely. All the individuals comprising the mob become guilty as soon as at least two of the members act in concert. The French law treats riot as a qualified case of the crime of resistance to public authority. Thus *rébellion* is a crime or delict depending on various combinations of fixed numbers and arms. The mob character of the crime is here really recognized only to the extent that the punishability of any one of the individuals engaged in *rébellion* depends upon the numbers and arms of the others. But the Belgian law is even more individualized, for the possession of arms by some of the rioters does not affect the punishability of the unarmed; on the other hand, the punishment of all is more severe when the riot takes place in pursuance of a previous understanding, an aggravating circumstance also under other codes.

Indeed the continental codes, apart from their agreement on the conception of riot as an offense against the public authorities, vary considerably in their determination of other constituent elements of the crime. The Austrian law is peculiar in attempting to grade the punishments in accordance with the intensity of criminal will revealed by the rioters, somewhat in the fashion of the English law, by distinguishing various stages in the evolution of the riot. In addition under the Austrian code *Aufstand* is an ordinary riot, while *Aufruhr* is a riot which the authorities could disperse only by the use of special force. If martial law has to be declared, the rioters become subject to capital punishment.

But in truth even in fundamental conception the continental codes cannot be entirely set apart from the English law, for in cases in which twelve or more persons are involved (as is the case in most riots) the reading of the riot act introduces the element of resistance to public

authority, even though the riot is directed against private persons or property. A few of the continental codes further approach the English law by creating a separate although lesser offense of "breach of the peace," which is not as in English or American law tumultuous conduct by an individual but rather riot directed against private persons or property. This is true of German law, which, unable to free itself from the double influence of the Germanic concept of *Friedensbruch* and the Roman concept of *crimen vis*, regards breach of the peace as an attack upon the public order. French law, however, recognizes no such general concept of breach of the peace but only the more limited crime of violent attack upon property by a band of persons. While the Dutch law is similar to the German, the Austrian law resembles the French.

Provision is also commonly made on the continent for "reading the riot act"; but this must be taken only in the sense of a warning to disperse, since the command of the authorities need follow no set form. Moreover many continental codes do not require that a public assembly be riotous or dangerous to the peace to be subject to dispersal. In other words, the dispersal provisions may not be specifically attached to the crime of riot although they may be applicable to it. The order to disperse may be a constituent element of the crime of riot; or it may simply act as a bar to prosecution as regards those who are not ringleaders or who have themselves as yet committed no act of violence; or it may serve merely to create a separate crime of refusal to disperse in obedience to the command of authority. Thus in German and Dutch law members of any assembly become guilty of the crime of *Auflauf* if they fail to disperse upon the thrice repeated command of authority. The Danish law also requires three warnings, but rioters may escape punishment by withdrawing. The Austrian law requires only one command to disperse. The French law, in which obedience to a dispersal order acts as a bar to prosecution, is peculiar, however, in having different provisions for dispersal in case of *rébellion* from those in the case of an assembly *qui pourrait troubler la tranquillité publique*. In the former case rioters who are unarmed and have as yet committed no act of violence are given the opportunity to disperse upon a single command. In the latter the punishment in case of refusal to disperse depends upon a variety of circumstances: whether the assembly was armed; whether it was nocturnal; whether it dispersed upon first, second or third command; whether the authorities had to resort to the use of force.

In accordance with the tendency to regard even American criminal law as only a variation of English law, the law of riot in the United States is often stated to be similar to that of England. Nothing could be further from the truth, for the American law reveals at least as much variety as the continental European and resembles it at least as much as it does the English. It is true that about a third of the states, although they depart from the English law in other respects, follow the tripartite division of English law by making unlawful assembly, rout and riot separate offenses. These states include Alabama, Arizona, California, Colorado, Florida, Idaho, Kentucky, Montana, Nevada, North Dakota, Pennsylvania, South Dakota, Utah, Virginia and West Virginia. Other states, however, dispense with either rout or unlawful assembly. The single crime of unlawful or riotous assembly alone is recognized by Arkansas, Delaware, Illinois, Kansas, Louisiana, New Mexico, New York, Ohio, Oklahoma, Vermont and Washington. About half of the states follow the English common law in requiring a minimum of at least three rioters. But in a group of states, the majority of which significantly are western, two persons may be guilty of a riot. These states are Arizona, California, Colorado, Georgia, Idaho, Illinois, Indiana, Nevada and Utah. Moreover six states, Kentucky, Montana, Pennsylvania, South Carolina, Virginia and West Virginia, have no requirement of numbers, and in five states, Massachusetts, Michigan, New Hampshire, New Jersey and Rhode Island, a riotous assembly is guilty of no crime until it has failed to disperse in obedience to the command of the authorities; in other words, the reading of the riot act is here a constituent element of the crime. In addition, in these states as well as in a few others, the riotous assembly must be composed of at least twelve armed persons or thirty unarmed. Again there are six states, Minnesota, New York, North Dakota, Oklahoma, Texas and Washington, which closely approach the fundamental concept of riot of most of the continental codes by inflicting much heavier penalties in a long list of instances in which resistance to or attack upon public authorities is involved. Finally, there are a few southern states, Maryland, Mississippi and North Carolina, where lynching riots occur not infrequently, which curiously have no criminal provisions at all against riot, although the last named state as well

as five others, Alabama, Indiana, Kansas, Kentucky and Virginia, have special antilynching statutes.

The mere statement of the law of riot should suffice to exhibit the unsatisfactory state of the law in many respects. The great variation in existing provisions itself betrays the difficult character of the underlying problem, which is bound up with the free exercise of civil liberties. When a riot occurs, speech has passed over into at least an overt manifestation of violent intention; but it still may not be necessary for the authorities to intervene. Certainly the authorities should not be allowed to disperse assemblies upon the mere threat of disorder. Likewise it is an absurdity as well as a violation of popular speech to make the crime of riot apply to disturbances involving only two individuals. Even the presence of three armed individuals is hardly a threat to the existence of a powerful state. It must not be forgotten that the use if not the possession of arms is itself a crime and that acts of violence are punishable under the provisions of the ordinary criminal law. The existence of the law of riot often serves merely to make possible the punishment of individuals who are seized on the scene of a turmoil but who have neither committed nor intended violence. In normal conditions the state can afford to be generous. In revolutionary riots all law tends to become an irrelevance. The recognition of a mob crime is a contradiction of the principle that guilt must be intentional and personal.

While there is no exact correspondence, there is some relationship between libertarianism and the outlines of the crime of riot in a particular state. The German law of riot is as plainly an inheritance from imperial Germany as the law of France is a reflection of more republican ideals. The discrepancies are to be accounted for in terms of the usual lag of legal behind political changes. Recent criminal codes have wrought no great innovations, but many continental jurists urge the adoption of the broad unified concept of riot of the English law. It is interesting that this has virtually been accomplished by the Soviet Penal Code.

Either absolute or fault liability for injury to persons or property has been imposed in many European countries upon governmental units in whose jurisdictions riots have occurred. In England absolute liability for injury to property was imposed upon the hundreds by a statute of 1714, but under a statute of 1886 it now rests upon boroughs and counties. In France the liability of the communes antedates the revolution; but the modern law is a development from the revolutionary statute of 10 Vendémiaire, year IV, which created almost absolute liability for injuries to persons and property. A law of 1884, however, put the liability upon a fault basis, and a law of 1914 shifted part of the liability to the central government. In Germany communal liability was variously regulated in the several states, but as a result of the disorders of the period after the World War the liability of the communes became so staggering that a national law had to be enacted in 1920, which put most of the burden upon the states and the national government. In the United States the earliest statute seems to have been enacted in Maryland in 1835. Sixteen other states, California, Connecticut, Illinois, Kansas, Kentucky, Maine, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, South Carolina and Wisconsin, now have liability statutes. In all but a few of these states the liability is absolute; but in only three, Connecticut, Kansas and Wisconsin, is the liability extended to cover injuries to persons as well as to property. It seems strange that the loss of life in riots should be regarded as of much less consequence than the destruction of property.

WILLIAM SEAGLE

See: MOB; AGITATION; VIOLENCE; INSURRECTION; REVOLUTION AND COUNTER-REVOLUTION; MUTINY; STRIKES AND LOCKOUTS; GENERAL STRIKE; RACE CONFLICT; POLICE; MARTIAL LAW; TREASON; CIVIL LIBERTIES.

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FOR LEGAL ASPECTS: Mayer, M. E., "Widerstand gegen die Staatsgewalt," and Hippel, R. von, "Friedensstörungen" in *Vergleichende Darstellung des deutschen und ausländischen Strafrechts*, 16 vols. (Berlin 1905–09) Besonderer Teil, vol. i, p. 514–41, and vol. ii, p. 1–28; Eisemann, M., *Der Aufruhr* (Erlangen 1907); Schlesinger, M., *Der Aufruhr*, Strafrechtliche Abhandlungen, no. 52 (Breslau 1904); Loewer, Albrecht, *Das Wesen des Massenverbrechens* (Ettlingen 1927); Garraud, René, *Traité théorique et pratique du droit pénal français*, vols. i–v (3rd ed. Paris 1913–24) vol. iv, p. 494–535; Kenny, C. S., *Outlines of Criminal Law* (new ed. Cambridge, Eng. 1933) p. 289–95; Holdsworth, W. S., *A History of English Law*, 10 vols. (3rd ed. London 1922–32) vol. iv, p. 497, 503, 520, vol. v, p. 197–99, and vol. viii, p. 318–31; Morgand, Léon, *La loi municipale*, 2 vols. (9th ed. Paris 1917) vol. ii, p. 49–66; Rolland, Louis, "La responsabilité des communes en cas de troubles et d'émeutes" in *Revue du droit public*, vol. xxx (1913) 350–70, and vol. xxxi (1914) 639–55; Berthélemy, Henri, *Traité élémentaire de droit administratif* (12th ed. Paris 1930) p. 550–53; Serre, Philippe, *Essai sur la responsabilité des communes en cas d'émeute* (Paris 1926); Germany, *Reichs-Tumultschadensgesetz*, ed. by Hermann Richter, Sammlung deutscher Gesetze, vol. lvii (Mannheim 1920), and bibliography there cited; Röhring, Arthur, *Die Grundzüge der geschichtlichen Entwicklung und der heutige Stand der Tumultschadensgesetzgebung in Deutschland* (Gera 1925); McQuillin, Eugene, *The Law of Municipal Corporations*, 7 vols. (2nd ed. Chicago 1928) vol. vi, sects. 2821, 2822. See also bibliography under MARTIAL LAW.

RIPARIAN RIGHTS. *See* WATER LAW.

RISK. It is a commonplace that life in its aspect of action involves a liability to error. This liability, interpreted to include the occurrence of results entirely unforeseen as well as those imperfectly allowed for, is ordinarily expressed by the remark that men take risks. The sources or kinds of error are numerous and difficult to classify. Sense perception itself is presumably more or less inaccurate; nor does the individual know accurately his ends. But the more important errors arise from the fact that virtually all behavior looks to the future and from the notorious difficulty and uncertainty of prediction. This has a particular bearing on economic theory, because the generalizations of theory relate to conduct which completely achieves an intended aim. Such conduct would constitute perfectly economic behavior. Indeed the basic conception of economy or efficiency has meaning only with reference to an end more or less completely realized, and economic theory must abstract from the element of error—a process which results inevitably in discrepancy or divergence between the statements of theory and the facts of life.

In a price economy the more obvious occasions for risk taking in the loose sense arise in the control of production by the enterprise manager. Under actual conditions resources have to be "committed" for a considerable time in advance, often irrevocably. Such commitments involve two main sets of predictions—in the large, highly interdependent—relative respectively to future prices and to the physical results of operations. In a pure form of enterprise economy some individual or group would guarantee a return to the various productive resources and would own merely the resulting product. In modern competitive society since the individual or group entrepreneur almost always owns and supplies to the enterprise a considerable fraction of the resources used, the return to the resources hired at contractual rates is guaranteed effectively only through an intensified contingency in the return to those belonging to the owners.

In a highly changeable or "dynamic" society the most unpredictable element in the situation, or the greatest risk, has to do with price changes rather than with the physical results of production. In some industries, agriculture above all, the unpredictability of the course of nature introduces serious technological risks. Such risks, however, tend to cancel out in the course of time or can be largely eliminated by some form of insurance. Risks of price changes arise from three main sources: changes in the attitudes of consumers; changes in the supply of the commodity in consequence of the behavior of "other" producers; and a miscellaneous, practically unlimited list of contingencies in other industries, which may act through either the tastes or the incomes of consumers. All such risks tend to increase in importance, some very rapidly, with the economic advancement of society. Risk is a phenomenon of change; and progress, which is cumulative change, makes economic society more subject to capricious fluctuations. Technological advance is inherently unpredictable, since anticipating a particular invention would mean making the invention itself; and progress alone, in so far as it follows a regular trend, does not create risk. The great source of risk is the increasingly capricious character of consumers' wants as economic activity moves from elementary needs into the "higher" forms of satisfaction. This is indeed largely

caused or at least aggravated by the activities of producers themselves who introduce changes and push them for competitive advantage, until what is called a high standard of living means that wants center largely in social competition and love of variety for its own sake.

Economic risks or contingencies impinge on the producer in an enterprise economy in consequence of the characteristic fact that entrepreneurs competitively undertake, first, to produce goods in anticipation of demand rather than upon order and, secondly, to pay the laborers and property owners, who supply productive resources at fixed rates regardless of either the amount or the value of the product—although in practise there are many exceptions to both these conditions. Economic risks would be present in any different type of economic organization, their magnitude depending chiefly on the technological system, which determines the extent to which productive commitments are made in advance of actual consumption. If production were carried out only on orders from responsible consumers, the risk of change of wants and the resultant loss in readapting production would naturally fall on the consumers themselves. But in most fields of modern life, for instance, in railroad transportation, production on this basis would be quite impossible. Natural contingencies will always cause loss to someone, although the "risk" to the individual may be reduced by grouping under the principle of insurance; and new inventions will in any system destroy much individual productive capacity. The one important source of risk which might be eliminated by a change in the form of social organization is that which arises because individuals make commitments without knowledge of the contemporaneous plans and commitments of other individuals. In a centrally regulated or socialistic economy, not only would this risk disappear through distribution, but an important source of loss in the system as a whole would be eliminated to the extent that the central organization functioned effectively. Operation of an entire economic society as a single unit would also serve to eliminate risks in the ultimate degree possible through cancellation or reduction to uniformity through the law of large numbers. The distribution of the remaining contingency in the results would depend, like the entire distribution of burdens and benefits in the system, on the political forces controlling managerial policies.

In general the amount of risk borne by any particular risk bearer depends on the scope of his operations. Wide and unpredictable fluctuation in connection with an individual event or case tends to become uniformity and constancy in the large group. Since the effect of a large loss to an individual is disproportionately greater than that of a similar gain, there is a tendency to reduction of risks by organized grouping. The familiar example is insurance. The principle is of course the same whether carried out by mutual association or by a separate business unit, and there are other methods besides organized insurance of securing the same results. Risks which would be dangerous to producers on a small scale may lose their serious character for large scale enterprises; or specialization of a distinct unit in a particular type of operation may reduce risk, as in the transfer of the risk of price changes in certain raw materials to professional speculators through hedging.

There is a serious theoretical difficulty in the problem of risk resulting from the wide differences in conditions affecting its elimination by grouping of cases. Arrangements for meeting risks are likely to change the risk itself, favorably or unfavorably; and all specialization in risk assumption brings into play another factor, that of special competence to meet a particular type of risk, which may mean competence in either foreseeing or controlling a course of events. Moreover experience seems to force several distinctions in regard to contingency which are highly unsatisfactory from a logical point of view. At one extreme occur cases of pure chance, in which there is no possibility of predicting the individual event and in which a large number of individual instances form a homogeneous probability class. Of this ideal situation there are two important subtypes. In one the probabilities can be calculated by mathematical principles from the nature of the situation, as in throwing a die or spinning a wheel of fortune. In the other no such calculation can be made and knowledge of the probability involved must be derived from observation and statistical analysis, as in the case of the chance that lightning will strike any particular tree in a forest. The type of hazard against which insurance is generally available approximates the second type. But it is clear both that statistical determination of a probability ratio would itself contain a probable error and that such contingencies as chance of death or of fire loss are not cases of pure chance, for the event is not entirely beyond control or entirely uninfluenced by the

fact of provision against loss through its occurrence.

These considerations shed light on the problem of business risks. For while the principles of canceling and of insurance do apply widely, there is no possibility of making any substantial provision against the major risks of a business. Business decisions embody an effort to predict and control the course of events in a particular case, and the liability to error in foresight and in action differs in principle from the ideal of a probability situation. Not only is it impossible to group such decisions into classes approximately alike from the probability standpoint, but they are subject to a complicated and vital "moral hazard." In large scale business organizations the decisions of the ultimate managers relate chiefly to the selection of persons who shall make more concrete decisions of policy and to the definition of their powers and duties. The motivations involved in making commitments on the basis of an exercise of one's own judgment are very different from those involved in gambling on a mechanical probability. Actual gambling may of course be connected with an exercise of judgment, real or supposed, as when one picks the winner of a horse race; but the motives are still very different when the bettor himself is the runner. Similar considerations apply when personal relations are involved, as when one "bets" on his judgment of collaborators in an enterprise, selected and directed by himself. It becomes therefore quite impossible in the case of business risks to assert on any objective ground that there is even approximately a certain fractional "chance" of any particular result; an assertion in this form merely expresses a certain degree of confidence or belief on the part of the person who makes it and rather accidentally resembles a statement of a certain quantitative probability.

Risk in the sense of an indeterminate discrepancy between results and intentions enters also into any discussion of economic behavior in terms of motive. The chief problem has to do with the relation between incentive and act when the incentive is an anticipated result and the anticipation is affected by uncertainty. Under some conditions uncertainty adds interest and zest to action, while under others it creates repugnance. This is a profoundly important factor in determining the remunerations of practically every employment of labor and other resources, as has been recognized since Adam Smith's famous discussion of "the lottery of the law." It receives most attention in connection with the theory of profit.

FRANK H. KNIGHT

See: INSURANCE; GAMBLING; SPECULATION; STATISTICS; PROFIT; ENTREPRENEUR.

Consult: Knight, Frank H., *Risk, Uncertainty and Profit* (Boston 1921); Hardy, Charles O., *Risk and Risk-Bearing* (Chicago 1923); Willett, Allan H., *The Economic Theory of Risk and Insurance*, Columbia University, Studies in History, Economics and Public Law, no. 38 (New York 1901); Haynes, John, "Risk as an Economic Factor" in *Quarterly Journal of Economics*, vol. ix (1894–95) 409–49; Lavington, F., "Uncertainty in Its Relation to the Net Rate of Interest," and "An Approach to the Theory of Business Risks" in *Economic Journal*, vol. xxii (1912) 398–409, and vol. xxxv (1925) 186–99; Hicks, J. R., "The Theory of Uncertainty and Profit" in *Economica*, vol. xi (1931) 170–89.

RITCHIE, DAVID GEORGE (1853–1903), Scottish political philosopher. Ritchie led an uneventful and academic life, whether as successful student at Edinburgh and Oxford or as successful teacher at Oxford and St. Andrews. His political ideas are an excellent barometer for the change in the climate of opinion of English liberalism at the turn of the century. Ritchie was born a "liberal" in the profound sense of that word put forward by the guardsman in *Iolanthe*. But he arrived at the conclusion that two of the leading ideas of nineteenth century liberalism had by 1890 ceased to work toward liberal, progressive, democratic ends—had indeed become means of obstructing the attainment of such ends. His written work is almost wholly devoted to attacking these two ideas, the doctrine of natural rights and the transfer to politics of the biological theory of the survival of the fittest. In *Natural Rights* (London 1895) Ritchie brings his somewhat donnishly logical mind to play on the assumptions of eighteenth century political abstractions and pulls them apart; but his chief objection to the theory of natural rights is that it has given even Englishmen a sentimental belief in an abstract right of liberty and has become embodied in fundamental laws which prevent state or group intervention in economic life. Useful once in overthrowing feudal privilege, this theory is now the bulwark of a new privileged capitalist class. In *Darwinism and Politics* (London 1889) and *The Principles of State Interference* (London 1891) Ritchie attacks the political Darwinists and especially Herbert Spencer. False analogies between organic life and human social and political life, he maintains, allowed old fashioned radicals like

Spencer to maintain that science—the highest of authorities for most contemporary Englishmen —sanctioned unlimited economic conflict. Actually Darwin himself modestly refused to apply his theories to politics, and Spencer's logic and biology are both at fault. What separates men from animals is the fact that men can practise artificial selection. Government can and must interfere in the cruel struggle between employer and employed, a struggle from which, if nature is left to itself, the fittest perhaps but certainly not the best will emerge victorious. Only the Tories can find consolation in Spencer's defense of laissez faire. Ritchie's positive doctrines are less important. He was fond of classing himself as a socialist and, like his master T. H. Green, he defended state intervention as consistent with individual liberty properly understood through idealist metaphysics.

CRANE BRINTON

Consult: Latta, R., "Memoir" in Ritchie's *Philosophical Studies* (London 1905) p. 1–65.

RITTER, KARL (1779–1859), German geographer. Ritter was tutor for nearly twenty years to the family of Bethmann-Hollweg; he thus became acquainted in 1807 with Alexander von Humboldt, who had just returned from his New World travels. Through Humboldt, Ritter found the objective henceforth to occupy him, which is expressed in the title of his major work, *Die Erdkunde im Verhältnis zur Natur und zur Geschichte des Menschen* (2 vols., Berlin 1817–18; 2nd rev. ed., 21 vols., 1822–59). In 1820 he became professor of geography at the University of Berlin, where he remained until his death.

Prior to Ritter geographic treatises had been mainly compendia of data selected because they might be useful. Against this utilitarian political role Ritter asserted for geography the status of an independent discipline. He thought of the earth as a unitary organism, divinely planned, created for man and conditioning human life. Peschel has clearly defined Ritter's views as teleologic; Wisotzki has traced the connections between them and Schelling's transcendental idealism and the teachings of Fichte. Ritter was significant for his period as an exponent of theistic environmentalism; he considered the earth as "the preparatory school of the human race."

Two kinds of inquiry were indicated by Ritter's general thesis; that which sought to determine the content of regions and that which noted the recurrence or permanence of environmental influences on human groups. With deep piety he regarded the earth as planned to provide differing habitats for peoples. His definition of natural regions was based not on interest in the genesis of physical land forms but on a desire to discover the potentialities of human progress. From a knowledge of the physical world he proceeded to his ultimate theme, the relation or value of the earth to man. Some of his most familiar conclusions deal with the superior design of the European continent, especially as to its coast line and the smallness of its natural regions, and with the barrier of highland and desert in inner Asia.

Ritter redefined for his time the Aristotelian and Strabonic view of environmental influence as determining the course of history. Among his many followers were Buckle in England and Guyot, who for decades set the form in public school instruction in the United States. Ritter's influence on schoolmasters was greater than on scholars, since he made no field observations, devised no new method of gathering and inspecting data and reformulated an age old problem without serious analysis of its component elements. His enormous industry in combing literature still lends some bibliographic importance to his volumes on Asia, but he is now rarely read; whereas Humboldt, who ranks with him as a founder of modern geography, remains an important source of contemporary knowledge.

CARL SAUER

Consult: Wagner, H., "Der gegenwärtige Standpunkt der Methodik der Erdkunde" in *Geographisches Jahrbuch*, vol. vii (1878) 550–636, and vol. viii (1880) 523–98; Wisotzki, E., *Zeitströmungen in der Geographie* (Leipsic 1897) chs. v–vi; Hözel, K. Emil, *Das geographische Individuum bei Karl Ritter* (Leipsic 1896).

RITTER, MORIZ (1840–1923), German historian. Ritter, the son of a professor of classical philology, was born in Bonn. He attended the *Gymnasium* in his native city and from 1857 to 1862 studied history at the universities of Bonn, Berlin and Munich. In 1862 he took his doctorate in ancient history, but thereafter as a collaborator of the Munich Historical Commission he devoted himself chiefly to modern history. In the service of the commission he compiled three volumes of documents on the antecedents of the Thirty Years' War, and on this foundation he composed his *Geschichte der deutschen Union* (2 vols., Schaffhausen 1867–73). Finally, on the basis of these researches and numerous detailed investigations he produced his *Deutsche Geschichte im Zeitalter der Gegenreformation und des*

dreissigjährigen Krieges (3 vols., Stuttgart 1889–1908). His last big work was his *Die Entwicklung der Geschichtswissenschaft an den führenden Werken betrachtet* (Munich 1919).

All Ritter's writings are grounded in unusually careful and shrewd investigations, while at the same time they unfailingly build up to a general viewpoint. Originally a pious Catholic and later a supporter of the old Catholic movement, he did not permit his religious views to influence his historical writing. He was a model of the objective research worker. Following the Rankian tendency in historical research without sharing its Protestant bias, he surpassed most members of this school in the impartiality of his conception of history. For him as for Ranke the state was the core of historical life and only that which directly concerned it came within the scope of his historical writings. That Ritter had an open mind toward other conceptions of history is shown by his work on historical writing. Although he rejected the idea of cultural history, which he considered a menace to historical science, he evaluated Karl Lamprecht with more understanding than did most of his rivals. He found it sufficient to sketch the cultural life of an epoch with quick strokes, but he never claimed for historical life independence of cultural developments. Within his narrower conception of history he was a master in portraying the political and religious forces of an epoch and in bringing into relief its dominant characteristics.

WALTER GOETZ

Consult: Goetz, W. W., in *Historische Zeitschrift*, vol. cxxxi (1925) 472–95; Dove, Alfred, *Ausgewählte Aufsätze*, ed. by Friedrich Meinecke (Munich 1925).

RITUAL is a form of prescribed and elaborated behavior and occurs both as the spontaneous invention of the individual, especially of the compulsion neurotic, and as a cultural trait. In both cases there is similar symbolism and compulsive elaboration; the symbolism employed as the basis of the ritual throws light in the one case on the psychology of the patient and in the other on the behavior patterns of the culture. Ritual according to the accepted usage of the term does not include acts of routine provision of physical necessities. Traditional ways of building a house or of grinding and leaching acorns may be elaborate and exacting, but they are technological not ritualistic. Ritual is always extranecessitous from the technological point of view; it has reference, for example, to the act of killing slaves to bury under the house posts or to fertility ceremonies that employ the symbolism of eating or of impregnation to further the growth of the fields.

Ritual therefore is prescribed formal behavior for occasions not given over to technological routine. It is ordinarily discussed as an aspect of religion and has even been considered the origin of religion, but it is by no means a phenomenon peculiar to religion. The occasions which are ritualistically elaborated are usually solemn and are often therefore religious; but many secular occasions are similarly elaborated. The formal traditional procedures of the council of elders in Samoa, built upon the theme of gracious hospitality and homage to chiefs, or that of affinal exchange—a lifelong exchange of goods governed by arbitrary traditional forms between the family of the husband and the family of the wife—in the Admiralty Islands are examples of elaborate ritualisms which are thoroughly secular. The contention of Durkheim and many others that religion arises from ritualism as such must be challenged, for the most extreme ritualistic formalism does not convert the council of elders or affinal exchange into an aspect even of the already existing religious complexes. Durkheim's theoretical position is untenable once it is recognized that ritual may surround any field of behavior and of itself does not give birth to religion any more than it gives birth to art or to social organization.

The view that art had its origin in ritual was set forth especially by Jane Harrison, who was impressed by the early and significant development of ritual behavior in Greek life, a development underlying Greek art, and who generalized this fact into a theory of the origin of art. Her theory that art arose out of religious ritual ignores the vast field of non-representative and geometric art and the whole field of secular art and, when it is rephrased to refer only to the rise of a religious art out of a religious ritual, throws little light on the origin of art. Even this specific relationship between art and ritual is lacking in many cases.

The most valuable part of Jane Harrison's discussion is that which reiterates the primacy of ritual in relation to other culture traits that grow up around it in different civilizations. Religious art preserves many ritualistic acts, and its themes may be intelligible only in the light of such acts. On the basis of Semitic studies W. Robertson Smith pointed out that ritual likewise underlies myth and that a comprehen-

sion of Hebrew ritual is essential to an understanding of Hebrew mythology.

The rite is similarly more stable and more fundamental than the rationalizations that universally accompany it. As soon as it receives traditional form the ritual itself becomes a standard of reference; "from it proceed the random whys, and to it return the indeterminate therefores." These whys and therefores include the symbols that are employed and the purposes for which the rite is performed. Ceremonial symbolism is fluid rather than fixed, and varieties of meanings are attached in different cultures to the same ceremonial. The rite of the Last Supper is a universal Christian ceremony, but the symbolism of the Protestant and the Catholic rite is differently interpreted. The symbolism of the primitive ritual dance which whirls nearer and nearer to the altar and finally tramples and destroys the altar itself may be carried out to the last detail to indicate the identification of the ecstatic with the gods. In Mexican tribes of the Nayarit plateau the dancer at the culmination of the dance is beside himself and falls unconscious and foaming at the mouth upon the trampled altar. This dance form is by no means limited, however, to the regions where this symbolism applies. Among the Pueblos, for instance, the final dance upon the altar is as formal as the final round of a Morris dance and there is no idea of reaching an ecstatic height as symbolized by the dancer's daring to profane the sacred altar. In the rituals that have been studied most thoroughly the instability of the associated symbolism is as striking as the stability of seemingly arbitrary ritual acts. In the sun dance of the Plains Indians the act of scouting for the center pole of the lodge and dragging it to the camp in triumph like the body of an enemy is the most constant feature of a widely distributed ceremony; the purposes for which it is performed and even the symbolism of its drastic torture rites are extremely varied. Even such a transparent symbolism as death and rebirth, which Frazer has made the subject of investigation, is sometimes associated and at other times has no connection with a given rite. It may arise locally and as a late development in a ritual otherwise organized on other themes, and it is therefore methodologically unsound to argue that the origin of the ceremony is to be sought in the theme of rebirth.

Comparative study of ritual makes clear that a large number of themes have served in different cultures as the basis of the ritual complex. In most civilizations certain dominant themes are repetitiously elaborated in ritual after ritual. Thus the melodramatic ritual of the Aztecs carried out the theme that life can be maintained only through death and portrayed it through the repeated sacrifice of victims at the hands of the priests. These victims were often given the honors of deity before the sacrifice, and later their flesh was divided among the people and their flayed skins were worn to clothe the living. The elaborate rituals of the Todas treat the milk of certain dairies with extreme punctilio, for it is believed that as the milk issues from the sacred cattle it is of an impossible sanctity and has to be rid of its dangerous quality and brought down to the level where it can be handled by human beings. On the other hand, Australian religious ceremonial symbolically presents the theme of the perpetuation of the food supply by totemic groups identified with the animals and plants for which they are responsible; this theme is elaborated by sex symbolism and by various mimetic performances which represent the life history of the plant or animal.

The beliefs and ideals of different civilizations are often formulated in their general ritual more explicitly than in other cultural traits, and this fact gives to the study of ritual a significance that has as yet scarcely been touched upon. Comparative studies of these intensively developed themes of ritual in various cultures can be of great importance in social psychology. They can make use of an explicit body of poetry and song and behavior which throws light on the basic attitudes of different cultures. Such inquiries have a more significant aim than the usual studies of ritual devoted to illustrating the widespread occurrence of similar formal traditional modes of behavior, such as divination or sacramental eating.

RUTH BENEDICT

See: MAGIC; MYTH; SYMBOLISM; CEREMONY; RELIGION; CULTURE; ETIQUETTE; TABU; SECRET SOCIETIES; TOTEMISM; ANTHROPOLOGY.

Consult: Smith, W. Robertson, *Lectures on the Religion of the Semites* (3rd ed. by S. A. Cook, London 1927), especially lectures vi–xi; Tylor, E. B., *Primitive Culture*, 2 vols. (7th ed. London 1924) vol. ii, ch. xviii; Lang, Andrew, *Myth, Ritual and Religion*, 2 vols. (new ed. London 1899); Marett, R. R., *The Threshold of Religion* (2nd ed. London 1914) p. 80–81; Hartland, E. S., *Ritual and Belief* (London 1914); Harrison, J. E., *Ancient Art and Ritual* (London 1913); Durkheim, Émile, *Les formes élémentaires de la vie religieuse* (Paris 1912), tr. by J. W. Swain (London 1915); Frazer, J. G., *The Golden Bough*, 12 vols. (3rd ed. London 1907–15) vol. v, p. 223–35, 263–76, vol. vi, p. 33–48,

236–52, vol. vii, p. 14–34, 168–70, vol. viii, p. 325–39, and vol. ix, p. 394–96; Spencer, Baldwin, and Gillen, F. J., *The Native Tribes of Central Australia* (London 1899) chs. iii, vi–ix, Appendix B; Rivers, W. H. R., *The Todas* (London 1906) ch. xi; Mead, Margaret, *Social Organization of Manua*, Bernice P. Bishop Museum, Bulletin 76 (Honolulu 1930), especially p. 53–64, 102–12; Spier, Leslie, *The Sun Dance of the Plains Indians*, American Museum of Natural History, Anthropological Papers, vol. xvi, pt. 7 (New York 1921).

RITUAL MURDER ACCUSATION. *See* BLOOD ACCUSATION.

RIVADAVIA, BERNARDINO (1780–1845), Argentinian statesman. Like the other *criollo* leaders of the movement for Argentinian independence, Rivadavia imbibed the doctrines of Rousseau and admired the American and French revolutions. He voted in favor of the revolution of 1810 and distinguished himself as secretary and subsequently as a member of the first triumvirate (1811–12). From 1814 to 1820 he served on a diplomatic mission in Europe; during this period he made a careful study of French and English philosophy and institutions, devoting particular attention to the theories of Bentham. He was chief minister under Governor Rodríguez of Buenos Aires province from 1820 to 1824. He democratized the government and at the same time sought to consolidate its powers over the other provinces. Among his many reforms were the establishment of a statistical bureau, general archives, numerous schools and libraries, a department of engineering in the government, premiums for literary achievement, the Sociedad de Beneficencia (a sort of early relief organization), the home for foundlings and the University of Buenos Aires. He also introduced the Lancaster system of pedagogy. He modeled the university after the better European universities, imported professors from Europe and sent Argentinian youths to study abroad. After a brief period as minister to England during the presidency of Las Heras he returned to Buenos Aires in 1826 and was elected president of the republic as a Unitarian, or centralist. He continued his reforms and attempted especially to establish a system of emphyteusis with periodical revision of rates as the exclusive policy regarding public lands; but he was opposed by the Federalists, who desired a weak central government and were antagonistic to agrarian reforms. He went into voluntary exile in 1827, hoping to prevent civil strife, and again studied the social sciences in Europe. Returning in 1834, he was formally expelled by the Rosas government, and the rest of his life was spent in exile. Many of his reforms failed to survive the Rosas dictatorship. His most enduring influence rests upon his cultural innovations and his campaign for Europeanization.

L. L. BERNARD

Consult: Lamas, Andrés, *Rivadavia, su obra política y cultural* (Buenos Aires 1915); Capdevila, Arturo, *Rivadavia y el españolismo liberal de la revolución argentina* (Buenos Aires 1931); Correa Luna, Carlos, *Rivadavia y la simulación monárquica de 1815* (Buenos Aires 1929); Coni, Emilio A., *La verdad sobre la enfiteusis de Rivadavia*, University of Buenos Aires, Facultad de Agronomía y Veterinaria, Publicación 1 (Buenos Aires 1927); Rivarola, M. A., "El régimen jurídico de la tierra pública" in *Revista argentina de ciencias políticas y sociales*, vol. xi (1915–16) 112–27, 233–46, 349–67, and vol. xii (1916) 43–48; Ingenieros, José, *La evolución de las ideas argentinas*, 2 vols. (Buenos Aires 1918–20).

RIVERS, WILLIAM HALSE RIVERS (1864–1922), English psychologist and anthropologist. Rivers was appointed university lecturer in physiological and experimental psychology at Cambridge in 1897 and in 1907 lecturer in the physiology of the senses, a position which he held until shortly before his death. On the Cambridge expedition to Torres Straits he made his important researches which revealed that there were no significant sensory differences between the Melanesian natives and a group of white college students. He then became absorbed in a series of investigations dealing with the social organization and relationship systems of the natives, in which he introduced the genealogical method which has since been widely adopted as a valuable means of collecting data and of controlling the conflicting statements of informants. Rivers proceeded to apply this new tool in an ambitious study of the Todas of southern India; his elaborate description of their highly complex ceremonial organization has become a classic. Upon his return from the Todas he reopened, with characteristic zest and mental alertness, the entire subject of the meaning of relationship systems and terminologies. Without endorsing the thesis of Lewis H. Morgan in its entirety, he supported the latter's contention that kinship terms were causally related to forms of social organization in general and forms of marriage in particular; he held also that social systems and terminologies together with underlying ideas about kinship represented the most stable elements in a culture and could

therefore be utilized for purposes of historic reconstruction.

In 1908 Rivers joined the staff of the Percy Sladen Trust Expedition to Melanesia, which led to his major work, *History of Melanesian Society*. His conception of diffusion as a lever for evolution and the principles that useful arts may disappear and that small numbers of immigrants could under favorable circumstances work great cultural transformations are admirable as heuristic tools, but he applied them uncritically and failed to support them adequately by the safeguards of historic evidence. Although too good a psychologist to endorse the mechanical diffusionism of Graebner, he became an enthusiastic protagonist of G. Elliot Smith's theory of the Egyptian origin of human civilization.

While engrossed in anthropological studies, Rivers continued his work in psychology. During the World War he did clinical work in war neuroses. He rejected in part Freud's theory of dreams and substituted a theory of conflict for the theory of wish fulfilment. In his systematic treatise on the concept of the unconscious he attempted with indifferent success to prove that there was a biological foundation for the unconscious psyche. At the time of his death he was becoming increasingly interested in the psychology of politics.

ALEXANDER GOLDENWEISER

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RIVIER, ALPHONSE-PIERRE-OCTAVE (1835–98), Swiss jurist. Rivier studied in Switzerland and in Germany under Keller, Rudorff and Heffter and taught Roman and French law at the University of Berne. In 1867 he replaced the eminent Romanist, Charles Maynz, at the Université Libre in Brussels. He served also as Swiss consul general for Belgium and the Congo Free State and became a member of the Conseil Supérieur of the latter state. Rivier participated in international conferences at Berlin and Brussels and was one of the arbitrators in the dispute between France and Great Britain concerning the Newfoundland fisheries. Shortly before his death he was chosen sole arbitrator in the Russian-British Behring fisheries dispute. He was editor in chief of the *Revue de droit international et de législation comparée* from 1878 to 1888 and president of the Institute of International Law from 1888 to 1891.

Rivier, who was a prolific author and contributed to many legal periodicals, first achieved a respected position as a Romanist; his most significant works in Roman law are *Introduction historique au droit romain* (Brussels 1872, 2nd ed. 1881), *Traité élémentaire des successions à cause de mort, en droit romain* (Brussels 1878) and *Précis du droit de famille romain* (Paris 1891). Although he never completely abandoned this field of study, it was in international law that he acquired his greatest renown. Rivier was above all a man of his own time, and while he did not despise historical study he felt that in international law there was more vital constructive work to be done. Beginning in 1864 he published writings on international legal questions. The *Programme d'un cours de droit des gens pour servir à l'étude privée et aux leçons universitaires* (Brussels 1889) and the *Lehrbuch des Völkerrechts* (Handbibliothek des öffentlichen Rechts, vol. iv, Stuttgart 1889, 2nd ed. 1899) contained methodical, rational plans of study and condemned the traditional division of international law into the law of peace and of war. Rivier wrote for the first volume of von Holtzendorff's *Handbuch des Völkerrechts* an outline history of the literature on systems and theories of international law since Grotius (Berlin 1885, p. 393–523).

Rivier's concept of international law was determined by his general training and especially by his knowledge of Roman law. It was based on respect for individual liberty and the sovereignty of the state, tempered, however, by the idea of solidarity, essential in his work. Solidarity among fellow citizens is developed in the state; solidarity among nations will be realized in its turn in a superior, international form of social

organization which will guarantee state sovereignty and the freedom of the individual. The *Principes du droit des gens* (2 vols., Paris 1896), Rivier's chief work, is inspired by these principles. Stressing those rules of law which are universally respected, he emphasized the existence of what he termed "the juridical conscience of the society of nations" and showed that international law, so often ridiculed, is a system of positive law founded on facts and principles recognized by the states. To assign to international law the passive role of recording and classifying international facts was, Rivier believed, to degrade its standing as a science.

JEAN DEVAUX

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ROADS

ANCIENT, MEDIAEVAL AND EARLY MODERN. Roads are means of overland communication; they include paths and highways but exclude streets, which run within the limits of cities, towns and villages. The first roads were probably the beaten paths leading to food and water, where animal trails led through the underbrush and to the water holes. Many followed the ridges where forest growth was lightest and drainage was good, where winds cleared away the leaves or snow and signal fires could be seen. Movements of population did much to create pathways through the wilderness, which in turn stimulated migrations. The localization of scarce and desirable goods, such as the yellow amber of the Baltic or the infrequent deposits of tin and copper in Spain, Cyprus and elsewhere in the Near East, led to definite long distance land routes through Europe before 2000 B.C., extending from the Danish peninsula down the Elbe and through central Europe to the Rhone or to Italy. Commerce was the most important factor in the development of routes by the Carthaginians.

The construction of roads developed with the rise of urban civilization. Herodotus tells of a causeway built for hauling blocks for the Great Pyramid. Similar tracks were built at the palace of Knossos in Crete, at Cyrene and elsewhere. In the Assyrian Empire roadways were maintained for messengers and the transportation of produce for the imperial household. Nebuchadnezzar built a sacred route for his favorite god Marduk; it consisted of a foundation of bricks covered with asphalt and surfaced with limestone and red breccia. From ancient times through the Middle Ages sacred routes were maintained for criminals fleeing to sanctuaries.

The rise of empires, with their needs for administrative and military supervision, were the most effective stimuli for the building of ancient highways. Three great roadways radiated forth from Babylon. The extension of the Persian Empire from the capital city Susa through the Tigris-Euphrates basin and the Nile valley required improved highways for the chariot riding messengers carrying the letters of the king. Troops marched to enforce the king's law, and inspectors followed to report how his will had been carried out. The ancient royal road led from Ephesus to Sardis and thence through the Cilician Gates and across the Euphrates to Susa, a journey of more than 1500 miles. On this road were 111 resting places, relay posts and garrisons. There was a similar development of highways in ancient India and China.

The administrative and military genius of the Romans is revealed most impressively in their highways. Military leaders followed their conquests with extensive road building. From the administrative center at Rome the great highways extended to the farthest frontiers like spokes of a giant wheel, through Gaul to Holland and Britain, from Genoa to Marseille and into the rich Spanish province; along the Appian Way, the most celebrated of Roman roads, begun in the third century B.C., and through southern Sicily; from Carthage westward to Mauretania and Numidia and southward to Byzacium to join the caravan trail to Alexandria and the ports of the Red Sea. An eastern road led to Thessalonica and Byzantium, across Asia Minor to Tarsus and Antioch and through Palestine to Egypt. The Itineraries of Antoninus, probably compiled in the third century A.D., enumerated 372 roads in the empire with a total of over 52,000 miles.

Roman roads have never been surpassed from the standpoint of solidity of construction. Many still remain in actual use or as foundations for new roads. To build a surfaced highway two parallel ditches were first dug and the cleared course was firmly packed. Next came a layer of stones on which the *rudus*, or concrete, was laid. On top of this was spread the bedding, or *nucleus*, of fine cement, which grasped the pavement, or *dorsum* of flat stones, cambered to shed

the rain. The highway, thus raised above the land surface, was strengthened by a stone edging and frequent curbstones. Where a solid foundation was already present, some of the preliminary steps were unnecessary. Less important roads were of gravel or merely of leveled earth. The pavement was usually from 8 to 16 feet wide and remarkably straight. A considerable amount of forced labor was used to build and maintain the roads. Garrisons of soldiers policed the highways. Along the routes were numerous milestones, resting places and posting houses where horses and vehicles could be obtained. Senators and others wishing to gain favor used their private wealth for the extension and improvement of the highways, but increasingly the populations living near the roads were expected to maintain them. Even the forwarding of state messengers and the conveyance of state officials were maintained by frequent requisitions from the surrounding territories.

On the highways messengers rode night and day on state business. Officials went on horseback or drove in heavy carriages. Troops marched on the pavement with their wagonloads of *impedimenta* and supplies creaking behind. Peddlers, with their long lines of heavily laden donkeys, moved by the side of the road. Chariots were small, with about a three-foot track, but most of the carts and wagons were wider, the parallels of deep worn ruts measuring 4 feet, 8 inches, or roughly the present standard gauge. In the towns it was usual to walk the narrow streets or to ride in litters, wheeled traffic often being restricted to special streets and certain hours of the day.

Merchants in Alexandria, Lyons, Treves, Arelate or Narbo, great commercial centers, collected supplies for Rome and other cities. Even before Roman times the freighters of Egypt, organized into guilds, had been required to haul public goods, and the Romans continued the practise. Elsewhere draft animals, carts and supplies were requisitioned, often without payment. The security of travel, the low customs duties and the good roads were particularly encouraging for commerce. Roman citizens received their silks from the Syrian, Greek, Jewish, Arabian or other intermediaries, who went as far as Merv or Samarkand in Turkestan, to India through the Khyber Pass, or to Kandahar in Afghanistan and over the royal road across north India to the Ganges. The Chinese traders brought their silks on the paved steps and roadway of the Long Road through Sianfu, the ancient capital of China. Over hard packed camel trails caravans brought African ivory, Arabian gums and spices, and pearls, cotton and silk from India. Gaul sent lead, tin, cattle, corn or horses; its pottery, in imitation of the Arrentine ware, even invaded the Italian market. From Spain came minerals and agricultural produce. The bulk of the trade around the Mediterranean moved by road to and from navigable water, but there was more through traffic by pack animals than conventional history would suggest.

After the decline of Roman control in the west the construction of roads virtually ceased and many of the older roads fell into a state of disrepair. In addition, without effective police protection from garrisons, journeys were hazardous. Merchants traveled in groups for protection, and lone peddlers often went as pilgrims. On approaching strangers the traveler prepared for fight. Frequently he left the main road, particularly where it was fringed with forests or bushes which might conceal outlaws. Moreover there were troublesome and onerous tolls (*passage*, *portage*, *charriage*, *péage*), and special taxes on wines and other goods. If any merchandise fell from the pack or cart the lord claimed it (*Grundruhrrecht*). Long distance trade was reduced to a minimum, and feudal warfare still further hampered easy communications. Maintenance of highways depended upon chance or the good will and piety of those to whom the adjoining lands belonged.

Outside of western Europe the state of the highways and traffic was somewhat better. In the Byzantine Empire the traditional Roman scheme of frontier defense was continued. Caravan trade with the East flourished. The new imperial power at Bagdad gave the Moslem world good roadways, equipped with hostelries and relays for traders and pilgrims as well as for official couriers. In India and China this period was marked by great activity in the construction of highways.

Although Charlemagne built military roads and instructed the monasteries to maintain the highways, little was done to preserve the pavement of Roman construction. The old highways were expensive to build and required constant maintenance. Without care the cemented slabs sank unevenly, as they did in the narrow Chinese roads; peasants sometimes removed rock or clay from the very center of the road. After the tenth century draft animals came into more general use. The ancient world knew nothing of the

modern type of harness or horseshoes and did not use the tandem hitch. Except for yokes of oxen, full advantage of animal power could not be taken. By the twelfth century there was widespread use of the heavily padded horse collar, fitted to the shoulders and with the traces attached to the whiffletree instead of the wagon. Nailed iron horseshoes were used. To get away from the stone surface of the old roads as well as to avoid tolls and thieves many travelers left the Roman highways to create new even if very poor dirt or gravel roads. For comfort women as well as men rode horseback, although horse litters and sometimes elaborate wagons also were used. Pack animals generally carried merchandise over long distances; sturdy carts, their broad fellies studded with nails, were widely employed for local traffic. By the twelfth century conditions were improving. The Truce of God restrained the more rapacious nobles. The increase of commercial life and the profits to be obtained from the fairs and markets resulted in measures for increased safety. At the close of the thirteenth century Rudolph of Hapsburg made nobles responsible for robberies in their territories. In north Italy, where the roads had remained good, roadside dwellers were required to go to the assistance of attacked travelers. Commercial centers contracted with lords for the protection of those going to the fairs.

There was also great progress in the maintenance of roads. In 1285 an English statute required that highways connecting towns should be cleared of woods and bushes for 200 feet on either side of the road. Lords moving to their scattered fiefs required the villeins to repair the roads through and between the estates. Religious orders maintained the routes and bridges and offered shelter to the many travelers.

With the rise of strong national governments there was a recrudescence of central rather than local control of roads, marked by the development of systems of postal couriers and the improvement of highways to meet the needs of growing commerce. These developments were strengthened by the rise of the absolute monarchies. In England an act of 1555 required each parish to maintain the roads within its area. Under two appointed surveyors every man was required to work four days in the year or to provide a substitute. Those who owned horses or ox teams had to send them with "one wain or cart." With the dissolution of the monasteries and the increased commerce, the condition of the highways became worse. After 1564, however, public carriages took people over the roads, and the Dutch fashion of riding in coaches spread even to the country. In 1669 the Flying Coach brought passengers from Oxford to London in a day; but the danger of highwaymen, the deep rutted or miry roads, the frequent detours, made conditions of travel most arduous. Turnpikes, or toll roads, first appearing at London in 1346, spread to the principal thoroughfares of England in the seventeenth century, although there was no immediate improvement in road surfaces. As early as 1737 Robert Phillips recommended to the Royal Society an improved roadway of gravel laid on a well drained foundation, but little was done until the latter part of the century. Only a small proportion of the roads were turnpikes; and until 1835 statute labor, grudgingly given and directed by unskilled parish appointees, was the chief means of road maintenance.

France, largely because of the greater importance of its land traffic and the greater degree of centralization, achieved the best roads among the great nations of Europe. The Roman system had fallen into desuetude, and winding dirt tracks cared for, or rather neglected, by the adjoining proprietors were frequently so covered with bush that travel was almost impossible. Richelieu made out budgets for bridges and roads, regulated the corvée, or compulsory labor service, on the roads and improved the postal system. Colbert, in his struggle for a national economy, instituted the most extensive reforms. He developed the royal roads from Paris, made plans for highways and bridges and compelled the provinces to construct and maintain the roads. Turgot, also concerned with extensive road systems, abolished the corvée, although it was reintroduced after his fall in 1776. He employed Pierre Trésaguet, who in 1764 built highways on a set foundation of solid stone blocks, raised at the center to parallel the road surface of broken stone. But late in the eighteenth century travelers still complained of the hazardous and expensive journeys. Elsewhere there was little attention to road building; as a "means of increasing the national occupation" it was advocated by the German cameralists. Off the main thoroughfares the roads were extremely bad, particularly in wet weather.

When the European nations began to expand overseas, they often found satisfactory road systems. In India routes of beaten earth for pilgrims, traders, armies and elephant caravans supplemented the great river routes. In Peru

over 4000 miles of Inca highways zigzagged to altitudes of 15,000 feet or crossed over deep abysses and rivers. Many of these roads were paved. Tunnels, retaining walls or causeways were constructed at the most difficult places. Over these highways the llamas carried ores and produce and relays of runners bore messages and lighter goods. The first routes in New France were by water. In the eighteenth century a road from Quebec to Montreal was built along the north shore of the St. Lawrence with branches westward. Each person was required to build and maintain the section bordering on his property. In the other American colonies the early routes were uniformly bad. In the highlands the settlers followed the Indian trails widened for pack animals. Each town was usually required to construct a road to the next town; but road building meant simply clearing fallen timber, chopping stumps and blazing or notching trees. In swampy spots logs were thrown down to form corduroy roads, and wooden bridges or barges were maintained where rivers could not be forded. Braddock and Blake had built military roads to the west over which settlers and traders could haul their supplies in heavy wagons or on pack horses.

Oversea expansion was accompanied by increasing commercial and industrial activity in the more progressive nations of Europe. These developments, particularly in their expression in the industrial revolution, led directly to the modern era.

NORMAN LEON GOLD
MELVIN M. KNIGHT

MODERN. The modern highway had its beginning in the economic and social changes wrought by the industrial revolution. Because of the growth of trade and a consequent increase in the requirements for better transportation facilities, governments were compelled to develop a better system of highways and highway surfaces to accommodate the vehicles used in the transportation of goods and persons. Highway construction and improvement expressed the progress of industrialization, both in the demand for roads and in the adoption of more efficient construction methods. The highway mileage of the world today is a fairly accurate index of the rise of industrialization (Table I), although it is far from infallible, as is indicated in a comparison of the British and Japanese figures.

Although France surpassed England in the scope and quality of its roads up to the industrial revolution, the situation was thereafter reversed by England's rapid economic progress. English roads were incredibly bad on the eve of the industrial revolution. Little attention had been paid to the art of road building and maintenance. Engineers believed such work was not within their calling. In repairing roads it was the custom to spread stones obtained from a nearby quarry over the road in a more or less haphazard manner and to leave them to be crushed into position by the wheels of passing vehicles. Roads were often mere tracks, unusable in bad weather. The first great improvement came toward the close of the eighteenth century in the work of Thomas Telford, who emphasized two objectives in road building: to make the road as level as possible and to give it a surface capable of bearing without injury the heaviest weights likely to pass over it. Telford's method of construction consisted of building the road surface in two layers. The bottom layer was made out of stones, about seven inches in depth, set by hand with their broadest ends downward. The space between these stones was filled with smaller stones packed by hand so as to produce a firm but even surface. On this lower layer was laid a second course, about seven inches in depth, of hard broken stone. On top of this was placed a binding of gravel, about an inch thick.

TABLE I

THE WORLD'S ROAD MILEAGE, 1930

COUNTRY	TOTAL	PER 1000 SQUARE MILES
United States	3,024,233	1017
Canada	390,060	110
Mexico	62,137	81
United Kingdom	192,278	2039
France	405,028	1903
Germany	217,479	1201
U.S.S.R.	776,712	94
Italy	114,129	953
Belgium	18,894	1607
Spain	54,114	278
Poland	141,040	940
Czechoslovakia	44,830	827
Argentina	131,697	122
Brazil	75,497	23
Chile	24,414	85
China	34,810	18
Japan	659,215	4470
Turkey	19,500	66
Algeria	21,753	98
Morocco	3,914	24
Union of South Africa	85,598	181
Australia	329,662	110
World Total*	7,959,193	155

* Including unimproved earth 3,168,426 miles, improved earth 2,201,854 miles, macadam roads 664,321 miles and all other 1,924,592 miles.

Source: United States, Department of Commerce, *Commerce Yearbook, 1932*, vol. ii, p. 710.

A somewhat different and improved method of construction, later known as macadam surfacing, was developed during the early 1800's by John McAdam. He laid great stress on making the surface of the road waterproof: in the older roads the clay became water logged and consequently was unable to sustain the weight of the traffic during the wet winter months. McAdam's method consisted of laying down an improved surface of granite and other hard stones and flints, which were broken into small angular pieces, welded together into a compact mass by pressure and the use of water and mud. Modern macadamized roads consist of a lower layer of broken stone, well rolled with a layer of broken granite and consolidated with sand, gravel and stone chips. This type of road was considered the highest type of surfacing until the appearance of rigid pavements. In 1930 the world mileage of macadam roads was 664,321, of which 99,426 miles, or 15 percent, were in the United States.

The construction and maintenance of roads in eighteenth century England was largely in the hands of local authorities, who depended on compulsory labor. The principle of maintaining important roads through the collection of tolls came into being quite early, but very few turnpike acts were passed up to 1760. From then on to 1774 Parliament passed hundreds of acts creating turnpikes. A turnpike trust was created with jurisdiction over a certain stretch of road and with authority to borrow money on the security of the tolls, which were to furnish the funds for the maintenance of the road and repayment of the loan. The trust was created for a limited period, usually about twenty years, and if the loan was not repaid in that time it had to be renewed. Invariably the debt on the road was not cleared and the need for toll collecting still remained. The tolls collected yielded barely enough to maintain the road in satisfactory condition, and in relatively few instances were they sufficient to pay interest on the loan. After 1830 competition of the railroads created a desperate situation for the toll roads. In 1838 there were in England and Wales 1116 turnpike trusts controlling 22,000 miles of roads; their borrowings amounted to over £9,000,000, and in addition there was £1,000,000 of unpaid interest. In their frantic attempts to meet increased expenses the trustees not only sought authority to collect higher tolls but of their own accord erected additional tollgates to the maximum allowed. Although the fundamental principle on which the turnpike system was based was that of transferring the cost from the parishes to the users of the road, the parishes were obliged to meet the deficiencies and to keep up repairs, while their citizens had to pay toll. Furthermore the bondholders had the right of foreclosure, under which many of them seized the roads and appropriated all the collections to their own use, leaving all the expense of maintenance to the parishes. The oppressive burden of paying excessive tolls and taxes to maintain the roads produced great discontent, and riots occurred in many sections. An inquiry resulting from these disturbances showed that a real and serious grievance existed, and steps were taken to relieve the distressing situation. Parliament made appropriations to help in maintaining the roads and authorized local borrowings to pay off the debts of the trust, so that by the end of 1896 the last turnpike had vanished from British soil. The abolition of turnpikes in effect meant a reversion to the old principle of local liability for road maintenance, except that the charges were borne by the taxpayers as a body and not by the landowners alone. Meanwhile in the midst of all these difficulties there was steady progress in the mileage and quality of British roads.

The status of roads in the early years of the United States is revealed by a classification of the general ideas or principles underlying legislation on the subject: there were laws dealing with single roads, legislation for separate counties, general legislation for the state and the legalization of the turnpike system. The first three classes were largely restricted to the latter part of the eighteenth century; turnpike legislation was most prevalent in the first half of the nineteenth century. There was no highway construction in the modern sense. Roads were largely the result of chance and evolved from paths and trails which were gradually widened for vehicle use. Each community shouldered its own responsibility and solved the problem of land transportation as best it could. Compulsory labor, as in England, was the means by which road repairs were made.

As civilization pushed toward the west across the mountain ranges the need for roads became imperative. At the same time there was a rapid increase in the use of wheeled vehicles and a growing demand for more adequate postal services. Travel between important centers of population developed on a considerable scale. As the back country was settled, freight traffic by means

of wagons assumed great proportions. This new situation, connected with the demand for roads which would sustain wagon traffic at all seasons of the year, led state legislatures to seek means and methods to improve the roads. At the close of the eighteenth century the condition of all the roads in the newly formed states was deplorable. The system of compulsory labor by which the roads were theoretically kept in repair had in many instances failed, and the tax plan for road repairs was not much more effective. Labor supply was insufficient, and there were no adequate revenues for permanent improvements or skilled overseers who understood the principle of road construction. Settlers in western Pennsylvania and New York, in petitioning their respective legislatures for highway improvements, stressed the fact that increasing use was made of their local roads, which formed a connection with the country across the mountains, by through traffic which contributed nothing to their maintenance. Stage lines, professional wagoners and groups of immigrants moving westward constituted the major portion of the traffic. The roads had been built originally by the local people and were maintained by them, and they regarded it as unjust that a highway connecting important centers of population and commerce should be maintained at the expense of the local communities.

The general movement for improved internal communication and the growing feeling that the users of the more important thoroughfares should contribute to the costs of construction and maintenance in proportion to their use led, as in England, to the development of the turnpike system. The first American turnpike company was organized in 1792 in Pennsylvania following prolonged agitation for the improvement of the roads leading from Philadelphia westward to Lancaster, 62 miles distant. The project was completed two years later; the paving was stone overlaid with gravel. Construction costs amounted to $465,000, an average of $7500 per mile. The American turnpike companies, unlike the turnpike trusts of England, were joint stock companies, the forerunners of the corporation type of business organization. In the state of New York in 1821 there were about 4000 miles of turnpike roads capitalized at $11,000,000. By 1832 there were in Pennsylvania about 2400 miles of turnpikes in operation. Subsequently the abandonments exceeded new construction. This condition was prevalent in practically all of the eastern states with a fairly large toll road mileage. During the 1830's canals and railroads demonstrated so conclusively their superiority over turnpikes that both public and private capital was diverted to new means of communication, particularly railroads. New turnpike projects were built almost exclusively as feeders to the newly constructed canals and railroads.

In order to obtain the required capital state legislatures were compelled to grant liberal concessions to the corporations desiring to build turnpike roads. It was the policy from the beginning to grant such companies exclusive franchises for a definite period of years, in some instances in perpetuity, and to award them also virtual monopoly of the particular routes they occupied. Legislatures conferred the right of eminent domain, which made it possible for the companies to select the most advantageous routes. The rates of tolls and various other details of management were specified in letters of incorporation. From a financial point of view the turnpikes were not successful. Even the best of them paid only limited returns. As business enterprises they were poorly organized and managed. The funds obtained through the sale of stock were in many instances inadequate to cover the costs of construction. This resulted in the creation of debts and forced the companies generally to divert current revenues derived from toll collection to pay interest charges and to forego adequate maintenance. Another prevalent cause of failure was the building of roads in sparsely settled regions in anticipation of traffic rather than for needs already existing, which was also the case later in the construction and bankruptcy of many railroads. Although the turnpikes were unprofitable as an investment, they rendered great service in speeding up traffic and in reducing the hazards of travel. Before the present era of road construction the vast majority of the turnpikes had been abandoned by their operators and control had been acquired by towns and counties.

From 1840 to 1860 there was considerable enthusiasm in isolated cases for the construction of plank roads. Before this movement was ended by the panic of 1857, New York had chartered 352 such companies, Pennsylvania 315, New Jersey 25 and Maryland 13. Not all of the contemplated projects were completed, but in these four states alone approximately $10,000,000 was expended in the building of plank roads. They were constructed by toll road companies and were designed to serve as branch lines to other

forms of transportation rather than as routes for through traffic. They were the smoothest roads built prior to the hard surfaced road or the rigid pavement type. The weakness lay in the material used, for the planks constituting the road surface soon wore out and the cost of maintaining a usable surface was excessive.

While the states were chartering turnpike companies and in some cases even investing public funds in them, the federal government was urged to provide a highway between the seaboard and the region beyond the Alleghenies. The project was approved in 1806 and construction was begun five years later. The road, which came to be known as the National Pike, or the Cumberland Road, was open for traffic as far as Wheeling in 1818. The average cost for the 130 miles from Cumberland to Wheeling was nearly $13,000 per mile. From the very beginning the road carried a tremendous amount of traffic, and there were demands for its extension. Congress in successive acts provided for continuation westward as far as Jefferson City, Missouri; but the road was never completed beyond Springfield, Ohio, although some work was done as far as Vandalia, Illinois. Despite opposition on the ground that construction of the road was not within the constitutional power of Congress, that body came to accept the view that the construction and maintenance of a highway of this character could be regarded as one of its "implied powers" under the constitution. Such a road fitted into the scheme for a national system of internal improvement and also possessed considerable value from a military point of view. The total appropriations for the road, covering the period from 1806 to 1844, when Congress made its last contribution, amounted to $6,824,000. Funds from the sale of public lands in Ohio, of which 2 percent was earmarked for construction of the road, were wholly inadequate to meet the expenditure: by 1840 there had been credited to the fund only $972,978, or about one seventh of the sum actually expended on the road. The large additional funds required and the controversies over location of the various sections were among the reasons which led Congress to abandon the National Pike in 1856. Of still greater importance was the rapid development of the railroad, which was proving its superiority for long distance traffic. In the subsequent development of the central and western states the United States army constructed many local roads and highways which were of considerable value to settlers.

In the prerailroad era the stagecoach was the chief means of travel between important commercial centers. The rapid development of commerce after the revolution led to considerable urban growth and augmented travel for business reasons. Regular stagecoach routes developed on a large scale. The stagecoach made its stops at taverns, whose number increased greatly. Ownership of taverns and stagecoaches was frequently combined. High profits in the operation of stagecoaches invited competition and resulted in disastrous rate wars. The triumph of the railroad abolished both the stagecoach and the tavern and marked the end of one of the most colorful aspects of early American life.

From 1850 to about 1890 little was accomplished in the way of highway construction or improvement in the United States. Because of the development of railroads and waterways there was no demand for through highway routes. The public generally failed to appreciate the social, commercial and economic value of improved local roads. Farmers, upon whom would fall the burden of constructing and maintaining high type roads, at first opposed them through fear of increased taxation. The system of payment of road taxes in labor was wasteful and inefficient. The country road tax was for the most part paid in labor but bridge taxes, usually levied on all taxable property in the rural districts, were paid in money. Road supervisors, responsible for maintenance, were elected regardless of their fitness for the work. There was a dearth of practical knowledge of the engineering aspects of road construction and maintenance, since almost no progress had been made in that direction since the days of Telford and McAdam. But as the situation grew relatively worse, the public, particularly the farmers, who were developing a keen sense of their economic and social disqualifications, began to appreciate the necessity of more and improved roads.

The modern "good roads" movement may be said to have been started by the first state road convention, held in 1883 in Iowa City. The deplorable road conditions in that state were discussed fully. People living in the rural sections realized that they needed better roads leading from the farms to the market centers and that means and methods would have to be devised to bring about an improvement. Resolutions were adopted which caused the legislature to pass an act the next year providing that county boards might levy a tax to create a county road fund, that township trustees might consolidate

the several road districts of their township into one highway district, that the township highway tax might be paid in money and that highway construction work might be let by contract to the "lowest responsible bidder." Throughout the whole act the word "may" was used instead of "shall" because many of the rural districts were still violently opposed to such a change in policy. This measure, although optional in character, served as an entering wedge for development along sound lines. In the following years similar legislation was enacted by many states which began to take active interest in road improvements.

Another great influence in the revival of interest in good roads during the 1890's was the bicycle. Men and women of all stations in life were riding bicycles, in cities, villages and rural districts. The League of American Wheelmen, organized in 1880, began an active campaign for better roads. It published a magazine, *Good Roads*, which had wide circulation and which through its articles and pictures stressed the value of improved rural roads. Newspapers throughout the country reprinted these articles and others which dwelt on the benefits of good roads and the methods of building and maintaining them. As a result of these campaigns the states again turned their attention to the utility of highways and to the problems associated with their construction and maintenance. A national road conference, the first of its kind, was held in 1894, with representatives from eleven states. Resolutions were passed calling on the state legislatures to create temporary highway commissions to consider legislation and methods of road improvements. It was also recommended in these resolutions that each state should set up a limited system of state roads or establish a system of state aid as the first step toward a comprehensive system of road improvement. As a result states began to create agencies, which at first confined their activities to investigation and the giving of free advice to counties on highway problems. New Jersey, by its act of 1891, was the first to provide state aid for the construction of surfaced roads through financial assistance to the counties. Most of the other states enacted laws which obligated the state to shoulder a part of the cost burden incurred in the construction of high type road surfaces by the counties or other municipal units. After the adoption of the state aid principle the several states soon came to realize that the problem of constructing and maintaining a connected system of main roads could be solved only if the state assumed full control and financial responsibility. Massachusetts was the first state to accept this principle. Perhaps the most fatal defect of the state aid system as a means of developing connected main roads was that the counties could not be depended upon to maintain the roads after completion.

This trend toward state control of road construction and maintenance was strengthened by the growing use of the automobile, which gradually fostered a vigorous popular demand for improved and interconnected highway systems. Between 1921 and 1929, when the automobile really became a mass mode of travel in the United States, the total road mileage rose only from 2,941,000 to 3,024,000; but the mileage of surfaced roads, including macadam, asphalt and concrete, increased from 387,760 to 662,435.

At about the time that the policy of state aid was being urged the federal government began to interest itself again in the problem of rural road improvement. In 1893 a small Office of Road Inquiry was created in the Department of Agriculture, with an annual appropriation of $10,000, to study the existing highway situation and report upon the best methods of road construction and maintenance. As the years went by the appropriation was increased to enable the government to publish and distribute information regarding the best methods and practises of road building and maintenance. Laboratories were set up to test road building materials. Later the Office of Road Inquiry was expanded into the Bureau of Public Roads, which, with increasing appropriations, promoted road improvements through demonstrations in various sections of the country. The local communities furnished the material and labor, and the bureau sent its engineers and experts to design and superintend the construction of "object lesson" roads. By 1916 the government was expending about $300,000 a year on this type of educational and research work.

Nevertheless, the United States remained relatively backward in road construction and maintenance. In 1904 only $79,623,000 was spent for this purpose. Progress thereafter was more rapid, expenditures in 1914 amounting to $240,263,000. Growing demands for a unified national policy of road building led the federal government to act. The passage of the Federal Aid Act of 1916 provided for the resumption of active federal participation in road construction in every state of the union. Within the limits of

the appropriations the act authorized the secretary of agriculture to participate in the improvement of post roads up to 50 percent of the improvement, provided that the aid granted to a particular project did not exceed $10,000 per mile. In 1919 the maximum limit was raised to $20,000 per mile, but in 1922 it was reduced again to $15,000 per mile. For 1917 the total appropriation was $5,000,000. One of the most important and far reaching provisions of the law was the requirement that states desiring to receive federal aid would first have to create a state highway department which could cooperate with the federal government and assume responsibility for the immediate supervision of construction. This legislation accelerated the tendency toward state control, which experience had already proved to be the wisest course. An amendment in 1921 authorized the secretary of agriculture, in cooperation with the state highway departments, to designate a system of main interstate and intercounty highways, limited in each state to 7 percent of the state's total mileage. This system of roads is known as the Federal Aid system. It was further stipulated in the amendment that the roads must be maintained in satisfactory condition by the state highway departments and that if a state should fail to do this the federal government must maintain the road and charge the cost against the state's appropriation fund. Although the initial appropriation for federal aid was small, the several states were eager to cooperate to such an extent that substantial increases in the federal appropriations were demanded. By 1933 Congress had appropriated $1,240,000,000 for rural road construction purposes. The annual appropriations were apportioned among the states in accordance with a formula prescribed by the original act of 1916: one third on the basis of area, one third on the basis of population, one third on the basis of rural road mileage.

In 1930 there were approximately 3,024,000 miles of roads in the United States. All roads by virtue of the traffic they carry belong to one of four classes, which may be called interstate roads, state roads, county roads and local roads. The more important of the first two classes are included in the Federal Aid highway system, which forms a connected system and has at present a total length of 200,013 miles. The federal government in 1931 had expended Federal Aid funds on 88,713 miles of the system. The roads thus officially designated comprise in the main all the roads referred to above as interstate roads and a portion of the state roads and reach directly nearly every city with 5000 or more inhabitants; they are so chosen that if a zone 10 miles wide were marked off on each side, it would include the homes of 90 percent of the population. Those roads which constitute the state highway systems are sometimes called state roads and include all the roads of the Federal Aid highway system. All roads other than those included in the Federal Aid highway system or in one of the state highway systems are county or local roads, which comprise 90 percent of the total.

The several types of roads may be divided into three classes and rated as high, intermediate and low. The high types, with a total mileage of 91,463, are bituminous concrete, Portland cement concrete and vitrified brick; the surfaces of these roads are of the rigid pavement type and have been used as rural road surfacings only since the advent of heavy motor traffic. The intermediate types are bituminous macadam, water bound macadam and gravel, with a mileage of 514,441. In the days of horse drawn vehicles such surfacings were considered as the highest type. The low types are sand clay and graded and drained earth. The choice as between the several types within a group remains largely a matter of availability of material and relative cost under particular circumstances. These types of road bear a large and increasing portion of traffic. In addition there are 2,315,507 miles of earth roads, wholly unsurfaced, constituting 77 percent of the total mileage.

The building and maintenance of roads has in recent years accounted for a considerable part of total construction in the United States. Disbursements rose from $240,263,000 in 1914 to $1,718,000,000 in 1929. For the five-year period 1925–29 disbursements amounted to $7,415,000,000. Disbursements rose to $1,991,000,000 in 1930, although they declined in the subsequent years of crisis. Of the total in 1930, 16 percent went for debt services; the balance was spent on construction and maintenance (Table II). Although state highway departments are responsible for only 10 percent of rural road mileage, they disbursed 57 percent of the total outlays.

In 1930 approximately 43 percent of the total income for purposes of road construction and maintenance was derived from motor vehicle fees and gasoline taxes paid by users of the roads (Table III). The gasoline tax is in reality a species of toll charge and represents a reversion to

TABLE II

EXPENDITURES FOR HIGHWAYS AND ROADS BY STATE AND LOCAL AUTHORITIES, UNITED STATES, 1930

PURPOSE OF EXPENDITURE	STATES	LOCAL AUTHORITIES	TOTAL
Construction and right of way	$713,117,045	$296,594,546	$1,009,711,591
Maintenance	191,683,479	284,228,960	475,912,437
Miscellaneous expenses	2,227,459	37,066,817	39,293,276
Equipment and machinery	22,301,725		22,301,725
Interest on bonds and notes outstanding	50,668,141	82,604,925	133,273,066
Total construction and maintenance expenditures	979,997,847	700,495,248	1,680,492,095
Principal payments on bonds and notes	69,504,631	112,576,447	182,081,078
Transfers to town or county	66,897,782		105,512,712
Transfers to state		38,614,930	
Other obligations assumed	23,276,341		23,276,341
Total other disbursements	159,678,754	151,191,377	310,870,131
Total expenditures	1,139,676,601	851,686,625	1,991,363,226

Source: Compiled from United States, Bureau of Foreign and Domestic Commerce, *Statistical Abstract* (1932) p. 350, and Department of Agriculture, *Yearbook of Agriculture* (1932) p. 935.

TABLE III

SOURCE OF INCOME FOR ROAD CONSTRUCTION AND MAINTENANCE, UNITED STATES, 1930

SOURCES OF INCOME	STATES	LOCAL AUTHORITIES	TOTAL
State tax levied for state highways	$11,181,693		$11,181,693
Appropriations for state highways	32,136,298		32,136,298
Motor vehicle fees	289,801,738	$54,911,122	344,712,860
Gasoline tax receipts	411,109,446	107,110,709	518,220,155
Miscellaneous	17,083,821	33,338,076	50,421,897
Bonds and notes	222,288,308	94,684,481	316,972,789
Federal aid	92,462,836		92,462,836
Transfers from local authorities	60,609,297		60,609,297
Transfers from the state		33,701,795	33,701,795
Local road tax levy		398,437,337	398,437,988
Appropriations from general fund		96,195,337	96,195,337
Total	1,136,673,437	818,379,508	1,955,052,945

Source: Compiled from United States, Bureau of Foreign and Domestic Commerce, *Statistical Abstract* (1932) p. 350, and Department of Agriculture, *Yearbook of Agriculture* (1932) p. 934. The figures for state transfers, proceeds of the local road tax levy and appropriations from general fund obtained from the unpublished tabulations of the United States Bureau of Public Roads.

the old turnpike principle of compelling highway users to pay for improvements. About 16 percent of the year's income was supplied from borrowings. Most of the remainder was raised from taxes. There has been considerable agitation in favor of a special tax on buses and motor trucks because of their use of public highways for business purposes and because of the extra wear and tear they cause.

The amount of service which the highways render in carrying traffic of all kinds cannot definitely be determined. During 1929 and 1930 a comprehensive survey of traffic conditions and road uses was made in eleven of the western states of the United States, including the Pacific coast states. It was shown that the annual use of the Federal Aid highway system was approximately 8,400,000,000 vehicle miles, that approximately 57 percent of all passenger cars travel less than 140 miles per day and that 4 percent travel 400 miles or more per day. In a survey of traffic conditions in Michigan in 1930 it was indicated that the average density of traffic on the roads comprising the state highway system was 1144 vehicles per day, on the county roads 190 vehicles per day and on the township roads 22 vehicles per day. This general distribution of traffic is noted in surveys in other states of a more or less similar character. In Michigan for the year 1930–31 the highway expenditures on city streets amounted to 0.78 cents per vehicle mile, on state highways 1.05 cents, on county roads 2.37 cents and on township roads 1.29 cents.

Road building in the United States in recent years has not spread into new or undeveloped territories. The emphasis has been on extensions and improvements, on better planning and on

more efficient cooperation among local authorities. There is still much room for development, although progress has been considerable. Inspectors and supervisors are better trained. Since 1922 there has been a small but significant growth of road construction under the supervision of regional planning bodies. The higher type of concrete road is increasing; and there is more careful planning, stimulated by advancing research, of types of surfacing and subsurfacing in relation to the amount and nature of traffic.

In the more industrialized nations, particularly in the United States, road building is highly mechanized. The mechanical equipment includes plows and scrapers for loosening the earth preparatory to building, sprinklers to moisten earth and stone, rollers to pack the roads, graders to loosen earth and dump it and crushing and grinding machines to break stone and prepare concrete. Equipment has been greatly improved in recent years: for example, the power shovel, using electric or gasoline motors, is far more efficient than the old type and can be converted into a crane or drag line. Other improvements involve better preparation of materials and laying of road. The result has been a great increase in productivity. In the United States the daily output per worker rose from 4.7 lineal feet of road surfacing in 1919 to 17.7 lineal feet in 1928; despite the increase in road building there was practically no rise in the number of workers employed. From 1923 to 1929 the hourly wage of common labor engaged in road building was practically stationary, rising from 38 to 39 cents; hourly wages in 1929 ranged from 26 cents in the east south central states to 53 cents in the Pacific states. Although the trade unions have long opposed the custom, convict labor is still employed in road building by many states, particularly in the form of convict chain gangs in the southern states; the abuses of the contract system are notorious.

Road building developments in the industrialized nations of Europe have in general been similar to those in the United States. Military roads have played a tremendous role in European road building programs. Other important influences have been the attempts to stimulate domestic agriculture, the advent of the automobile and the increase in tourist travel. The colonial nations of Europe have developed road construction on a large scale in their colonies, in which military and commercial motives have been of about equal importance. Usually native forced labor is employed, often under conditions of extreme cruelty. France in north Africa has been especially active in the construction of roads, as has the United States in the Philippines. These colonial roads are as a rule of high quality because of the importance of motor traffic.

Highways and highway transportation have attained ever greater significance during the last two decades. Improved highways and the use of the motor vehicle have wrought vast changes in the economic and social conditions prevailing in rural and urban areas. Recent developments have increased the economic importance of road building. In the United States the federal government, as part of its program to stimulate industrial revival, appropriated in 1933 the sum of $3,300,000,000 for a program of public works, which includes many projects for the construction of new primary highways. In other countries, particularly in Italy and Germany, road building is being consciously developed to "make work" for the unemployed.

HENRY R. TRUMBOWER

See: TRANSPORTATION; COMMUNICATION; COMMERCIAL ROUTES; MOTOR VEHICLE TRANSPORTATION; AUTOMOBILE INDUSTRY; CORVÉE; FORCED LABOR; GASOLINE TAX; GRANTS-IN-AID; PUBLIC WORKS; TRAFFIC REGULATION; MOTOR VEHICLE ACCIDENTS; RAILROAD ACCIDENTS.

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ROBERTSON, JOHN MACKINNON (1856–1933), British rationalist and politician. Robertson was born on the isle of Arran, on the west coast of Scotland, and left school at the age of thirteen. He entered newspaper work in 1878 and was for a time associated with Charles Bradlaugh on the latter's paper, the *National Reformer*. Active as an author and lecturer, he stood for Parliament and was member for Tyneside, Northumberland, from 1906 to 1918. In politics Robertson was for long classified by the British Museum authorities as a socialist; yet in his later years he became increasingly distrustful of socialism, mainly because of his overriding concern for individual rights and liberties, which, he felt, might be menaced in the course of the establishment of a socialist regime. As undersecretary of the Board of Trade (1911–15) in Asquith's Liberal government he was known chiefly for his uncompromising advocacy of free trade views, but he specifically discountenanced the extremer laissez faire doctrines of English liberalism. Robertson was active for many years in rationalist circles and during the latter part of his life was the recognized leader of the rationalist movement in Great Britain. He was widely respected both within and outside the rationalist movement, to which his death was an irreparable loss. In his extensive writings on sociology Robertson's chief concern (see his *Celt and Teuton*, London 1897) was to combat the fashionable contemporary interpretation of the events of national history and the traits of national character in terms of innate racial differences. His view was that while differences of individual character are correlated with differences in the physical make up of the total organism, differences in national character are deducible from political or social circumstances rather than from bodily or racial variations.

Robertson's interest, however, lay less in philosophy and in the abstract sciences than in what might be termed—the word was his own—the "humanistic" implications of science; that is to say, in the effects of natural law upon the events of human history and the lives of human beings. Thus he was a professed materialist, not in the sense of endorsing T. H. Huxley's conception of man as a conscious automaton, which he explicitly disavowed, but in his disposition to interpret the evolution and development of human ideas and beliefs—for example, the movement from Catholicism to Protestantism at the time of the Reformation—in terms of underlying economic causes.

Robertson was perhaps best known for his works on comparative mythology, which were made the basis of a sustained criticism of the Christian religion. In *Christianity and Mythology* (London 1900, 2nd ed. 1910) he startled his contemporaries by denying not only the divinity but the historicity of Christ. In its sequel, *Pagan*

Christs (London 1903, 2nd ed. 1911), he distinguished as a phenomenon that arises in the history of religion the appearance of mediator gods between man and the cosmic process. These gods are at the same time victims and their existence is multiplied in the hosts of human victims actually sacrificed who are supposed to represent them. Jesus Christ, he held, was a god-victim of this order, a composite myth, combining and concentrating in his own person all the historical victims of the Jews. Inevitably such a view aroused opposition. But its uncompromising character at least did not lay Robertson open to the charge, justly brought against many contemporary critics, of moralizing religion by reading into the utterances of Jehovah and Jesus Christ the refinements of nineteenth century humanism.

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ROBERTSON, WILLIAM (1721–93), Scottish ecclesiastic and historian. The high esteem in which Robertson was held by his contemporaries, both at home and abroad, was shown by his appointment as historiographer royal of Scotland in 1763 and by the honors showered upon him by the academies of Madrid, Padua and St. Petersburg; his popularity as a historian is evidenced by the unprecedented profits that accrued from the sale of his books.

Critically considered, Robertson like Hume and Gibbon was a product of the eighteenth century Enlightenment and a disciple of the new school of historiography, of which Voltaire was the pioneer. In his pragmatism, historical skepticism, distrust of "enthusiasm" and hero worship, and his contempt for the "mere antiquary" he displays the characteristic bias of his age. As a writer he lacks the brilliance of Voltaire, the philosophic depth of Hume and the extensive learning of Gibbon; but he is more accurate than Hume and Voltaire and the sobriety and purity of his style contrast strongly with the meretriciousness of Gibbon. He keeps close to his authorities, strives painfully after correctness of fact and on the whole achieves a praiseworthy objectivity in the presentation of history. His introduction to his *History of the Reign of the Emperor Charles the Fifth* remained for a long time a model analysis of the developing structure of mediaeval civilization.

In some respects Robertson differed from the other historians of his school. He believed in the "dignity of history"—by which he meant that history should not only be written in a dignified manner but should concern itself solely with dignified subjects. His books are never overburdened with circumstantial detail, nor is the march of the narrative interrupted by learned disquisitions that ought to be relegated to an appendix. He was also fairly conscious of the importance of climatic, geographic and economic factors in the interpretation of history, although it is evident that he did not rationalize his position satisfactorily in these matters.

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Consult: Black, J. B., *The Art of History* (London 1926) p. 117–41; Fueter, Eduard, *Geschichte der neueren Historiographie*, Handbuch der mittelalterlichen und neueren Geschichte, vol. i (Munich 1911) p. 367–69.

ROBERTY, EUGÈNE DE (1843–1915), Russian-French sociologist. De Roberty, who was born in Podolia, studied at the German universities and St. Petersburg. He taught at the Collège Libre des Sciences Sociales at Paris, at the Université Libre de Bruxelles, and after 1909 he was professor at the psychoneurological institute in St. Petersburg. In 1906 he proposed the abolition of the privileges of the nobility at the Assembly of the Nobility of Tver, in which province he resided and was later murdered.

De Roberty may be classed as an independent disciple of Auguste Comte, whose doctrine he completed and corrected by refusing to explain the evolution of society solely through the evolution of philosophy (*La philosophie du siècle;*

criticisme, positivisme, évolutionisme, Paris 1891; 2nd ed. 1892). He could claim legitimately in the preface of *Sociologie de l'action* (Paris 1908) to have initiated discussion on a number of themes subsequently developed by sociology, such as the essential relation between the social and the mental and the necessity of completing physiological explanations of human behavior with sociological explanations.

He believed that ethics, in so far as it develops from a normative to an explicative science, can be nothing else than a sociology of action and thus can be only the application of a theory of social knowledge; every sociology is therefore at bottom a knowledge of knowledge, a gnosiology. Forms of conduct are essentially a translation of the progress of thought—first analytical and hypothetical, then synthetic and finally symbolic. Moreover the interaction of one consciousness upon another explains the formation of a superorganic world. De Roberty thought that through this theory, which binds together the intellectual and the social, he had found a satisfactory compromise between the materialist school, with its view of psychology as a simple chapter of biology, and the idealist school, which would make of psychology an abstract science. It also enabled him to react against the various pragmatist tendencies, whose origin he traced not only to Kant and his primacy of practical reason and to Nietzsche and his exaltation of the will but also to Comte's theories of subjective synthesis and the supremacy of the moral fact and to Marx' view of the domination of the economic fact. By leaning upon sociology and insisting upon the importance of the collective ideas manifested by social practises he sought to limit the excess of pragmatism in sociology.

C. BOUGLÉ

Important works: *La sociologie* (Paris 1880, 3rd ed. 1893); *L'ancienne et la nouvelle philosophie* (Paris 1887); *L'inconnaissable* (Paris 1889); *Agnosticisme* (Paris 1892, 2nd ed. 1893); *La recherche de l'unité* (Paris 1893, 2nd ed. 1894); *Auguste Comte et Herbert Spencer* (Paris 1894, 2nd ed. 1895); *L'éthique*, 4 vols. (Paris 1896–1900); *Frédéric Nietzsche* (Paris 1902); *Nouveau programme de sociologie* (Paris 1904); *Sociologie de l'action* (Paris 1908); *Les concepts de la raison et les lois de l'univers* (Paris 1912).

Consult: Worms, René, in *Revue internationale de sociologie*, vol. xxiii (1915) 313–16.

ROBESPIERRE, MAXIMILIAN (1758–94), French statesman. Robespierre's early maladjustment due to a poverty stricken youth and an unprepossessing complexion explains his retiring, taciturn nature and throws light upon his efforts to find consolation in faith in the Supreme Being and in the disinterested loyalty to principles which won him the epithet "incorruptible." He was a fairly well known provincial lawyer at his birthplace, Arras, when he was elected deputy to the Estates General. In the Constituent Assembly he championed democracy and universal suffrage against the moderates; during the Legislative Assembly he evinced his practical political insight by his vain denunciation of the Girondin war policy. Member of the Commune from August 10, 1792, and deputy from Paris in the National Convention, he participated with Marat and Danton in the bitter conflicts between Mountain and Gironde, favoring the death penalty for the king and taking part in the revolution of May 31, 1793.

After July 27, 1793, when Robespierre entered the second Committee of Public Safety, his activity is merged with that of the revolutionary government. His steadfastness and shrewdness in defending the policy of this government before the Convention soon made him its ostensible head. But while he undoubtedly exercised great influence in the committee, he was not its president nor had he appointed its members; all its measures, including the arrest of Hébert and Danton, the establishment of the cult of the Supreme Being and the law of 22 Prairial, were decided upon collectively. After Thermidor his former colleagues imputed to him the entire responsibility for their policies, but his dictatorship is a legend. Nor did he succeed in subordinating the Committee of General Security to the Committee of Public Safety, an objective which he pursued for the broader purpose of unifying the government and perhaps also of limiting the Terror. At any rate it was the extreme terrorists who assured Robespierre's downfall.

It is far from simple to discern Robespierre's personal preferences through the maze of responsibilities which he assumed. The cult of the Supreme Being was undeniably his work. No one displayed a more fervent attachment to the notion that the man in public life must symbolize "virtue"—patriotism and civic devotion. His social ideal was a republic of small independent producers and he perceived that it could never be realized except by state intervention: it was his friend Saint-Just who defended the decrees of Ventôse, the most extreme form of social democracy instituted by the Mountain. In the

major aspects of Robespierre's political and social outlook it is possible to perceive the tremendous influence exercised upon him since early youth by Rousseauism. His execution on the tenth of Thermidor, 1794, signified the termination of the revolutionary government and of the democratic republic. Thereafter his memory became the object of antithetical cults, the anti-Robespierrist myth being fostered not only by conservatives but by orthodox liberals and by such socialists as Blanqui, while the Babouvists and their successors prior to 1848 venerated him as a precursor of proletarian revolution. In the modern scientific historiography of the revolution the problem of interpretation was given particular emphasis by the controversy between Aulard and Mathiez, the latter of whom saw in him a realistic statesman alive to the primary importance of the social problem and dedicated to the cause of the sans-culottes under the inspiration not of the idea of the class struggle, but of justice.

G. LEFEBVRE

Works: *Oeuvres complètes*, ed. by E. Déprez and É. Lesueur, 2 vols. (Paris 1910–13); *Correspondance de Maximilian et Augustin Robespierre*, ed. by Georges Michon (Paris 1926).

Consult: Hamel, Ernest, *Histoire de Robespierre*, 3 vols. (Paris 1865–67); Mathiez, Albert, *La Révolution française*, 3 vols. (1st–3rd ed. Paris 1927–28), tr. by C. A. Phillips, 1 vol. (New York 1928), *Études robespierristes*, 2 vols. (Paris 1917–18), *Robespierre, terroriste* (Paris 1921), *Girondins et Montagnards* (5th ed. Paris 1930), and *Autour de Robespierre* (Paris 1925), tr. as *The Fall of Robespierre and Other Essays* (London 1927); Aulard, A., *Les orateurs de l'Assemblée constituante* (Paris 1882) bk. viii, ch. ii, and *Le culte de la raison, et le culte de l'Être suprême* (2nd ed. Paris 1904); Schatz, Richard, *J. J. Rousseaus Einfluss auf Robespierre* (Leipsic 1905); Kerr, W. B., *The Reign of Terror* (Toronto 1927). See also articles in *Annales révolutionnaires*, published quarterly in Paris from 1908 to 1923, and in *Annales historiques de la Révolution française*, organ of the Société des Études Robespierristes, published bimonthly in Reims since 1924.

RODBERTUS, JOHANN KARL (1805–75), German social theorist and economist. Rodbertus was the grandson of Johann August Schlettwein, the leading German physiocrat, and the son of a professor of Roman law. As a liberal landowner he sat as a left center member of the Prussian National Assembly in 1848 and urged constitutional reform and national unity. The political movement influenced him profoundly and deepened his interest in the social question, which Rodbertus believed was concerned essentially with the condition and status of the working class in modern society. While the eighteenth century, with its humanitarian theory of personal freedom, established the formal legal equality of the workers, the economic system of free competition condemned them to a bare minimum existence. It was necessary to effect a better distribution of the products which machine industry turned out in increasingly larger amounts; this was to be achieved by the substitution of "state direction" for natural liberty and free competition. Rodbertus regarded positive social reform by the state as the best safeguard against deflection of the reform movement into anarchistic channels. His socialism, which in contrast to that of Marx repudiated the class struggle, was to be realized in the concrete, historically developed state, meaning in fact the Prussian monarchy. It was the essential function of the monarchy, the living bond between "Prussianism and socialism," to abolish economic and social antagonisms. Rodbertus was in no sense a republican; by democracy he understood a liberal monarchy ruling for the public welfare. Particularly in his attitude toward trade unions and cooperatives he was much less liberal than Bismarck and much more an intellectual descendant of Frederick the Great. He was the German or at least the Prussian type of radical Tory.

The socio-philosophical basis of Rodbertus' ideas is an a priori, metaphysical collectivism, which, like every consistent doctrine of a similar kind, was in final analysis theologically orientated. But God can at times be sublimated rationally through the state, biologically through society and culturally or politically through the nation. This conception, like the opposite individualistic-atomistic view, is based on the philosophy of natural right, although in Rodbertus' particular interpretation natural right applied not to the individual but to mankind in its development and striving toward perfection. Society is not an aggregate of separate economic parts or individuals but an independent organism. The state is not to serve the well being of the separate parts or individuals; the latter are to serve the spiritual, moral and economic well being of the state. The essence of this type of thought is a consistent anti-individualism. Only the will and realization of the whole, not those of the parts and individuals or their groupings, have creative force and assure cultural continuity.

Poverty and cyclical crises Rodbertus con-

sidered the two main evils of contemporary society. They have a single cause: an unjust distribution which deprives the workers of the full product of their labor. All commodities are economically only the product of labor; they cost nothing but labor. The workers therefore have a natural right to the whole product or the whole value of the product. The intermediate workers, those who perform socially useful service other than manual labor, can receive their remuneration only in a derivative or secondary distribution, not in the "original distribution of goods." The workers, however, receive in wages only a part of their product; the rest accrues to the owners of land and capital as rent, which is all income obtained by other means than personal labor. Rent owes its existence to the economic fact that labor produces more than it receives for its perpetuation and to the legal fact that institutional arrangements (private ownership of land and capital, exercising the same compulsion that slavery did in earlier systems) deprive the workers of part of the product of their labor. The rise in the productivity of labor redounds not to the benefit of the workers but to the benefit of the recipients of rent, as the workers receive only a subsistent wage ("iron law" of wages). Unlike Bastiat, Carey and others, Rodbertus believed that labor's share in the product is constantly diminishing, not increasing. Poverty, overproduction and crises necessarily arise from the fact that the purchasing power of the working masses is constantly limited because they are deprived of an important and increasing part of the product of industry, which accrues not to the workers but to the recipients of rent, so few in number that they cannot consume their share of the goods produced. This theory is similar to Sismondi's interpretation of crises and bears some resemblance to that developed by Marx.

Rent, which under primitive conditions is a single entity, Rodbertus differentiates into ground rent and capital rent, which have their origin in the social division of labor. The former accrues to the owner of raw materials, the landowner; the latter to the owner of the capital with which the raw materials are transformed into finished products. The division of rent into its separate forms is determined by the labor costs in the two branches of production; that is, by the relation of the value of the raw material to the value added to the raw material by the labor of manufacture (increment of the value product). According to this theory the amount of capital has no causal influence upon the rent obtainable. A simultaneous rise in both forms of rent or a rise in one without a corresponding decrease in the other can take place only at the expense of wages. An increase or decrease in productivity raises or lowers ground rent; but the profit of capital is not affected, because profits are calculated on a larger or smaller capital, while ground rent is based on a constant area of land. There is no material value in the agricultural capital, which draws ground rent. Despite its penetration the Rodbertian theory of rent is erroneous, as it is based on a number of false or unproved premises. It is not true, for example, that the value of raw materials or of finished products is determined by the amount of labor embodied in them. Nor is it true that agricultural capital has no material value or that no costs are attached to the share of wealth it represents.

Despite his conception of rent as a form of exploitation Rodbertus ascribed an important social role to capital income and landed property and did not urge their immediate abolition. He pleaded for a compromise between the existing order and the demands of socialism. The prices of labor and commodities should not be left to free competition; anarchy is to be displaced by state regulation of prices and a comprehensive system of taxation as a means of checking inequalities in the distribution of wealth. This would stop the downward trend of labor's share and eliminate poverty and crises. Rational, just wages are such as neither endanger production nor condemn the workers to a minimum existence. Rodbertus opposed the maximum working day on the ground that it would not abolish the limitations upon the workers' share of the national income or prevent the consequent crises. Like Robert Owen, he proposed that all prices, including wages, be fixed in terms of a labor currency to be issued by the state, with an equal exchange value for products of equal labor time. Prices and wages should be revised periodically by the state, by reason of changes in the productivity of labor and for the purpose of increasing labor's share in production. Rent must be limited to a fixed amount, so that it will not only fall relatively to the increase in productivity but tend gradually to disappear in an absolute sense. In the field of agrarian reform Rodbertus condemned the domination of landed property by money capital and suggested the transformation of mortgage debt into a form of yearly rent which would set the landowner free. His basic conception was that land should not

be treated as a form of investment for money capital, but must be considered by its very nature as a perpetual source of rent. This Rodbertian principle had a considerable influence on inheritance rights, the system of holding land in perpetuity against payment of a fixed rental and other agrarian institutions.

Although Rodbertus was essentially a social reformer, he made some important contributions to the economic history of antiquity (agrarian development in the Roman Empire, the Roman system of taxation and the value of money); his study of the *oikos*, considered as an independent, self-sufficient economic form under which production was carried on by specialized slave labor, was particularly suggestive. His work in the history of the Roman Empire contributed to his conclusion that the new social order would be established by a modern form of Caesarism, which would insure social peace, centralized state power and unqualified acceptance of that power by the working class. There is nothing more conservative, he said, than reform which reconciles classes and strengthens the state power. Rodbertus had some influence upon state socialism in pre-war Germany, and many of his ideas may be discerned in contemporary National Socialism.

ARTHUR SALZ

Important works: *Schriften von Dr. Carl Rodbertus*, 4 vols. (new ed. Berlin 1899); *Sociale Briefe an von Kirchmann* (Berlin 1850–51), tr. by Julia Franklin as *Overproduction and Crises* (2nd ed. London 1908); *Zur Erklärung und Abhülfe der heutigen Creditnoth des Grundbesitzes*, 2 vols. (Jena 1869, 2nd ed. Berlin 1893); *Neue Briefe über Grundrente, Rentenprinzip und sociale Frage*, ed. by Roberto Michels, Bibliothek der Sociologie und Politik, vol. i (Karlsruhe 1926).

Consult: Dietzel, H., *Karl Rodbertus*, 2 vols. (Jena 1886–88); Jentsch, E. G., *Rodbertus* (Stuttgart 1899); Kozak, T., *Rodbertus Jagetzow's socialökonomische Ansichten* (Jena 1882); Adler, Georg, *Rodbertus, der Begründer des wissenschaftlichen Socialismus* (Leipsic 1884); Thier, E., *Rodbertus, Lassalle, Adolph Wagner* (Jena 1930); "Die Schriften des Nachlasses und der Briefwechsel mit Karl Rodbertus" in Lassalle, Ferdinand, *Nachgelassene Briefe und Schriften*, ed. by Gustave Mayer, 6 vols. (Stuttgart 1921–25) vol. vi; Sultan, H., "Rodbertus und der agrarische Sozialkonservatismus" in *Zeitschrift für die gesamte Staatswissenschaft*, vol. lxxxii (1927) 71–113; Cornélissen, C., *Théorie de la valeur, avec une réfutation des théories de Rodbertus, Karl Marx, Stanley Jevons et Böhm-Bawerk* (2nd ed. Paris 1913); Gonner, E. C. K., *The Social Philosophy of Rodbertus* (London 1899).

RODÓ, JOSÉ ENRIQUE (1872–1917), Uruguayan philosopher and literary critic. Rodó was professor of literature at the University of Montevideo from 1898 to 1901 and was also active in journalism and politics.

He first attained fame by a short work, *Ariel* (Montevideo 1900, new ed. Barcelona 1925; tr. by F. J. Stimson, Boston 1922), in which he urged the youth of Latin America to dedicate itself to creating an ideal civilization. Social progress, he believed, consists of the sum total of the progress of the individuals in society; individual advancement in turn depends upon the fullest spiritual and moral development, to which modern materialism constitutes a serious threat. The ideal social order would be a democracy in which the forces of Christianity and Hellenism were coordinated; it would assure equality of opportunity but would also encourage the growth of an intellectual and moral aristocracy with a definite position in the democratic system. Rodó urged the South American countries not to imitate the United States but to realize their own genius, based upon their Spanish cultural heritage. The United States, he held, had made tremendous material strides but was characterized by an equalitarian mediocrity. Although *Ariel* was Rodó's most popular book, *Motivos de Proteo* (Montevideo 1909, 6th ed. Barcelona 1930; tr. by A. Flores, New York 1928) is more fundamental. Without definite arrangement it develops the thoughts of the author as they occur to him, upon the central theme that "self-renewal is life." His thesis concerning vocations, however, becomes obscured in the mass of categories into which he analyzes the subject.

Although Rodó became the most powerful intellectual influence in Latin America, in recent years his philosophy has been severely criticized as being merely eclectic and containing nothing original or creative. *Ariel* is considered only a rationalization of a contemporary situation, the apparent inability of Spanish America to attain the material development of North America. Its gospel, so negative in character, is questionable; the cultivation of the beautiful cannot be a norm of life in countries such as those of South America, which are backward culturally and in immediate need of economic and social advancement. There are no advocates of the "ferociously equalitarian" democracy which Rodó opposed, and he failed to realize that no country in Spanish America could compare culturally with the United States, which had made important contributions to science, art and philosophy.

Rodó's essays on Montalvo, Bolívar and Juan María Gutiérrez and his literary criticisms,

especially of Rubén Darío, show penetration and judgment, although they lack the profundity and scope of his philosophic writings. These essays are contained in the first edition of *El mirador de Próspero* (2 vols., Montevideo 1913; 3rd ed. Barcelona 1928).

ALFREDO COLMO

Consult: Pérez Petit, Víctor, *Rodó* (Montevideo 1919); Zaldumbide, Gonzalo, in *Revue hispanique*, vol. xliii (1918) 205–307; Umphrey, G. W., "An Intellectual Breviary for the Youth of Spanish America" in *Pacific Review*, vol. ii (1921–22) 427–43; Felde, Alberto zum, "José Enrique Rodó: His Place among the Thinkers of America" in *Inter-America*, English edition, vol. vii (1923–24) 261–74; *Nosotros*, vol. xxvi (Buenos Aires 1917), special number 97 devoted exclusively to articles on Rodó; Scarone, Arturo, *Bibliografía de José Enrique Rodó*, 2 vols. (Montevideo 1930), with bibliography of Rodó's works and of works on Rodó.

RODRIGUEZ FRANCIA, JOSÉ GASPAR. *See* FRANCIA, JOSÉ GASPAR RODRIGUEZ.

ROGERS, JAMES EDWIN THOROLD (1823–90), English economic historian. Rogers was educated at King's College, London, and at Magdalen Hall, Oxford. He was ordained and held curacies in and near Oxford, but having abandoned his High Church position he divested himself of orders under the terms of the Clerical Disabilities Relief Act of 1870. Although by training he was a classical scholar, his interest was directed increasingly to the study of political economy. He was professor of statistics and economics at King's College, London, and at Oxford. He was also active in politics and served in Parliament for several years. Rogers was a firm free trader, a supporter of the cooperative movement and a follower of Gladstone on the Irish home rule issue.

Rogers was a man of great industry and strong opinions. While the many controversies in which he took a vigorous part are now forgotten, the *History of Agriculture and Prices in England* (*1259–1793*) (7 vols., Oxford 1866–1902), which he compiled so assiduously from a vast collection of original sources, remains as his permanent achievement. Even his severest critics express admiration of his scholarly labors in extracting prices from such sources as the bailiff's accounts of the property held by the colleges of Oxford and Cambridge and the great monastic corporations of the Middle Ages. It is the interpretation of these figures, particularly in his more popular works—*Six Centuries of Work and Wages* (2 vols., London 1884; 11th ed., 1 vol., 1912) and *The Economic Interpretation of History* (London 1888)—which is open to question and correction. His contention that money payments in the Middle Ages were made by weight and not by tale has been proved untenable. His assumption that employment was regular led him to identify wages rates with earnings and thus to exaggerate the purchasing power of wages. The "golden ages" for the agricultural laborer, which Rogers detected in the fifteenth century and in the early eighteenth, probably arise out of this confusion. His prejudices often led him to ignore important parts of the evidence. It is generally admitted that he seriously antedated commutation and put forward a reason for the Peasants' Revolt of 1381 by alleging that the landlords provoked it by going back on their bargains and again demanding the performance of actual services at a time when the Black Death had given labor a scarcity value. He also regarded the Statute of Artificers (1562), with its provision for the assessment of wages by the justices of the peace, as definitely devised and subsequently operated to degrade and impoverish the English laborers. Similarly he misconceived the nature of the confiscation of guild property in the reign of Edward VI, representing the loss of money held by the guilds in trust for religious purposes as the destruction of the guilds themselves. These views, popularized both by his own writings and by those of his disciple Henry de B. Gibbins, were naturally acceptable in political disputation. But they served to disguise the real value of his contribution to the elucidation of English economic history. How admirably Rogers could present his conclusions when his temper was not aroused by the detection of the tyranny of landlords or of the governments they dominated is demonstrated in his *First Nine Years of the Bank of England* (Oxford 1887).

J. F. REES

Consult: Ashley, W. J., *An Introduction to English Economic History and Theory*, 2 vols. (4th ed. London 1906–09).

ROHDE, ERWIN (1845–98), German classical philologist. During his student days in Leipsic Rohde entered into a close friendship with Friedrich Nietzsche and later he became an intimate friend of Richard Wagner. With them he dreamed of a regeneration of the German spirit through an art similar to Greek art. But although Rohde was wont to express his reflections on philosophic and aesthetic matters in aphorisms, his life work was of a strictly philo-

logical character. Of Rohde's philological writings the largest and most remarkable is his *Der griechische Roman und seine Vorläufer* (Leipsic 1876, 3rd ed. 1914). His fame, however, is due to his scholarly work entitled *Psyche* (2 vols., Freiburg i. Br. 1890–94, 10th ed. Tübingen 1925; tr. from 8th ed. by W. B. Hillis, London 1925), dealing with the cult of the souls and the belief in immortality among the Greeks. It is the Dionysiac aspect of the Greek religion which is emphasized; the legalism, protected by Apollo, recedes into the background. In this ecstatic kind of religion, in which the human soul entered into communion with the divine, Rohde found the origin of the belief in immortality. Despite his erroneous view that this belief originated in the cult of Dionysus, Rohde's work was epoch making and has had a lasting influence. Rohde was not an anthropologist but he had a clear understanding of the importance of primitive religion and folklore in any explanation of the phenomena of Greek religion. He considered the humanized and rationalized Homeric religion to be a side branch of the Greek, while the older and more crude beliefs still remained dominant in the mother country. This view has since been corroborated repeatedly.

MARTIN P. NILSSON

Consult: Crusius, O., *Erwin Rohde* (Tübingen 1902).

ROLAND DE LA PLATIÈRE, MARIE JEANNE (1754–93), French *philosophe* and revolutionary. Reading everything, the precocious child early abandoned the Catholic creed to become a disciple of Rousseau. She withdrew into the bookish, ideal world of the *philosophes*, where others could see her as she saw herself, drinking the hemlock with Socrates, returning with Regulus to Carthage. In 1780 under pressure of realities she managed to marry J. M. Roland de la Platière, inspector of manufactures at Amiens, an austere *philosophe* superior in birth if inferior in worth to herself. Thus provided with a career she became the efficient goodwife, managing her house, aiding her husband in his work, actively furthering his advancement in a worldly way. Upon the mature woman, still cherishing the ideal world but resigned to making the best of the existing one, the revolution, quite unforeseen, had the effect of a revelation. Here and now the promised land of her youthful dream lay before her. No longer need she envy the ancient republics, since an even "purer day" had dawned. The typical *philosophe* and practical goodwife was transformed into the militant *politique*. Nothing now concerned her but the sacred revolution, which even from the provinces she could see was being betrayed by timid and corrupt men. In Paris (1791), deprived of a settled income by the abolition of the inspectorships, she did much through her friends Lanthenas, Bosc and Brissot to advance the political fortunes of Roland. After his appointment to the ministry in 1792 her apartment was frequented by the Girondist leaders, whom she attracted by her charm and helped to orient by the dogmatic clarity of her ideas. Judging men by the "purity" of their principles and the "loyalty" of their conduct, identifying opposition to the Girondists with crimes against liberty, the impassioned lover of mankind helped to destroy the party she served by the embittered rectitude of her animosities against men. Her brief adventure in political revolution ended with her arrest on June 1, 1793. Sitting helpless in prison under the shadow of the guillotine, watching the Jacobins "betray" the sacred revolution, she recalled "the death of Socrates, the exile of Aristides," understood that heaven had destined her to be "a witness to crimes similar to those of which they were the victims, and to participate in the glory of a persecution of the same kind" (*Mémoires* II: 104). In this mood she wrote her famous *Appel à l'impartiale postérité* (Paris 1795; English translation, 2 vols., 2nd ed. London 1796), transporting her "existence elsewhere" (*Mémoires* II: 2), projecting it into history, where her expiation, for which her whole life now seemed a miraculous preparation, could be regarded as an event of universal significance which posterity would record in humanity's great book of martyrdoms. Thus fortified Madame Roland on November 8, 1793, mounted the scaffold with unfaltering courage and died, as she had lived, in a world of semblance less ignoble if perhaps less real than the world of "perishing occasions."

CARL BECKER

Works: *Lettres de Madame Roland, 1780–1793*, and *Nouvelle série 1767–1780*, ed. by C. Perroud, Collection de Documents Inédits sur l'Histoire de France, 4th ser., vol. vii, 4 vols. (Paris 1900–15); *Mémoires*, ed. by C. Perroud, 2 vols. (Paris 1905), English translation (Chicago 1910); *Roland et Marie Phlipon, lettres d'amour*, ed. by C. Perroud (Paris 1909).

Consult: Jacquemaire, M. C., *Vie de Madame Roland*, 2 vols. (Paris 1929), tr. by L. Vail (London 1930); Pope-Hennessy, U. B., *Madame Roland; a Study in Revolution* (London 1917); Blashfield, E. W., *Manon Phlipon Roland* (New York 1922); Young, C., *A Lady Who Loved Herself* (New York 1930); Bernardin, E., *Les idées religieuses de Madame Roland* (Paris1933);

Sainte-Beuve, C. A., *Nouveaux lundis*, vol. viii (5th ed. Paris 1896) p. 190–265; Scherer, E. H. A., *Études sur la littérature contemporaine*, 10 vols. (Paris 1882–95) vol. ii, p. 283–383; Doumic, René, *Études sur la littérature française*, 6 vols. (Paris 1896–1909) vol. ii, p. 73–97; Join-Lambert, A., *Le mariage de Madame Roland* (Paris 1896); Becker, C., "The Memoirs and the Letters of Madame Roland" in *American Historical Review*, vol. xxxiii (1927–28) 784–803.

ROMAGNOSI, GIOVANNI DOMENICO (1761–1835), Italian jurist, criminologist and sociologist. After serving as civil magistrate and lawyer at Trent Romagnosi taught law at the universities of Parma, Pavia and Milan. He was imprisoned twice by the Austrians because of his liberal principles. Romagnosi achieved lasting fame with his *Genesi del diritto penale* (Pavia 1791, new ed. Milan 1857), to which he made important additions in 1825. One of the founders of modern criminology, he was concerned particularly with the more constant causes of crime. Indirect prevention, he held, was the great task of society, punishment being merely a counteragent. In addition to important work in mathematics, geology and physics (in 1820, before Oersted, he conducted experiments in electromagnetism) Romagnosi formulated independently of Kant the doctrine which, superseding sensationalism, stressed the potentialities of human consciousness. Intensely interested in the practical application of ideas he worked out what he called a "civil," or social, philosophy, closely related to sociology but founded on philosophical premises and directed toward the "art" of civilization. He was one of the first to understand the importance of statistics; economics he defined as the doctrine of "the social order of wealth." While he advocated the distribution of wealth among the greatest number, as a liberal in economic matters he favored a government which would interfere least with a society performing "the greatest function." In the field of jurisprudence (*Introduzione allo studio del diritto pubblico universale*, 2 vols., Parma 1805; and *Assunto primo della scienza del diritto naturale*, Milan 1820) he held that natural law is not absolute and immutable, but flexible and changeable, responding to varying conditions of social existence.

ALESSANDRO LEVI

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ROMAN LAW in the strict sense is the law of the Roman state from its inception (754 B.C.) to the death of Justinian I (565 A.D.). While it may be considered to embrace also post-Justinianian, or Byzantine, law—the law of the Eastern Roman Empire from the time of Justinian until the capture of Constantinople by the Turks in 1453—inasmuch as it represents the direct evolution of the older legal system, this branch is omitted from the present discussion because of its minor import as regards western European civilization. It is entirely erroneous to designate as Roman law the mediaeval renaissance of the older law in Italy and its subsequent reception throughout western Europe, nor is it correct to include the present national continental legal systems (*see* CIVIL LAW).

The Roman political state took successively the form of a kingdom; a republic; a principate, or limited monarchy; and a dominate, or absolute empire. Although to some extent Roman legal development was affected by the various political structures, it is preferable to divide it into three successive periods, marked by two significant social and economic crises. The first led to a change from an agricultural militaristic culture to one of a mercantile nature following the Hannibalic wars, and the second resulted in a defensive alignment of Hellenistic east and Latin west against the inroads of the less civilized peoples of the north. The legal periods so delimited may be designated as those of ancient law (754–200 B.C.), classical law (146 B.C.–235 A.D.) and Roman-Hellenistic, or post-classical, law (305–565 A.D.).

The question of the authenticity of the traditional accounts of legal history must continually be kept in mind in any treatment of the earliest period of Roman law. Writers of the late republic and early principate referred to enactments of the kings, *leges regiae*; but it is hardly likely that these were actually statutes approved by a popular assembly, even though there existed also a tradition of a compilation of these *leges*, the so-called *jus papirianum*. They probably represented, however, genuine sacral tradition.

The history of the sources of the Roman law really begins with the Twelve Tables (450–449 B.C.). These represented a great victory of the

plebs in its struggle with the patricians, a struggle that was to continue for a number of centuries. The plebs had already secured the appointment of the tribune, a purely plebeian magistrate. The reduction of the law to written form was a second victory of the plebs, which hoped through this means to insure respect for its rights.

Although two modern scholars, Pais and Lambert, deny the credibility of the traditional accounts, the former relegating the Twelve Tables to the time of Gnaeus Flavius, and the latter holding the Twelve Tables to be a purely private compilation of the jurist Sextus Aelius Paetus (*c.* 190 B.C.), the traditional view is commonly accepted. The Twelve Tables, which represent in great part the written codification of existing customary law, were a decisive step in Roman legal development. Although they may contain some traces of Greek law, little credence is to be given to the story of an embassy to Greece preceding their enactment. The field of private and public law covered by their provisions, as far as they can be reconstructed from later references, is quite extensive. The individual legal institutions portrayed, however, are exceedingly formalistic in nature and retain this character for a number of centuries.

The prime source of early Roman law was the *lex*, a statutory enactment which was proposed by a magistrate and voted upon by one of a number of popular assemblies (*comitiae*). The enactment (*plebiscitum*) of the assembly of the plebs (*concilium plebis*) was only made the equivalent of a *lex*, and thus applicable to both patricians and plebs, by means of a *Lex hortensia* of 287 B.C. Besides the famous *Lex duodecim tabularum* (Law of the Twelve Tables), the significant *leges* were in the main of a public law nature, often reflecting further victories of the plebs; such are the *leges liciniae sextiae* (367 B.C.) providing among other things for the admission of plebeians to the consulate; the *Lex Publiliae Philonis* (339 B.C.), creating plebeian censors and providing for senatorial approval of popular legislation before rather than after the vote of the people; and the *Lex ogulnia* (*c.* 300 B.C.) permitting plebeians to be augurs and pontiffs, priestly officials. A few statutes were of import in private law situations, such as the *Lex poetelia papiria* (326 B.C.) mitigating the severities of debt servitude, or *nexum*, and the very important *Lex aquilia* (*c.* 286 B.C.), which settled the law of damage to property upon a new basis.

Further sources of law were "the mere unwritten interpretation of the learned" (Pomponius, *Dig.* 1.2.2.12) and the *legis actiones*, or procedural remedies. The college of the pontiffs, a patrician body supreme in religious matters, represented at the same time the "learned" and the custodians of the *legis actiones*, and the significance of this body in the development of early Roman law by means of the *interpretatio* of statutes and the gradual extension of procedural forms of actions cannot be over emphasized. There seems, however, to be a definite connection between the *Lex ogulnia* noted above and the partial destruction of the juridical monopoly of the pontiffs by reason of the publication of the *legis actiones* on the part of Gnaeus Flavius (*c.* 300 B.C.), the second step in the process of making the law common property, a process which had begun with the Twelve Tables and which ended with Tiberius Coruncanius (*c.* 250 B.C.), who made known to all the secrets of "interpreting" the law and thus brought about the replacement of pontifical by lay jurists.

The classical period of Roman law was foreshadowed by the creation of the office of *praetor peregrinus*, chief judicial magistrate for foreigners, in 247 B.C. The *praetor urbanus*, or Roman praetor, had then been in existence for some time. The Roman people were discovering that they had to provide legal protection for the increasing numbers of foreign merchants and travelers within their realm. The remedies of the ancient *jus civile*, the law peculiar to the Romans themselves and made up of *leges*, *interpretatio* and *legis actiones*, would not suffice, for these foreigners possessed their own legal institutions, often at variance with the more formal Roman types. In fact, the later jurists came to recognize a body of law known as the *jus gentium* (*q.v.*) which was considered common to the peoples of the eastern Mediterranean world, whether or not a particular part of it had its counterpart in the Roman *jus civile*. As the result of modern research the existence of any such formulated body of law is doubted, just as skepticism is expressed as to the practical significance of the more tenuous *jus naturale*. The former is recognized as the font from which the Romans drew legal elements foreign to their ancient system, and the latter as a theoretical concept enabling them to formulate a superficial legal philosophy. In a few instances, for example, in the consensual contracts, elements of the *jus gentium* became part of the *jus civile*. A greater number of foreign and, in this respect, newer

commercial ideas were introduced by the praetor through his edict and thus came to be known as the *jus honorarium*, the law of the praetorian office. The praetor would, at the beginning of his term, specify what legal principles he would recognize during his office. But the greater part of the existing legal material was transferred from the edict of one praetor to that of his successor by means of the *Edictum translaticium*, and thus the novel principles occasioned by the expanding legal activity of the Romans gradually became incorporated into the corpus of Roman law. It was not until the time of Hadrian (*c.* 125 A.D.) that the edict was formulated in final form, the so-called *Edictum perpetuum*, and ceased to be a structure of vital importance in the development of legal ideas.

The praetor, as chief judicial magistrate, played an equally significant role in the development of civil procedure. The Roman trial until the close of the classical epoch was divided into two successive stages: the first up to joinder of issue by the parties under the control of a judicial magistrate; and the second, through judgment, before a private person acting as arbiter, the *judex*. Naturally enough it was the praetor who often officiated in the first half, even to some extent in the old *legis actio* procedure. By a *Lex aebutia* of unknown date (200–150 B.C.) there was established, as an elective mode of procedure, the so-called formulary procedure, designed to handle litigation under the *jus civile* as well as under the newer law. By means of fiction or action upon the case (*actio in factum*) the praetor was enabled to give relief in controversies arising from novel legal situations. The advantages of the formulary system had been so appreciated by the time of Augustus that the *leges juliae judiciariae* were passed, transferring practically all civil litigation to the praetor's court with its formulary procedure. In addition the praetor was accorded the use of special, summary process, of great import in the rapid development of the law.

The enormous advance in private law during the first half of the classical period is paralleled by the striking changes introduced into the criminal law during the dictatorship of Sulla (82–79 B.C.). A whole system of *leges corneliae* instituted regular criminal courts, *quaestiones perpetuae*, clearly defined the particular crimes within the jurisdiction of each and fixed the penalties to be adjudged. Thus there was substituted for the older uncertain pronouncement by a magistrate with possible appeal to the popular assembly in capital cases an accusatorial procedure which remained practically unchanged during the empire. Because of the continual intervention of the magistrate or emperor in criminal cases, however, the law as a whole was rather neglected by the jurists and never attained the degree of perfection of the civil law.

The establishment of the principate by Augustus had little repercussion in the field of private law. On the other hand, it was natural that such constitutional changes as did occur were reflected in the domain of public law. The emperor became the font of legislation; and even though Augustus utilized the popular assembly and its enactments, such as the *Lex julia et papia poppaea*, to bring about social and demographic reforms, his immediate successors favored the politically controlled utterances of the Senate, *senatus consulta*. Because of its control of public finance and foreign affairs the Senate, from the practical point of view, had been supreme in dictating policies during the republic but had not engaged in true legislative activity. There early developed, however, a third type of legislation in the principate which soon eclipsed both *leges* and *senatus consulta*—the imperial constitutions. These were wont to be classed as *edicta*, *decreta*, *rescripta* and *mandata*, and all were characterized as utterances of the emperor or of his imperial service. Despite the fact that there was no constitutional basis for attributing legislative power to the emperor, the constitutions were recognized by the jurists as having the force of law.

Edicta were true legislative enactments, in the main concerning novel matters and generally broad in scope. *Decreta* were the judgments delivered by the emperor in cases of first instance or on appeal. *Rescripta* were answers to petitions of litigants or magistrates involving disputed points of law; they thus were decisions of the emperor, or rather of the imperial offices *ab epistulis* (handling petitions from magistrates) or *a libellis* (handling petitions from private persons), upon questions of law but not upon questions of fact. *Mandata* were orders issued to provincial governors for their guidance in provincial affairs. Except for *mandata* and *rescripta* specifically delimited, constitutions apparently were valid until repealed.

The Roman law was developed into a great legal system in the classical epoch. This was primarily the work of the jurist, the constant adviser of the praetor and of the emperor. From the time of Tiberius Coruncanius until the close

of the classical period there was an ever increasing number of legal scholars who engaged in juristic activities of a varied nature. They acted as the legal advisers of the judicial magistrates, the praetor and his successor, the *praefectus urbi*, the *judex* or *arbiter*; they directed the conduct of lawsuits, advising the practising attorneys, the so-called *oratores*, from whom the classical jurist is sharply to be differentiated; they were also called upon by private individuals to draft legal documents, such as contracts and wills, as well as the contractual joinder of issue (*formula*) in the ordinary civil trial; these three lines of activity were characterized respectively as *respondere*, *agere* and *cavere*.

Moreover, since the jurists argued hypothetical or actual cases and general legal problems publicly, there gathered about them auditors, who in course of time became students or even disciples of individual jurists; and thus the jurists correspond to modern professors of law. Shortly after the founding of the empire, perhaps even earlier, there grew up two distinct schools or sects of jurists, the Sabinians and Proculians; the names of these schools were not, however, derived from those of the founders—in the case of the first school, Ateius Capito, and in the case of the second, Antistius Labeo. Although the extant sources reveal a great number of conflicting views between the schools, no definite criteria of disagreement can be posed; perhaps the differentiation was due to the fact that the particular teacher selected by an individual student was himself a disciple of the original Sabinian, and thus teacher, student and the latter's successors became Sabinians or Proculians as the case might be.

A further and quite significant activity of the jurists was the production of literary works. Systematic treatises on numerous phases of the law were written by republican jurists, but few of them are now extant. In the empire numerous elementary handbooks (*institutiones* or *enchiridia*), and commentaries on individual *leges* or *senatus consulta* were written. More important are the treatises on the *jus civile*, often systematically arranged on the basis of the early works of Q. Mucius (*c.* 100 B.C.) or Massurius Sabinus (*c.* 30 A.D.) on the civil law and thus termed *libri ad Mucium* or *libri ad Sabinum*, as well as the treatises or commentaries on the edict of the praetor, *libri ad edictum*; in addition the jurists made collections of hypothetical or actual cases (*disputationes*, *quaestiones*, *responsa*) and annotated works of earlier jurists (*notae*).

The single most significant activity of the jurist was the *jus respondendi*, the later public right—limited to jurists patented by the emperor—of preparing the opinion for a particular case (*responsum*), which upon request of the litigant or the judge would be delivered as the judgment (*sententia*) of the latter. The lay jurists had taken over from the pontiffs the duty of *interpretatio*, the application of established rules of law to particular cases significant where a novel situation had arisen; and it was chiefly by means of the *responsa* that the legal principles envisaged by the jurists became part of the law. Precedent must have played a more important role in classical law than modern scholars are wont to believe, even though a definite formulation of it is almost entirely absent. Roman jurists were practical lawyers rather than legal philosophers. Their activities embraced a field today divided between the law professor, the practising attorney, the notary, the judge (for the later jurists often occupied the magisterial offices) and the legal scholar. The names and personalities of Labeo, Sabinus, Celsus, Julianus, Gaius, Papinian, Ulpian and Paul are the high lights of the Roman law.

Jolowicz has enumerated three general tendencies in the evolution of the classical law which occurred under the influence of juristic interpretation and the praetorian system. In the first place, there was a substantial diminution of the formalistic elements of the law. Although classes of property and formal means of transfer of the ancient *jus civile* continued to subsist, the praetorian law broadened the classes and introduced informal means of tradition. While the jurists still reckoned with the strict minutiae of legacies, there were developed at the same time the wholly informal *fideicommissa*. Accompanying the decline of formalism was a corresponding increase of flexibility in the application of legal principles. The Greek philosophical interpretative doctrine of *scriptum et voluntas*, writing versus intention, pervaded juristic thinking and was applied in such a way as to guarantee justice in the difficult individual case. The same result was accomplished by the flexibility of legal rules; there was a corresponding broadening of standards, of *bona fides* and *dolus*. In the second place, there was in classical law an increasing tendency toward abstract methods of thought. Classification according to remedies was to a certain extent replaced by classification according to rights. The classification of things was based on general characteristics; *res corporales* were distinguished

from *res incorporales*, and ownership was conceived as an absolute right. *Obligatio*, originally the concrete bond of one person to another, came to be conceived as a *res*, and thus an asset, from the creditor's point of view. In the third place, classical law was marked by an increased use of writing. The reception of a number of institutions of the *jus gentium* led to an extension of the number of dispositive instruments of the Roman law. In the *jus civile* only the literal contract and the mancipatory will were considered to be the expressed intention of the parties or the testator, and hence dispositive; all other writings were merely evidentiary in nature. In late classical times the document evidencing a stipulation became conclusive of the existence of the stipulation, while the Hellenistic *chirographum* and *syngraphe*, written acknowledgments of debt, became binding. The Hellenistic view was not accepted in entirety, however, for the peculiar *exceptio non numeratae pecuniae* was provided, by which the debtor could force the creditor to prove the existence of the loan by means other than the mere document itself.

The reorganized and altered absolute empire which dates from the reign of Diocletian (284–305), and which came into existence after great social and economic disturbances, presents an entirely new picture of both public and private law. The incursion of the state into what had formerly been private activities, namely, oversea commerce and organization of commercial guilds, as well as the new economic status of *colonus* (serf) was reflected, in the extant materials of post-classical times, by the less frequent discussion of private fields of law, such as commercial obligations, and the extended presentation of such subjects as ecclesiastical law, public offices, fiscal law and the status of the various newly arisen social classes. Even such an institution as the formulary procedure, the very backbone of the classical law, disappears and is replaced by magisterial procedures, which, beginning with the so-called *cognitio* procedure of late classical times and ending with libellary procedure of Justinianian times, converted the bipartite civil trial into one of a completely stereotyped public nature, destroying its effectiveness as a means of developing legal institutions.

The sources of law of the dominate take on a new aspect. *Leges*, *senatus consulta*, *decreta* and *mandata* fall into desuetude. The enactments of the emperor (*leges*) and the writings of the classical jurists (*jura*) occupy the chief positions. The former correspond in the main to the *edicta* of the time of the principate and become the customary type of legislative activity. Such *rescripta* as are of a general character are to be identified with the *edicta* in the group termed *leges generales*, while those of a temporary nature may be considered unimportant as sources of legal doctrine. A middle ground between the *rescripta* and *leges generales* is occupied by the *sanctiones pragmaticae*, or *pragmatica*, restricted legislative enactments but often not to be distinguished from *leges generales*. In the formulation of all this legislation a major position was taken by the *consistorium*, council of the emperor, a development of the *consilium* of classical times, the advisory council of magistrate or *judex*.

The remarkable exaltation of the works of the classical jurists as legal sources has as its correlative the absence, or at least the obscurity, of contemporary juristic thinkers. Practising attorneys flourish, the law teaching profession becomes a highly organized one, and to it are perhaps to be assigned the scholastic development and some of the juridical writings of this epoch. But it is the great personalities of Papinian, Gaius, Ulpian, Paul, that share with the emperors the lawgiving attribute. Various imperial constitutions attempted to evaluate the writings of the jurists; the most famous is the so-called law of citations (*Cod. theod.* 1. 4. 3), which placed the writings of Gaius, Papinian, Paul, Ulpian and Modestinus on the highest plane and advised the judge, when the authorities were equally divided, to follow the rule laid down on the side upon which Papinian stood.

With the growing number of imperial enactments collections of them naturally were made for the guidance of judge and attorney; the so-called *Codex gregorianus* and *Codex hermogenianus* of the close of the third and of the first quarter of the fourth century were among the first of the private compilations. The emperor Theodosius II, however, ordered that the *edicta* and *leges generales* enacted since Constantine be collected into an official compilation, and that the commission appointed introduce such changes as were necessary to condense or supplement the constitutions for current use. The completed code, *Codex theodosianus*, was published in 438 and went into effect in 439. It was not until the early years of the sixth century that further official compilations were made; these were executed at the behest of the Germanic kings of the west and are known as the *Lex romana Visigothorum*, the *Edictum Theodorici* and the *Lex*

romana Burgundionum. Much less extensive than the *Codex theodosianus*, they contain excerpts from late classical and postclassical editions of juristic works as well as from the earlier codes, a complex of Roman law for the use of the Romans in the kingdoms ruled by Germanic overlords.

Juristic writing, as far as extant sources show, was far less frequent than in classical times. The political division of the empire into east and west is reflected in the works which have survived. In the east scholastic tendencies came decidedly to the fore and even writings upon the Roman law had a Hellenistic flavor. Most important are the so-called *Scholia sinaitica* to Ulpian's *Libri ad Sabinum* and the various recensions of the Syrian-Roman law books. The former is presumably derived from one of the eastern law schools which flourished in this epoch, Alexandria or Beirut, while the latter is a private compilation of Roman interspersed with Hellenistic law, presumably for the benefit of the clergy. In the west juristic writings consisted of private compilations of isolated fragments of classical jurists and imperial constitutions, such as the *Fragmenta vaticana*, the *Collatio legum mosaicarum et romanorum* and the *Consultatio veteris cuiusdam iuris consulti*.

Justinian almost immediately upon his accession set out to reestablish the Roman law over an empire which, through the able efforts of his military aids, more nearly approximated in extent that of the early principate than the realms of any of his immediate predecessors. Following in the footsteps of Theodosius, a new code was to be prepared, superseding all previous codes and containing within itself all enactments of previous emperors which were still valid. The commission appointed on February 13, 528, completed its work on April 7, 529. Almost immediately Justinian or more probably Tribonian, one of the commissioners, conceived the idea of the compilation of the *jura*, the writings of the classical jurists. By order of a constitution of December 15, 530, an extensive commission was appointed, consisting of imperial officials, law professors and prominent advocates, and a list of significant writings of the jurists was prepared (*Index florentinus*). The commission was given a free hand to select from this extensive index such extracts as it saw fit but was, however, required to reconcile inconsistencies and by means of omission, insertion or substitution to bring the old writings up to date. In the short space of three years the commission had completed its work and published the *Digesta*. To these were subsequently added the *Institutiones*, an introductory legal textbook, based on a similar work of Gaius, and the reedited *Codex* and the *Novellae*, representing the legislative activity of Justinian and his predecessors. Together the four parts of Justinian's compilation have become known as the *Corpus juris civilis* (*q.v.*).

It remained for present day students of Roman law to appreciate to the full the significance of Justinian's remarks upon revising the writings of the jurists. If the commissioners acted upon his order, and there is ample evidence that they did so act, then despite the fact that the name and work of a classical jurist are prefixed to each extract in the Digest, the language therein may not be that of the original. Eisele and Gradenwitz, in the 1880's, were the founders of what has become the most important twentieth century contribution to Roman law—the science and technique of interpolation. The aim is the reconstruction of the original classical text, for only then can the legal institutions of classical times, the apogee of Roman law, be defined exactly; and only then can the development of the law in the postclassical epoch be realized. The identification of some conjectured interpolations may, in the case of a few scholars, have exceeded the bounds of reason; but that there is a basis for much of this study cannot be denied. Definite criteria for the discovery of interpolations may be postulated. Direct comparison of Digest passages with other extant materials or with passages unchanged in the Digest itself, because of the hurried pace of the compilers, is one method. Historical anachronisms are often to be found. There may be illogical reasoning within an extract (*inelegantia juris*); the legislative nature of the compiler's work often impinges on the true juristic material and the methodological reconstruction of the works of the jurists leads to the discovery of matter inserted or omitted by the compilers. Most frequently used and yet most hazardous is the philological criterion. The grammar, style and language of the sixth century compilers were radically different from those of second and third century jurists. The jurists used a living tongue; the compilers unavoidably employed Grecisms. The style of the jurists was clear, simple, elegant, superior to that of contemporaries of the silver age of Latin literature. In the sixth century the style was inelegant, metaphorical, redundant with superlatives and full of abstractions. By these methods and others modern scholars dis-

cover interpolations, and today no one may discuss classical Roman law without taking them into account. It should be noted finally that some changes may be antecedent to the compilers, the so-called glosses, and that both interpolations and glosses exist in the *Codex justinianus*.

Roman law in Justinian's time was a universal system. Consequently the distinction between *jus civile* and *jus gentium* had disappeared; in fact *jus civile* and *jus honorarium* had become one. There was therefore a still greater decrease in formalism and rigidity than in the classical law. The principle of *aequitas*, in the sense of abstract justice, came into prominence as contrasted with the classical identification of this term with the process of *interpretatio*; and the acceptance of such a principle was perhaps due to the influence of Christianity on the postclassical law, revealing itself in the protection of the weak against the strong, wife against husband, guardian against ward. Indeed an appreciable portion of the substantive law of persons and the family became infiltrated with Christian views of morality and ethics.

Another factor of importance is the increased use of writing as contrasted with classical times. Since as a result of the amalgamation of civil and praetorian law the classical categories of contracts had broken down, it became necessary to separate contracts arising from consent from those without consent. The categories "quasi contract" and "quasi delict" were invented, and the sphere of contract was greatly enlarged by means of the *actio praescriptis verbis*. Since intent (animus) was vital in contract, the subjective element became the prime factor in liability.

Whence do these novel characteristics derive? The expansion of the Roman state over the greater part of the civilized world was inevitably reflected in the Roman law. The subject peoples of the empire, particularly those of the East, were cultured races possessing very definite legal systems of their own. It was long assumed that the Roman law, as the law of the conquering race, simply superseded the native law. But, as Mitteis has shown, the Roman administration was forced to recognize the local law even after citizenship had been granted to all the peoples of the empire by a constitution of Caracalla in 212. Indeed the popular local law influenced as much as it was influenced by the Roman law.

This was true especially in the postclassical period. Collinet in a number of works has attempted to show the Hellenistic origin of postclassical and Justinianian law. Certainly written instruments were well known in the popular law of the East, but Collinet has further shown a number of institutions which can definitely be traced back to the eastern provinces. The law schools, particularly that at Beirut, were influential in this respect, training and dispersing throughout the known world practitioners imbued with scholastic and neo-Platonic ideas of justice and well acquainted with the centuries old legal institutions of the native populations of Egypt, Syria and Asia Minor. Although the majority of present day scholars concede the widespread influence of the eastern popular law on Roman law, this view is entirely opposed by Riccobono, who recognizes but two periods of Roman law, that of the ancient epoch and that from the Punic Wars to Justinian. Such changes as occurred in the development of the universal system of Roman law were, he holds, internal: during the classical age they were due to the jurists; during the postclassical era to the practitioners and judges, particularly in Italy. Although Riccobono seems to go too far in ascribing all development in postclassical times to practise, nevertheless he has called attention to the fact that the West may also have contributed to the development of Roman law. Perhaps a compromise between the views of Collinet and Riccobono is possible: the law was neither Hellenistic nor the mechanical development of practise but a mixture of the two.

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See: CODIFICATION; CORPUS JURIS CIVILIS; JUS GENTIUM; COMMENTATORS; GLOSSATORS; CANON LAW; CIVIL LAW; PROCEDURE, LEGAL; LAW, section on GENERAL VIEW OF ANCIENT. See also articles on particular legal topics.

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ROMANTICISM. Paradoxically, the term romantic, which traces back to the Latin Roma, was first used to designate a mood and temper of literary and artistic composition which by reason of the predominance of spontaneous and fanciful elements did not fit into the Roman tradition of aesthetic criticism. As a means of calling attention to the numerous traces of mediaeval popular romances (*romans*, *romanze*) which had persisted into the Renaissance, the orthodox Horatian and Aristotelian critics of Italy and France, and to a lesser degree of Germany, employed the terms *romanzesco*, *romanesque* and *romanhaft* to designate those writings which did not conform to classical canons. At the outset such terms were in the nature of a compromise, having neither the contemptuous associations of the more polemic epithets Gothic and barbarian nor the approbation implicit in classic: avoiding a four-square definition, they merely hinted at an atmosphere of sensitiveness. Around the middle of the seventeenth century, with the growing infiltration of continental criticism into England, the term romantic began to gain currency as a rough equivalent of "freely imaginative," "extraordinary" or "visionary" and by the time of the Augustans had established itself as a fairly familiar category. In the process, however, not a few peculiarly English associations had grown up around it; and when in the eighteenth century, as a phase of the more general spread of Anglo-Saxon ideas and institutions to the continent, the terms romantic and romanticism began to serve as points of reference in European critical thought, these English overtones were frequently audible.

By an extension of its aesthetic connotations romantic came in the course of the eighteenth century to designate a group of emotions and sentiments which, although neither peculiarly characteristic of modern man nor absent from Greek or even Latin literature, had at least been rigidly restrained by the canons of orthodox classicism: exalted fantasy, unrepressed passion, depth of feeling, whether canalized into enthusiasm or into melancholy, became the typical ingredients of the romantic temper. At the end of the century German authors and thinkers attempted to give the term scientific standing as the general characterization of modern and Christian culture as opposed to paganism. Although the refusal of Goethe to accept their thesis as to the superiority of the romantic fortified the monopoly of the term classic over permanent aesthetic and moral values, the term romantic came to be applied to the school of philosophy headed by Fichte and Schelling and in a broader sense to a large group of thinkers, who sought to carry its premises into every branch of culture, art and thought.

The expansion of the anticlassical movement from a mediaeval tendency, represented almost exclusively by popular literature and art, into a comprehensive vindication of modernism was conditioned by the spiritual revolutions of the sixteenth and seventeenth centuries. The Protestant reformers—Luther, with his substitution of justification by faith for good works, and Calvin, with his dogma of the predestined elect

—paved the way for the romantic doctrine of inspiration and for its more extreme variant, demonic frenzy. Transposed into the aesthetic sphere grace became genius; classical canons became the equivalent of good works, as powerless to produce a masterpiece as were good works to save the soul. The scientific innovations of the following age, by outmoding geocentric astronomy and Christian cosmogony, inspired a belief in the artistic infinite, beyond the compass of rhetorical rules, and in the idea of incessant evolution and revolution in cosmos and mind. As early as 1688 Dryden manifested his awareness of the relationship between astronomic conceptions and literary taste when he drew an analogy between "the under-plots or by-concernments" of the English drama as contrasted with the French neoclassic play, and the multiple motions of the planets. The English political revolution of the seventeenth century, apotheosizing the birthright of the individual to freedom, gave a somewhat more tangible impetus to the revolt against authority.

The ramifications and reverberations of these major contributions and of other contemporary developments reenforced the incipient trend toward romanticism. While the Protestant Reformation and systems of instruction broke the hold of the traditional poetic genres by popularizing the rhythmic prose of the Bible, the Catholic Counter-Reformation produced an analogous effect either by prescribing that the themes of art be found in Christian, that is, modern, sentiments and truths rather than in pagan myths or, as in the Jesuitical tendency, by striving to direct poetry and art into the innocuous channels of fanciful decoration, thus unconsciously furthering the free play of imagination. As a result of the diffusion of printing the older declamatory rhetoric with its emphasis on form tended increasingly to give way to a more realistic and at the same time more sentimental portrayal of life itself. The new middle class reading public, composed largely of women and remote from esoteric culture, turned to art and literature for a reflection of its daily struggles and economic and sentimental interests.

Universal Latin was replaced by the spoken language as the literary medium, and in the process local traditions and color as well as local vernacular passed into the fabric of literature. Once the native literary products in countries which had more or less successfully resisted the classical tradition were crowned by the achievements of Shakespeare, Calderón and Cervantes, the authority of the neoclassical pattern was bound to dwindle. At the same time in learned circles growing familiarity with the Greek language and direct contact with Greek literature enabled scholars to differentiate between Greek and Roman and to uncover the romantic elements in Greek poetry: Homeric naturalness and primitiveness were thus set against Vergilian finish, the genius of the tragedy against the rhetoric of the orators. Similarly in architecture and sculpture the archaeological findings in Sicily and southern Italy, the rediscovery of Greece by travelers from the seventeenth century to the time of Chateaubriand and Lord Elgin and later the infiltration of archaic, oriental and primitive styles liberated the West from the conventional canons of proportion and balance, turning attention to the elements of color, fitness for the landscape and personal invention in the case of Greek building, and in sculpture to individual expression or exoticism. The development of baroque, the use of shadow by Leonardo and his followers, the sacrifice of form to color by the Venetian and Dutch painters, the bourgeois *Kleinmalerei*, the transmission of nature worship into landscape painting and English natural gardening, the enthusiasm for mediaeval Gothic architecture, the emancipation of music from ecclesiastical conventions and from subservience to the prescriptions of the aristocracy, allowing Bach to appeal directly to aesthetic and religious fervor and Mozart to introduce vital contemporary problems into opera, the exploration of folklore by both musicians and poets: all these factors in their various ways furthered or expressed the cultural revolution.

In philosophy Locke and Berkeley broke a path that led away from Cartesian rationalism, and their successors without entirely abandoning Descartes' methods plunged more and more deeply into the exploration of the hidden life of nature and the spirit. Irrational and superrational, mystic, occultist and magic currents of speculation arose. Philosophers and men of letters in constantly increasing numbers turned for inspiration to Spinoza's pantheistic system, which to most of them seemed to demonstrate the infinite reach of intuitive feeling but which eventuated in such divergent views as the enthusiastic preromantic optimism of the *Urfaust* and the self-indulgent romantic pessimism of Schopenhauer. Leibniz' contributions to the interpretation of the infinite likewise exerted a widespread influence. In religion a wave of unbridled

emotionalism and enthusiasm engendered a variety of new sects, exemplified particularly by English Methodism and German Pietism; Johann Hamann and Swedenborg typify the union of mystic fervor and theoretical aspiration. On a less exalted plane the antagonism that France aroused, especially in Germany, by reason of its political hegemony was transferred to French cultural predominance and therefore to the neoclassicism and rationalistic thinking of which Paris and Versailles were regarded as the strongholds. The cult of Teutonism, which had manifested itself sporadically since the time of the German humanists and which had gradually become directed against the French brand of classicism, was powerfully stimulated by the victorious wars of Frederick II and the rise of the Prussian state to a position of power. Lessing, a typical spokesman of Prussian pretensions, in his ambition to foster an indigenous Protestant literature exalted the free genius of the English theater above the French neoclassical drama and demanded an independent interpretation of Aristotle and Greek poetry.

Even in France, however, the general acceptance of Boileau's standards of *raison* and *bon sens* had failed to extinguish completely the revolutionary aesthetic taste which had lingered on since the Middle Ages and which was to serve as the subsoil of romanticism. The long literary skirmish between ancients and moderns —which in England took the form of the Battle of the Books—had clear romantic implications, particularly in its relativistic and environmentalist formulae. The *comédie larmoyante*, akin to the English sentimental novel, the exotic novel of the type of *Manon Lescaut*, the use of the grotesque in Voltaire's *Candide*, all point to the inroads of romantic influences. In Italy Gravina stressed the unreality of the abstract conventional literary type when measured against the complex variety of concrete life and personality, while Muratori analyzed the social and historical conditioning of literature. Emanating from the perception that literature and therefore literary standards must vary in different environments and ages, this latter concept, which had found a number of increasingly systematic exponents since the days of Erasmus, Huarte and Samuel Daniel, was of tremendous importance in discrediting the rigid and unalterable rules decreed by neoclassic authority. The Neapolitan scholar and philosopher Vico, although a Catholic and a conservative, presaged more clearly than any of his contemporaries the coming aesthetic climate. In isolation from the main currents of European thought he formulated the theory of the natural poetic genius of primitive peoples and emphasized the incompatibility of reason and fantasy. Even writers who continued to uphold classical measure showed a tendency to interpret perfection as the restrained expression of intuitive communion with the transcendent: thus both the Prometheanism of Shaftesbury and the apparently orthodox classicism of Winckelmann were strongly tinged with that neo-Platonism which exerted so powerful an influence on the German romantics.

The first document signalizing the fact that the new temper and outlook had ripened into a self-conscious movement was Lessing's *Laokoon* (1766), written in refutation of Winckelmann. Foreshadowing the Nietzschean dichotomy between the Dionysian and the Apollonian elements in the Greek mind, Lessing conceded the correctness of the neoclassical position in the plastic arts but insisted that the Greek epic and tragedy had been, as all true poetry must be, the free and creative expression of passion and action. But although it was Lessing who definitively established the aesthetic premises of literary romanticism, the real apostle of the romantic era was the Swiss born Calvinist Jean-Jacques Rousseau. Rousseau's heritage of Protestant enthusiasm and individualism coalesced with the sentiments impressed upon his memory by the scenic grandeur of a land where the worship of nature and the defense of fantasy and of the marvelous in poetry claimed in the same century such literary and aesthetic critics as Gessner, Haller, Bodmer and Breitinger. His confused theory, a thoroughly romantic compound of nervous intellectualism and lyric power, was to a large extent a reflection of the erratic yet demiurgically creative temperament which made him the first clearly etched symbol of the romantic life. His main idea was the goodness of nature and the original virtue of the human heart. Convinced that the golden age was not a poetic fiction but a "state of nature" from which man had actually fallen, he attributed fear and wickedness to the misinterpretation of the *contrat social* and believed that happiness and salvation could be recaptured only by a return to natural freedom and innocence. Fusing such varied elements as the Arcadian and pastoral strains in classical and Italian art, the religious ethic of Christ's Sermon on the Mount and the new cult of primitivism, which was the offspring of natural philosophy and sciences and of the ideali-

zation of the "noble savage" in travel and fanciful literature, Rousseau's conceptions articulated scattered romantic tendencies into a dogma ready for popularization. If Rousseau might be called its Robespierre, the intellectual revolution had also its Danton in the person of Diderot, who with a more limited audience extolled sentimentalism and pleaded for the rebarbarization of poetry.

The first collective manifestation of the romantic movement appeared, however, in Germany, where in the early 1770's a group of youthful adherents of the cult of genius rallied to the slogan of *Sturm und Drang*. The most clearly discernible ingredients in the new doctrines were a vulgarized Spinozism, intuitionism and mysticism, the new humanism of Herder exalting originality and power wherever they might be found, the concept of Shakespearean "nature," Lessing's critical expressionism and religious free thought, hatred of the *Französchen* (the pygmy French) and *Vernünftelei* (sterile and sophistical rationalism) and the vindication of childhood as preached by Rousseau and other pedagogists. The writers of the *Sturm und Drang* variously canalized their worship of insurgent energy and spontaneity into a deification of crime, as in Schiller's *Die Räuber*; of polygamy; of ecstatic insanity, as shown later in Hölderlin; and of exalted self-destruction. Although young Goethe's *Werther*, whose hero commits suicide in protest against the social hierarchy and socially controlled love, most adequately typifies the *Sturm und Drang*, the Olympian detachment of the author already foreshadowed the subsequent reversion of both Goethe and Schiller to a modified form of classicism. In *Wilhelm Meister* Goethe formulated an ideal of social education far removed from the unbridled expressionism of the *Sturm und Drang*. But at this very moment romanticism proper in the persons of the Schlegels, Tieck, Novalis, Schleiermacher, Schelling and others gained its first firm foothold in Germany.

The variety of forms which romanticism assumed during the next few decades, both in Germany and abroad, may be accounted for in large part by the multiplicity of tendencies and attitudes which had gone into the making of the romantic *Weltanschauung*. When in the early nineteenth century the romantic movement began to spread to other European countries, most of the potential derivations inhering in the original philosophic and aesthetic nucleus had already manifested themselves in more or less fully rounded form. Thus the seemingly bewildering contradictions which repeatedly crop up in the course of the spread of romanticism as an international movement are in the main reflections of the process of evolution which the philosophy had already undergone at the hands of the various schools of romantic thought in Germany. In the sphere of literature, for instance, romantic aesthetics in Germany ranged from the mystic proto-symbolism of Novalis, with its subordination of rational content to melopoeic phonetics, to Uhland's cult of the mediaeval ballad technique and to Rückert's defense of involved metrical experimentation as a challenge to individualistic virtuosity. In the light of such disparities it is not surprising that outside Germany a romantic like Coleridge, in defending a finely wrought poetic diction, should find himself in fundamental disagreement with another romantic like Wordsworth, who traced the springs of true poetic diction to the half articulate peasants and shepherds of rural England; or that the romantic Parnassians, deploring the sentimentality and lack of form in the poetry of earlier French romantics, like Hugo and Lamartine, should have repudiated their spiritual sires. In music and painting as well as in literature this protean quality of romanticism was revealed under a multitude of disguises—the sentimental *Lieder* of Schubert, the Promethean sonatas of Beethoven, the grandiloquent motifs of Wagner, the restless fury of Delacroix, the calm balance of Ingres or the pale pseudo-primitivism of the pre-Raphaelites. For in spite of the multiplicity of forms which romanticism may assume in the aesthetic realm it is possible to detect beneath all of them a common characteristic feature: a sense of tension and stress and a spiritual drive toward creation and renovation, although the new may often have to be sought out along the path which stretches into the past.

The element of contradiction and opposition which is encountered in romantic philosophy and aesthetics is even more pronounced in the sphere of romantic political and social theory. Not only was there a wide variety of social and political doctrines as between different schools of romanticism, but the same individual might in the course of his intellectual development embrace a succession of apparently antipodal points of view. First in Germany and later in the other nations of Europe romanticism drew to itself representatives of many shades of political opinion: impressionable humanitarians like the

youthful Schiller and Fichte, who lamented with the revolutionary Rousseau the unfortunate plight of the common man born free but everywhere in chains; Olympian minded aesthetes like Tieck and the Friedrich Schlegel of the 1790's, who in the name of their sacred art repudiated all civic or political responsibilities and interests; irascible regionalists like Karl Ludwig von Haller, who in the tradition of Justus Möser sought escape from the bureaucratic centralization of the modern absolutistic state in a return to the self-sufficient patriarchal localism of the feudal economy; champions of totalitarian *étatisme* like Adam Müller, Friedrich von Gentz, von Arnim and the Schlegels, who, under the spell of Burke's and Schelling's organicism and Novalis' romanticization of the state, advocated the restoration of the integrated culture that they identified with the Holy Roman Empire in its prime; cosmopolitan humanitarians, who emphasized the international elements in Herder's system of thought; defiant nationalists like von Kleist, Arndt and the romantic patriots who rose with them against the tyranny of Napoleon; devout Protestants like the East Prussian Pietists; aggressive Catholics like Görres, Baader and Brentano; and in the final stages of German romanticism the groups at Heidelberg, Berlin and Vienna which in more or less Hegelian terms assumed that the age old process of social change had at last come to a halt.

Since the same complex of broader political and social forces which had more than once changed the basic trend of German romanticism was operative with equal if not greater force in a number of the other European countries, similar shifts in the character of romanticism may be traced there. In the days of their youth, when "bliss was it . . . to be alive," Wordsworth and Coleridge like Fichte and Schiller had thrilled to the doctrines of Rousseau and the rights of man. But they were soon caught up in the widespread reaction against the democratic rationalism which was held responsible for the tragic excesses of 1793: the reaction which Germans like Haller, Adam Müller and the Schlegels had shared with Burke and which found repeated expression in the writings of émigrés, like Bonald and de Maistre, who gazed nostalgically at the departed days of legitimacy.

Like romanticism itself the French Revolution was capable of a variety of interpretations, and in the half century which followed Thermidor various schools of political thought spoke in its name—for the most part in romantic accents. Building upon the half articulate socialist program of the revolution, Saint-Simon, who in addition had been considerably influenced by the organismic theories of German romanticism, enunciated a new gospel of social integration and collective responsibility, which for a time caught the imagination of Victor Hugo and his fellow romantics during the stirring days of 1830 when idealists foresaw a new era of political and aesthetic freedom. These essentially romantic doctrines of collectivism and solidarity were perpetuated in a variety of quarters with a variety of modifications. Through the agency of Heine they reentered Germany, leavening the moribund reactionism of the romantic epigoni and forwarding both the Young Germany movement and socialism proper, which ranged from Marlo's and Rodbertus' reinvocation of the mediaeval guild system to Marx' scientific socialism with its typically romantic logical device of dialectic through opposition to reconciliation. With Mazzini the system of Saint-Simon underwent a still more striking modification, in the course of which a new philosophy of integrated nationalism was developed. Although Mazzini himself clung to the ideal of international solidarity, his doctrine of a homogeneous national population served, like the more immediately romantic and at the same time more individualistic nationalism of Byron, to engender and stimulate that nationalistic fervor so characteristic of nineteenth century Europe.

Although it is thus apparent that romanticism in France and Italy like its prototype in Germany was repeatedly conducive to a collectivistic outlook, it frequently manifested itself in a highly individualistic if not anarchistic guise. The lyrical Godwinism of a Shelley was paralleled by the bitter anarchism of a Stirner or a Bakunin; and once the first flush of Saint-Simonianism paled in France, the romantic Flaubert appeared with a gospel of the amorality and civic irresponsibility of the artist even more extreme than those of the early romantics in Germany. In fact during the century since Flaubert romanticism, with its emphasis on subjectivism and the sovereign rights of the individual genius, has been a powerful factor in undermining those authoritarian standards which are a prerequisite of collective solidarity in any form.

It is by a process of generalization from such anarchical and individualistic strains in romanticism that the most systematic and sustained attack upon it has been constructed. Just as in

the eighteenth century the conflict of preromanticism with neoclassicism often took the form of rivalry between the Germanic and French cultures, the most intransigent modern critics of romanticism, whether scholars and historians, like Seillière, Reynaud and Lasserre, or reactionary publicists, like the spokesmen of the Action Française, have been Frenchmen reflecting a persistent nationalistic antipathy to a typically German intellectual and artistic creed, which had received its official formulation during the period of open hostility between Germany and the Napoleonic empire. As stated by Madame de Staël, who principally through *De l'Allemagne* (Paris 1810) was the chief mediator between German romanticism and the Latin countries, the conflict resolved itself into the struggle of German spontaneity, sentimentality and piety against French conventionalism; that is, of the free nations against tyranny. To Seillière and kindred critics, on the other hand, romanticism appeared as a disintegrating force, reducible to solipsistic individualism and in its dangers more or less analogous to a barbarian invasion. For such a view they could find a certain amount of documentation in the history of literary romanticism in nineteenth century France, where the steady succession of ingeniously contrived cults of anarchism or irrationalism, from de Vigny's melancholy worship of the solitary poet martyr to the eloquent exoticism of the Parnasse, Baudelaire's imitation of Edgar Allan Poe and finally to the complete abnegation of logical content by the decadents and symbolists, is interwoven with the catalogue of hypersensitive or even degenerate personalities like Gérard de Nerval and maladjusted geniuses like Rimbaud. In America also under the stimulus of the French critics the nihilistic subjectivism in which literary and artistic romanticism culminated in the late nineteenth and the early twentieth century produced a vociferous reaction on the part of the humanistic group led by Irving Babbitt and Paul Elmer More.

On the whole, however, the United States like all Anglo-Saxon countries was little touched by the extreme varieties of continental romanticism. The empirical and flexible temper which had cushioned the impact of sentimentalism, mediaevalism, irrationalism and nature worship in early English preromanticism served also to restrain the effects of German romantic philosophy as imported and popularized by Coleridge and Carlyle. Thus guarded against its excesses, romanticism in England and America not infrequently helped to generate a constructive force, exemplified not only by the work of Coleridge, Carlyle and T. H. Green and his successors in stemming the tide of utilitarianism and imposing a new interpretation of English liberties but by the ethical socialism or enlightened humanitarianism of Kingsley, Ruskin, Morris, Emerson, Whitman and Thoreau. Italy also, at least during the nineteenth century, proved to be an uncongenial environment for the violent romanticism of the German type. The restrained romanticism of the Manzonian school, aiming to indoctrinate the masses with a moderate Catholic and patriotic fraternalism to the end that Italy might be delivered from oppression and allowed to take her rightful place in a family of free, peaceful and God fearing nations, had important consequences for the Risorgimento, as did various other elements of northern romanticism filtered through such proponents of Italian unity as Mazzini and Gioberti. But as a literary and artistic creed romanticism, in the mild form represented by Manzoni and his group, was unable to dissolve the prevailing loyalty to classical values. At the turn of the century, however, under the influence of a medley of factors, including de Sanctis' aesthetics, the disintegration of the neoclassic school and various foreign currents, there arose a new Italian school of romantics, which helped prepare the cultural foundations of Fascism. The Slavic nations, unlike Italy, were comparatively free from the classical tradition and, unlike the Anglo-Saxon countries, were emotionally receptive to the more intemperate forms of German and western romanticism. Poets like Pushkin and Mickiewicz came under the spell of Byronism and similar vogues, while Tolstoy revived Rousseauistic natural religion as Christian primitivism. More significant perhaps in their immediate repercussions were the restatement of the theory worked out by Lessing, Herder and Fichte regarding the primacy and divine mission of the German nation and the conversion of this theory into Slavophilism and a dogma of pan-Slavism or Russian nationalism.

By the end of the nineteenth century the literary and artistic potentialities of romanticism had been virtually exhausted; and in the intervening period the philosophic, social, political and even technically economic implications of the term have come to receive primary emphasis. At the end of the previous century Kant, drawing upon a store of personal wisdom somewhat akin to Goethe's, had achieved a balance be-

tween radical subjective criticism and the requirements of a stable intellectual, moral and aesthetic order. But within a short time absolute idealism had overrun all obstacles. The Fichtean deification of the *Ich* led to the deification either of the German nation, as in Fichte's system, or of the Prussian state, as in Hegel's. Similarly Schopenhauer's Will eventuated in a Will to Power and, as the final step in this process, Nietzsche substituted Dionysian frenzy for Lessing's passion and the beautiful savage, or superman, for Rousseau's good savage. While in the following decades the original formulations of German writers in the literary and aesthetic field proper were far less significant than during the foregoing generations, and while some of the most prominent German poets and theorists were under the direct spell of French postromanticism, the creative contribution of Germany to political and social life continued to spread.

Marxian socialism, with its reliance on the romantic technique of dialectic, and nationalism, with its romanticized version of the earlier conceptions of the chosen people, both these movements, although mutually antagonistic in their aims, are comparable in so far as they both inherit in varying degrees the substance of the preromantic age and belong in the bulk of their mature conformation primarily to German romanticism. Socialism first arose upon the preromantic conception of the bourgeoisie and of its class struggle against privileged groups, upon the supposition of a common ownership of land and tools in primitive society and upon the Rousseauian but more specifically Herderian idea of the equality of men. Nationalism is a deduction from "nature," a worship of the natural development of mankind as it is revealed in the concreteness of its group formations, a superindividual extension of the cult of individual genius. According to the formula of the Italian nationalist Gioberti, who shows unmistakable traces of German influence, "the inward autonomy of a nation is a function of the spontaneity of its character."

The consciousness of national genius leads inevitably to claims of superiority. German preromanticism, notably in the person of Klopstock, had delineated the image of the primitive German—valiant, truthful, pure, indomitable, blond—a fantastic idealization derived chiefly from the half political, half lyrical tract of Tacitus. Then after Fichte's Germanism and Schopenhauer's Aryanism came the Frenchman Gobineau with his theory as to the inequality of races and the superiority of the German, and Wagner, whose struggle against Jewish and Latin music, combined with his overpowering expression of mediaevalism and barbaric heroism, condensed and popularized the atmosphere of German nationalism. Similarly the Gaulois, the Saxon, the Roman, the Slav and all the other racial abstractions underwent the same process of sentimentalization.

The critique of the humanitarian and utopian side of preromanticism had started, from premises not less romantic, as early as about 1760 with Möser's pessimistic objections to Rousseau. The idea, substantially new to western civilization, of war not as an evil or a necessary evil but as a creative element had been advanced explicitly since the *Sturm und Drang* and had found a degree of acknowledgment even at certain stages of Kant's thought and of Goethe's poetry. The military epic of the French Revolution and the myth of Napoleon increased the strength of this idea. The hero of Carlyle and the representative man of Emerson contributed to this development, however unintentionally. Tendentious interpretations of Darwinism, of natural selection and of the struggle for existence gave to the theory of national conflict the imprint of objective scientific authority. Shortly after Nietzsche had invested this theory with emotional values Sorel announced the formulae of general strike and of violence, mixing the seeds of radical revolution and of reactionary involution. The Italians Mosca and Pareto elaborated the Machiavellian, aristocratic, pessimistic, implicitly heroic theory of the élite. In Germany during the romanticism of the Holy Alliance there had been outlined, notably by Adam Müller, a particular theory of the national state, according to which it constitutes an eternal alliance of past and future generations. To Müller the proper economic foundation of the national state was represented by the mediaeval structure of the functional groups or guilds; thus arose the mediaevalistic ideal of the corporate state. Certain currents of socialism, such as the organismic socialism of Marlo and Rodbertus and, more popularly, syndicalism, converged toward conceptions more or less similar; the cult of mediaevalism sponsored by the followers of Ruskin, by the aesthetes and the neo-Catholics added the charm of lyrical and picturesque appeal. In Germany before the World War Othmar Spann, inspired chiefly by Adam Müller, built a complete theory of organ-

ismic society and romantic economics. Toward the close of the war the radical revolutionary outbreak in an orthodox Marxian direction swept Russia. Shortly afterward Italy, under the spell of the romantic and German interpretations of its own traditions and impelled by the Italian neoromantics, made the first attempt toward a romantic synthesis, which should include both socialism (or corporatism) and, to a greater degree, nationalism; this synthesis moreover was designed to include the Nietzschean ideal of individual Titanism, which in this case found expression in the cult of Caesar. This large experiment was called Fascism. The same movement, reverting to its German sources and finding there a more or less different support in the romantic myth of Aryanism and *Kaiserreich*, assumed the name of National Socialism.

Midway between the Rousseauian and Herderian hate of the actual state and the Hegelian deification of it Kant, characteristically, touched the correct balance when he said that "Utopias are sweet dreams, but to strive with all power towards them is the duty of the citizen and of the chief of state." In Kant as well as in the universalism of Goethe are still to be found the most authoritative signposts on the road to the real synthesis and rehabilitation of romanticism. For romanticism cannot be reduced to an idea of decadence or, as in the formula of Seillières and others, to an idea of decadent individualism. Romanticism, properly understood, is the critical consciousness in modern man of a strong feeling of the contrast between infinite and finite, movement and stability, creation and standard. Hence arises the Protean and harassing multiplicity of its phenomenal appearances: ranging from anarchic individualism to herd collectivism, from brutal vulgarity to vicious aestheticism, from reactionary idolatry to wild destruction. Equidistant from both extremes stands the constructive energy of romanticism, that is, of modern mind in its self-knowledge and purpose. The essential romantic conquests have not lost, and indeed do not seem bound ever to lose, their permanent validity: in natural sciences and philosophy the idea of evolution; in social life the will to progress; in the aesthetic field, where the romantic consciousness first manifested itself, the passionate discovery, or at least decisive rediscovery, that art and poetry are not ornaments extraneous to life but a deeply spiritual faculty synonymous with life itself. The clearest minds of today are quickly outgrowing the crude contrast of romantic and classic and may soon erase the derogatory connotations which at the outset surrounded—and which of late have tended, as a consequence of the recent reactionary tide, to surround again—the word romantic. The present age is in search of a superior synthesis that may comprise and reconcile infinite and finite in astrophysics, motion and matter in physics, anthropomorphism and pantheism, immortality and death in religion, instinct or subconscious and repression in psychology, individualism and socialism, freedom and organization in politics. Such is the trend in romanticism, whether literary and artistic or universally spiritual, toward something that is neither imitative repetition nor lawless and aimless wandering. The driving force is romantic, the goal is classic: the result is, or aims to be, classic, the creative act is romantic.

G. ANT. BORGESE

See: LITERATURE; PHILOSOPHY; ART; ARCHITECTURE; HISTORY AND HISTORIOGRAPHY; ECONOMICS, section on ROMANTIC AND UNIVERSALIST ECONOMICS; POLITICAL SCIENCE; CLASSICISM; ENLIGHTENMENT; IDEALISM; RATIONALISM; INDIVIDUALISM; COLLECTIVISM; HUMAN NATURE; PRIMITIVISM; NATURALISM; TRADITIONALISM; TRADITION; CONSERVATISM; TRANSCENDENTALISM; NATIONALISM; NATIONAL SOCIALISM, GERMAN; FASCISM; SOCIAL ORGANISM.

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sophes classiques de l'Allemagne, Leibnitz, Kant, Fichte, Hegel (Paris 1927), and *La poétique de Schiller* (Paris 1902); Walzel, Oskar F., *Deutsche Romantik*, Aus Natur und Geisteswelt, vol. ccxxxii (5th ed. Leipsic 1923), tr. by Alma E. Lussky (New York 1932); Haym, Rudolf, *Die romantische Schule* (Berlin 1906); Nadler, Josef, *Literaturgeschichte der deutschen Stämme*, 4 vols. (3rd ed. Regensburg 1929–32) vols. iii–iv; Schmitt, Carl, *Politische Romantik* (2nd ed. Munich 1925); Gundolf, F. (F. Gundelfinger), *Romantiker* (Berlin 1930), *Romantiker neue Folge* (Berlin 1931), and *Shakespeare und der deutsche Geist* (4th ed. Berlin 1920); Baxa, J., *Einführung in die romantische Staatswissenschaft*, Herdflamme, Supplement no. 4 (2nd ed. Jena 1931); Kluckhohn, P., *Persönlichkeit und Gemeinschaft; Studie zur Staatsauffassung der deutschen Romantik*, Deutsche Vierteljahrsschrift für Literaturwissenschaft und Geistesgeschichte, vol. v (Halle 1925); Bieber, Hugo, *Der Kampf um die Tradition; die deutsche Dichtung im europäischen Geistesleben 1830–1880*, Epochen der deutschen Literatur, vol. v (Stuttgart 1928); Borries, K., *Die Romantik und die Geschichte* (Berlin 1925); Stadelmann, R., "Grundformen der Mittelalterauffassung von Herder bis Ranke" in *Deutsche Vierteljahrsschrift für Literaturwissenschaft und Geistesgeschichte*, vol. ix (1931) 45–88; Salomon, G., *Das Mittelalter als Ideal in der Romantik* (Munich 1922); Fueter, Eduard, *Geschichte der neueren Historiographie* (Munich 1911), tr. into French by Émile Jeanmaire with notes and additions by author (Paris 1914) bk. v; Henning, I. A., *L'Allemagne de Mme. de Staël et la polémique romantique; première fortune de l'ouvrage en France et en Allemagne (1814–1830)*, Bibliothèque de la Revue de Littérature Comparée, vol. lviii (Paris 1929); Cobban, Alfred, *Edmund Burke and the Revolt against the Eighteenth Century* (London 1929); Brailsford, H. N., *Shelley, Godwin and Their Circle* (London 1913); Brinton, Crane, *The Political Ideas of the English Romanticists* (London 1926); Needham, H. A., *Le développement de l'esthétique sociologique en France et en Angleterre au XIXe siècle*, Bibliothèque de la Revue de Littérature Comparée, vol. xxviii (Paris 1926); Farinelli, A., *Il romanticismo nel mondo latino*, Letterature Moderne, vols. xv–xvii, 3 vols. (Turin 1927); Eggli, Edmond, *Schiller et le romantisme français*, 2 vols. (Paris 1927); Martino, P., *Parnasse et symbolisme (1850–1900)* (Paris 1925); Borgese, G. A., *Storia della critica romantica in Italia* (Milan 1920), and *Poetica dell' unità* (Milan 1934); Vinciguerra, M., *Romanticismo, discussioni attuali* (Bari 1931); Gerbi, A., *La politica del romanticismo* (Bari 1932); De Sanctis, F., *Storia della letteratura italiana*, 2 vols. (new ed. by Benedetto Croce, Bari 1912), tr. by Joan Redfern (New York 1931); Muoni, G., *Note per una Poetica storica del romanticismo* (Milan 1906); Rubinstein, Sigmund, *Romantischer Sozialismus* (Munich 1921); Seillière, Ernest, *Le romantisme* (Paris 1925), tr. by Cargill Sprietsma (New York 1929); Reynaud, Louis, *Le romantisme, ses origines anglo-germaniques* (Paris 1926); Babbitt, Irving, *Rousseau and Romanticism* (Boston 1919).

ROMILLY, SIR SAMUEL (1757–1818), English lawyer and criminal law reformer. Romilly's untiring industry, sound legal scholarship and powers of advocacy made him one of the leaders of the chancery bar. Visits to Paris during his early years brought him into contact with liberal continental thought and with leading Frenchmen of the period, including Diderot, d'Alembert, Rochefoucauld, Condorcet and the ill fated Malesherbes. In 1784 he formed a friendship with Mirabeau and later became intimate with Bentham and Lord Lansdowne, all of whom influenced materially his political and social beliefs. In a pamphlet published in 1790 Romilly predicted that the French Revolution would have a beneficial effect on English institutions.

Stimulated by the works of Rousseau, Beccaria and Bentham, Romilly early became interested in alleviating the rigors of the English criminal law, which at that time punished with death a large number of comparatively minor offenses. His penal philosophy was dominated by utilitarian ideals: punishment should be reasonable, adequate, proportioned to the gravity of the offense and certain of application; mild penalties put into effect were more efficacious than threats of severe penalties which were not carried out.

Romilly's advent into politics in 1806 as a member of the House of Commons and solicitor general in the ministry of "All the Talents" marked the beginning of his indefatigable labors in behalf of legislative reform of the penal code. The immediate results of his parliamentary efforts were not impressive; the forces resisting change were too strongly intrenched. He succeeded in abolishing the death penalty in cases of private stealing from the person but failed to secure the enactment of similar reforms in respect of shoplifting, stealing in dwelling houses and on navigable rivers. He substituted transportation for death in cases of stealing from bleaching grounds and repealed a statute making it a capital offense for soldiers or seamen to be found vagrant without passes. Because of his efforts the severities of the law of treason and attainder were mitigated. Romilly's career was brought to an untimely end by suicide, as a result of grief over the death of his wife. Although it was not rewarded with the success it deserved, Romilly's pioneer and courageous work demonstrated the futility and stupidity of the old barbarous punishments and made it possible for the succeeding generation to effect genuine liberalization.

PENDLETON HOWARD

Works: Besides numerous pamphlets and other works Romilly published: "*Thoughts on Executive Justice*"

(London 1786); *Observations on the Criminal Law of England, as It Relates to Capital Punishments, and on the Mode in Which It Is Administered* (London 1810, 3rd ed. 1813); *Objections to the Project of Creating a Vice-Chancellor of England* (London 1813).

Consult: *The Speeches of Sir Samuel Romilly in the House of Commons*, ed. by William Peter, 2 vols. (London 1820); *Memoirs of the Life of Sir Samuel Romilly, Written by Himself, with a Selection from His Correspondence*, ed. by his sons, 3 vols. (London 1840); Collins, William J., in Huguenot Society of London, *Proceedings*, vol. viii (1905–08) 310–39; Phillipson, Coleman, *Three Criminal Law Reformers: Beccaria, Bentham, Romilly* (London 1923).

RONCALI, ANGELO (1845–1917), Italian writer on public finance. After obtaining his doctorate in law at Padua Roncali began teaching languages at the age of twenty-two. He subsequently became professor of public finance at the university and the Scuola Superiore di Studi Commerciali of Genoa and was for many years director of the latter school. Roncali devoted himself to the study of theoretical questions of tax policy and commercial legislation. His three works *Morale nei sistemi finanziari* (Bologna 1887), *Teoria dello stato in rapporto colla finanza* (Bologna 1890) and *Corso elementare di scienza finanziaria* (Parma 1887) are of particular importance in the history of fiscal doctrine in Italy.

Roncali opposed decisively the contemporary current of economic thought in Italy which by ignoring the state failed to comprehend the phenomena of public finance, considering it simply an appendix to political economy. He emphasized the ethical, political element in public finance rather than the economic. He compared the duty of paying taxes to that of military service. Roncali stressed the need of applying the historical method to political phenomena in order to derive therefrom the laws of public finance, which is closely related to politics generally and to administration in particular. He determined to break away from the vogue of those ideas of narrow individualism which are openly contradictory to the basic principles of a strong and vital state; as a result the idea of anti-individualism runs through all his works. Roncali must be considered one of the characteristic precursors of the political trend in the science of public finance which has acquired particular importance in Italy since about the beginning of the World War, and which, in the restoration of the state as the subject of fiscal activity and in its criticism of the economic school of public finance, developed ideas whose germs at least are to be found in Roncali's works.

BENVENUTO GRIZIOTTI

Other economic works: *La imposta personale sul reddito nelle moderne riforme tributarie* (Genoa 1892); *Sunto di politica commerciale* (Florence 1916).

Consult: Griziotti, B., in *Giornale degli economisti*, 3rd ser., vol. lv (1917) 29–30, and *Primi lineamenti delle dottrine finanziarie in Italia nell'ultimo cinquantennio* (Padua 1930).

ROOSEVELT, THEODORE (1858–1919), president of the United States. Sometimes condemned by his contemporaries as a radical, Roosevelt was basically conservative in his political philosophy. Behind his actions was a desire to preserve the existing economic and social organization, but he thought this could be done only through moderate change. Although as a young man he had believed in laissez faire, Roosevelt gradually came to advocate a larger measure of control by the federal government. This was to apply to business and to social conditions; it was also to mean an increasing participation by the United States in international relations as befitted the country's growing economic strength. Roosevelt did not accept fully, particularly as president, the traditional American doctrine that the executive, legislative and judicial branches occupied equally important places in the governmental scheme; the nation, he thought, required a dominant chief executive.

Born into the mercantile middle class which had built up New York City, Roosevelt was left with an adequate competence on his father's death. He was educated at Harvard College, abandoned an original plan to study law and went into politics because he "intended to be one of the governing class." His training for public affairs followed the customary American pattern. Joining the Republican party and becoming in effect a party stalwart, he climbed the ladder of political preferment and from 1882 to 1909 was never out of public life except for a single interval. He was a member of the New York assembly for three terms (1882–84); in 1886 he campaigned unsuccessfully for the New York mayoralty; during 1889–95 he was a member of the federal Civil Service Commission; from 1895 to 1897 he was head of New York City's police board; from 1897 until the outbreak of the war with Spain he was assistant secretary of the navy. Throughout his early public career Roosevelt evinced, with one or two exceptions, the utmost regularity in his allegiance to party chiefs and principles and beyond

an interest in civil service reform, for which he had crusaded, advocated no new departures in government. He was elected governor of New York in 1898 on the strength of his war record, and two years later was nominated and elected to the vice presidency of the United States. On September 14, 1901, he became president following the assassination of McKinley.

As president Roosevelt based his corporation policies—they had been first developed in 1899 when he had forced the New York legislature to pass a corporation franchise tax—on disagreement with the prevailing assumption that control of the government by large business interests was necessarily beneficent. But he was never the foe of corporations and never actually a "trust buster." His greatest achievement was in persuading large corporate and banking groups that strict government supervision was inevitable unless they mended their ways. His viewpoint was moral rather than economic, and most of the specific measures he recommended, such as his railroad legislation, were compromises with the more radical positions held by La Follette, Bryan and others. He was a vigorous advocate of the conservation of natural resources and, believing that the United States would shortly be threatened by a food shortage, he supported his departments of Agriculture and Interior in ambitious farm expansion and irrigation projects.

Greatly influenced by Alfred T. Mahan's writings, Roosevelt was an oversea expansionist from the start. In 1886 he talked about possible war with Mexico; in 1894 he demanded the annexation of Hawaii. As the war with Spain approached, his public utterances reflected with great accuracy the viewpoint of those Americans who believed that any war was a good war. When it was over, Roosevelt energetically supported the acquisition of the Philippines. The same desire to see the United States play a major and aggressive role in world affairs was basic to his demand for the building of an isthmian canal by the United States; it influenced his action in encouraging the revolt of the Panamanians against Colombia; and it was behind his continuous agitation for a big navy. His imperialistic leanings were particularly apparent in his attitude toward South and Central America; and the so-called Roosevelt corollary to the Monroe Doctrine enunciated in 1904, which held that the United States could intervene in the countries of the western hemisphere if they did not keep order and pay their obligations, antagonized Latin Americans. In his foreign policy Roosevelt was inclined to distrust Europe, particularly Germany and its monarch William II. He brought the Russo-Japanese War to a close, because he believed that the Far East was a potential area of danger and that American safety lay in the maintenance of a balance of power between Russia and Japan. When the World War broke out Roosevelt approved of President Wilson's proclamation of neutrality; later he became ardently pro-ally and demanded participation by the United States. In May, 1910, he had urged a "league of peace" to prevent war, by force if necessary. His hatred of Wilson caused him, however, to oppose the League of Nations.

In 1912, on the ground that Taft had been unfaithful to the Rooseveltian principles, he forsook party regularity and organized the Progressive party. In the ensuing presidential campaign he moved farther toward radicalism than before or after. He called for greater control of business, easy amendment of the constitution, recall of judicial decisions, the direct primaries, woman suffrage, social insurance laws to protect workers against sickness, unemployment and old age, farm relief and social welfare legislation for women and children. These were the tenets of the New Nationalism, whose coming he had heralded in 1910. With his defeat in the election Roosevelt abandoned the Progressive party and it passed out of existence.

HENRY F. PRINGLE

Works: *Works*, 24 vols. (memorial ed. by Hermann Hagedorn, New York 1923–26); *Presidential Addresses and State Papers*, 8 vols. (New York 1910); *Theodore Roosevelt: an Autobiography* (New York 1913); *Selections from the Correspondence of Theodore Roosevelt and Henry Cabot Lodge, 1884–1918*, 2 vols. (New York 1925).

Consult: Pringle, Henry F., *Theodore Roosevelt* (New York 1931); Bishop, J. B., *Theodore Roosevelt and His Time*, 2 vols. (New York 1920); Hill, H. C., *Roosevelt and the Caribbean* (Chicago 1927).

ROSAS, JUAN MANUEL DE (1793–1877), dictator of Argentina. Rosas came of a distinguished creole family in Buenos Aires, where he received his limited education. For about twenty years he ranched successfully to the south of the capital and became noted for his progressive methods. During internal struggles he won fame as commander of federalist troops and in 1829 was elected governor and captain general of Buenos Aires province. In 1835 he was again made governor of Buenos Aires, this

time with dictatorial powers. From then until 1852 he was complete master of the country. Members of the Unitarian opposition, which included most of the cultured element of the country, were exiled, imprisoned or murdered. Bold and aggressive in foreign policy, Rosas tried forcibly to extend his political control to Paraguay and Uruguay, made war against the Bolivian-Peruvian confederation and quarreled with France and England over his relations with Uruguay. In February, 1852, however, he was defeated by an army composed of Brazilians, Uruguayans and Argentineans from the provinces of Entre Rios and Corrientes and led by his former lieutenant Urquiza. He fled to England, where he spent the remainder of his life.

Rosas has been known chiefly as a brutal despot. Recent writers, however, have emphasized his genuine contributions to Argentinian development. He broke the power of the provincial *caudillos*, made the rural masses more self-assertive, carried out an energetic foreign policy and fought vigorously against opposition at home, thus unquestionably helping to create sufficient national solidarity to make real political federation possible in Argentina.

MARY WILHELMINE WILLIAMS

Consult: Ramos Mejía, José María, *Rosas y su tiempo*, 3 vols. (2nd ed. Buenos Aires 1907); Sarmiento, Domingo F., *Facundo* (new ed. Madrid 1924); Pelliza, Mariano A., *Historia argentina*, 2 vols. (1st–2nd ed. Buenos Aires 1888–1910) vol. ii; García Calderón, F., *Les démocraties latines de l'Amérique* (Paris 1912), tr. by B. Miall as *Latin America* (London 1913) p. 140–46.

ROSCHER, WILHELM GEORG FRIEDRICH (1817–94), German economist. Descended from a venerable family of officials and judges Roscher typified German economic thought as it grew out of administrative and historical problems. He is commonly linked with Knies and Bruno Hildebrand as founder of the "older historical school" of German economics, but the peculiar method of his economic research ought rather to be traced to the historical training he received in Göttingen under Dahlmann, Gervinus and K. O. Müller and later in Berlin under Böckh, Karl Ritter and Ranke. His *Grundriss*, which led to his promotion in 1843 from *Privatdozent* to professor extraordinary at Göttingen, laid the foundations for what was to be his famous *System der Volkswirthschaft* after he had become full professor at Göttingen in 1844 and at Leipsic in 1848. In rather marked distinction to Knies, who was at once more opposed to the "naturalistic" ways of western "classical" economics and more akin to their theoretical and practical aims, Roscher had absorbed the "objectivist" spirit of Ranke, conceiving of economic development as a great "physiological" phenomenon and believing that practical conflicts could be solved by a closer, especially a statistical, knowledge of facts. This did not, however, prevent him from making original contributions to economic theory, such as the paper in which he opened up the important subject of the location of industries. With the same alertness with which he took up the "social question," on which he continued to lecture even after his retirement, he presented an important theoretical guide to the new German colonial policy and to colonial questions in general. His history of economic doctrines in Germany shows him perhaps in the least advantageous light. Although his wise middle course between one-sided political and one-sided theoretical schools very often made him appear eclectic, Roscher will perhaps eventually be recognized as a forerunner of modern institutionalism, largely through the many American economists who were trained in his school.

CARL BRINKMANN

Important works: Roscher's fundamental treatise is the *System der Volkswirthschaft*, which comprises 5 volumes as follows: *Grundlagen der Nationalökonomie* (Stuttgart 1854; 26th ed. by Robert Pöhlmann, 1922), tr. from 13th ed. by J. J. Lalor as *Principles of Political Economy*, 2 vols. (New York 1878); *Nationalökonomik des Ackerbaues und der verwandten Urproductionen* (Stuttgart 1859; 14th ed. by Heinrich Dade, 1912); *Nationalökonomik des Handels- und Gewerbfleisses* (Stuttgart 1881; 8th ed. by Wilhelm Stieda, 2 pts., 1913–17); *System der Finanzwissenschaft* (Stuttgart 1886; 5th ed. by Otto Gerlach, 1901); *System der Armenpflege und Armenpolitik* (Stuttgart 1894; 3rd ed. by C. J. Klumker, 1905). Other important works are: *Grundriss zu Vorlesungen über die Staatswirthschaft, nach geschichtlicher Methode* (Göttingen 1843); *Ansichten der Volkswirthschaft aus dem geschichtlichen Standpunkte* (Leipsic 1861; 3rd ed., 2 vols., 1878); *Kolonien, Kolonialpolitik und Auswanderung* (Leipsic 1856; 3rd ed. with Robert Jannasch, 1885), pt. ii, ch. i tr. from 3rd ed. by E. H. Baldwin and E. G. Bourne as *The Spanish Colonial System* (New York 1904); *Geschichte der Nationalökonomik in Deutschland*, Akademie der Wissenschaften, Munich, Geschichte der Wissenschaften in Deutschland, Neuere Zeit, vol. xiv (Munich 1874); *Geistliche Gedanken eines Nationalökonomen* (Dresden 1895). For a bibliography of Roscher's works see K. Sächsische Akademie der Wissenschaften, Leipsic, Philologische-Historische Classe, *Berichte*, vol. xlvi (1894) 222–26.

Consult: Weber, Max, "Roschers historische Methode" in his *Gesammelte Aufsätze zur Wissenschaftslehre* (Tübingen 1922) p. 3–42; Schmoller, Gustav,

Zur Litteraturgeschichte der Staats- und Sozialwissenschaften (Leipsic 1888) p. 147–71; Hüter, Margret, *Die Methodologie der Wirtschaftswissenschaft bei Roscher und Knies*, Beiträge zur Geschichte der National-Ökonomie, no. 5 (Jena 1928); Hintze, O., "Roschers politische Entwickelungstheorie" in *Schmollers Jahrbuch*, vol. xxi (1897) 767–811.

ROSENWALD, JULIUS (1862–1932), American merchant and philanthropist. Rosenwald was born in Springfield, Illinois, the son of a Jewish shopkeeper. At the age of seventeen he went to New York to work in his uncle's wholesale clothing company. From 1885 to 1906 he headed a Chicago clothing firm bearing his name; meanwhile in 1896 he had assumed the post of vice president and treasurer of Sears, Roebuck and Company, pioneer mail order house, which had become indebted to his concern. By 1910, when Rosenwald became its president, the business of Sears, Roebuck and Company had grown to over $60,000,000 a year, a figure more than quadrupled when Rosenwald became chairman of the board fifteen years later.

Rosenwald's policies in the handling of the company were largely responsible for the phenomenal growth of merchandising by mail. Building and leasing factories, which he equipped with labor saving devices, establishing his store's encyclopaedic catalogue as an institution in small town and farm homes and introducing the revolutionary money-back-if-not-satisfied plan, he reduced costs, reached an undeveloped market and quickly won its approval. As the automobile and hard roads opened up rural life, he met the change in buying habits with a national retail chain. Rosenwald was a firm believer in welfare capitalism; among other things he set up a profit sharing system for his workers and made generous use of bonuses and anniversary checks. When the stock market collapsed in 1929, he pledged $5,825,000 to guarantee the brokerage accounts of those of his employees who had been trading in the company's stock.

Rosenwald's benefactions, which totaled between $60,000,000 and $70,000,000, set new standards in philanthropy in that he left the use of his donations to the institutions receiving them and stipulated that the principal as well as the income of the Julius Rosenwald Fund, incorporated in 1917 "for the well-being of mankind," should be expended within twenty-five years of his death. A friend of the Negro race, he also made possible the establishment of some 5300 schools in the south, which had a total enrolment of approximately 650,000 Negro pupils at the time of his death. He was actively interested in Jewish philanthropies and was one of the most prominent supporters of Jewish colonization work in Soviet Russia. Without regard to race or creed he furthered enterprises in higher education, science, religion, social relations, city planning, scientific agriculture and library extension.

IRVING DILLIARD

Consult: Embree, E. R., in Julius Rosenwald Fund, *Review for the Two-Year Period, 1931–33* (Chicago 1933) p. 1–14; Angell, Pauline K., in *American Jewish Year Book, 5693, 1932–33*, vol. xxxiv (Philadelphia 1932) p. 141–76; Washington, Booker T., "A Remarkable Triple Alliance" in *Outlook*, vol. cviii (1914) 485–92.

ROSMINI-SERBATI, ANTONIO (1797–1855), Italian philosopher. Rosmini, who came of a wealthy noble family, was born in the Italian Tyrol. He entered the priesthood in 1821 and in 1828 founded a new order, the Institute of the Brethren of Charity, whose functions were to include popular preaching, education and welfare work. He won great fame in learned Italian circles with his *Nuovo saggio sull'origine delle idee* (1830; English translation, 3 vols., London 1883–40), in which he strove to reconcile the subjective and phenomenal elements in knowledge with the objective and transcendental. His philosophic bent and his receptiveness to the liberal influences of the Risorgimento led him to take part in the neo-Guelphian movement not only as a philosopher but also as a statesman. In 1848 he was invited to Rome by the Sardinian government to discuss the question of Italian federation with the pope, and he succeeded in furthering the formation of a liberal ministry under Pellegrino Rossi in the papal state. After the assassination of Rossi and the unfortunate ending of the Guelphian utopia Rosmini lost favor with the exponents of clericalism. In addition to this unpopularity in politics he provoked a violent theological battle with his *Delle cinque piaghe della Santa Chiesa* (1848), in which he lamented the wide gulf between the educated class and the clergy, the inadequate education of the lower clergy, the aloofness of the bishops and the interference of the secular government in ecclesiastical appointments. The book was placed on the Index in 1849 together with Rosmini's *La costituzione seconda la giustizia sociale con un'appendice sull'unità d'Italia* (1848), in which he advocated a confederation of princes and peoples of Italy under the leadership of the pope, elective assemblies for the in-

dividual states, a general assembly for the confederation and a supreme political tribunal of judges elected by universal suffrage to insure equal justice for all citizens. He affirmed the necessity of distinguishing between secular and ecclesiastical power and of regulating their relations through the use of concordats.

After the condemnation of his writings Rosmini sought seclusion at Stresa on Lago Maggiore where he devoted himself to pure philosophical speculation. Before his death, however, his works were "dismissed" by decree. The use of the word dismissed later aroused further controversies, and in 1887 Pope Leo XIII confirmed the condemnation of the forty propositions contained in Rosmini's writings.

GUIDO DE RUGGIERO

Works: *Opere*, 14 vols. (Naples 1842–45), with a supplement, *Opere postume*, 5 vols. (Turin 1859–74).

Consult: Paoli, Fr., *Della vita di Antonio Rosmini-Serbati*, 2 vols. (Turin 1880–84); Lockhart, William, *Life of Antonio Rosmini Serbati*, 2 vols. (2nd ed. London 1886); Spaventa, Bertrando, *Scritti filosofici* (Naples 1901), and *La filosofia italiana nelle sue relazioni con la filosofia europea* (3rd ed. Bari 1926); Gentile, Giovanni, *Rosmini e Gioberti* (Pisa 1898); Ruggiero, G. de, *La filosofia contemporanea* (Bari 1912), tr. by A. H. Hannay and R. G. Collingwood as *Modern Philosophy* (London 1921) p. 305–07; Caviglione, Carlo, *Bibliografia delle opere di Antonio Rosmini* (Turin 1925).

ROSSI, GIOVANNI BATTISTA DE (1822–94), Italian archaeologist. After studying at the Collegio Romano and at the Sapienza, Rossi was appointed scriptor in the Vatican, a post which he retained until his death. He became a disciple of the Jesuit numismatist Padre Marchi, under whose influence he developed an interest in Christian archaeology. By the application of new methods Rossi revived this subject and gave it a tremendous impetus. Concentrating his researches in Roman territory he conceived the idea of reconstructing the topography of the catacombs by utilizing the ancient itineraries written for the use of the pilgrims of the seventh to the ninth century as indicated in early manuscripts. Aided by his brother, a distinguished geologist, he was able to determine the history and successive development of these subterranean cemeteries. His profound knowledge of primitive Christian literature was of vital assistance to him in his difficult research on early mediaeval inscriptions. Important discoveries, such as those of the suburban sanctuaries in the cemeteries of St. Callistus and Praetestatus, confirmed the excellence of his technical procedures. In 1863 he founded the *Bollettino de archeologia cristiana*, which he published as sole contributor and editor until 1894.

PIERRE DE LABRIOLLE

Principal works: *La Roma sotteranea cristiana*, 3 vols. (Rome 1864–77), tr. by J. S. Northcote and W. R. Brownlow (new ed. London 1879; vol. i, new ed. 1922); *Inscriptiones christianae urbis Romae septimo saeculo antiquiores*, 2 vols. (Rome 1857–88); *Inscriptiones urbis Romae latinae*, ed. by Rossi, W. Henzen and E. Bormann, Corpus inscriptionum latinarum, vol. vi, pts. i–v (Berlin 1876–94).

Consult: Baumgarten, P. M., *Giovanni Battista de Rossi* (Rome 1892); Le Blant, E., in *Revue archéologique*, 3rd ser., vol. xxv (1894) 145–51; Duchesne, L., in *Revue de Paris*, vol. v (1894) 719–30; Müller, Nikolaus, in *Realencyklopädie für protestantische Theologie und Kirche*, ed. by J. J. Herzog, vol. x (3rd ed. Leipsic 1901) p. 799–802.

ROSSI, PELLEGRINO LUIGI EDOARDO (1787–1848), Italian economist, jurist and political figure. Rossi was a revolutionist in his early youth and minister under Murat in 1815. Fighting for Italian unification, he was exiled from Italy, became professor of law and of political economy at the Academy of Geneva in 1819, deputy from Geneva to the federal diet and reporter to the commission charged with the drafting of the new Swiss constitution in 1832. In 1833 he accepted Guizot's invitation to succeed J. B. Say as professor of political economy at the Collège de France; in the following year he became professor of constitutional law at the Sorbonne. Appointed to membership in the Institut de France, elevated to noble rank and to membership in the upper house of parliament, and subsequently French ambassador to the Holy See, Rossi was entrusted with the task of forming the cabinet of Pope Pius IX after the July revolution but died by the dagger of a revolutionary on November 15, 1848.

Politician, diplomat, publicist—even at times a poet—by turns revolutionary minister, legislator in a federalist and democratic republic and later in a unitary regime and finally reformist minister in the most autocratic of states, a man who belonged at various times to three different nationalities but remained an Italian at heart, Rossi offers a striking example of an international career in the nineteenth century, inspired by the ideas of the great revolution. In politics as in his scientific works Rossi followed the golden mean: he was a skilful diplomat, an ardent defender of reforms but an opponent of any sort of extremist innovation. Eclectic also in his writings and receptive to diverse scientific

theories, he rarely attained originality. In his juridical works as well as in his writings on political economy it was not so much the novelty of his theories as the art of evaluating those best known in his time which gave his works a didactic value quite considerable for the period. Continuing and commenting upon the authors of classical political economy, he was eclectic likewise in his method and may be considered as the precursor of the historical school. As a criminalist he considered moral responsibility as the basis of punishment but tempered its application by the admission of the principle of social utility.

L. LEDERMANN

Important works: *Traité de droit pénal*, 3 vols. (Paris 1829); *Cours de droit constitutionnel*, 4 vols. (Paris 1866–67); *Cours d'économie politique*, 4 vols. (vols. i–ii, Paris 1840–41, 2nd ed. 1843; vols. iii–iv, 1851–54); *Mélanges d'économie politique, d'histoire et de philosophie*, 2 vols. (Paris 1857).

Consult: Ledermann, L., *Pellegrino Rossi, l'homme et l'économiste* (Paris 1929); Sforza, G., "Fonti per la biografia di Pellegrino Rossi" in *Risorgimento italiano*, vol. xv (1922) 1–24; Biggini, C. A., "Rassegna bibliografica intorno a Pellegrino Rossi" in *Nuovi studi di diritto, economia, e politica*, vol. iii (1930) 140–52.

RÖSSLER, CONSTANTIN (1820–96), German publicist and politician. Rössler's long life spanned the emergence and triumph of Prussianism. As a publicist he played an influential role in the rise and subsequent glory of the Bismarckian empire. A young friend of Rössler, Hans Delbrück, who later became the well known historian, called him "the German scholar as professional politician."

Born at Merseburg of a family with a clerical tradition and destined for theology, Rössler soon turned to the study of philosophy and social science at Halle. He began to teach at Jena in 1848, but the revolution caused him to abandon his academic career for politics. As a member of the editorial staff of the Leipsic *Grenzboten* he worked with Gustav Freytag, the well known German writer, who was his intimate friend. After the collapse of the revolution he returned to Jena, where in 1857 he became professor of philosophy; in 1860 he finally abandoned academic life to become a free lance journalist. In 1877, however, he became director of the Literary Bureau, a sort of press agency of the Bismarckian government. Under Caprivi he was also counselor of legation in the foreign office, serving from 1892 to 1894.

The chief monument of Rössler's academic activity is his *Allgemeine Staatslehre* (System der Staatslehre, vol. i, Leipsic 1857), the first part of a projected but unfinished system, which shows him to be a conscious follower of Hegel and as such a defender of the idealistic conception of history, as is indicated by his moralistic justification of the state as "the realization of the whole nature of man." All other bodies, including the church, are assigned their proper spheres by the state. Thus a theocracy is a contradiction *in adjecto*. This philosophy contains the germs of his later political aims: the creation of a German national church free from the pope and the formation of a powerful German state dominated by Prussia.

Prophetically Rössler saw in Bismarck the man who could build this state, and as early as 1862 he called for *eine Diktatur für einen Mann*. The articles, often anonymous, which he published constituted so powerful an advocacy of Bismarck's policy that many regarded them as Bismarck's own pronouncements or at any rate as inspired by him. The explanation, however, lies rather in an unusual concurrence of ideas, fortified by Rössler's peculiar need for a prop. Nevertheless, in the last years of his life Rössler opposed Bismarck as vigorously as he had once championed him. When the latter abandoned the ill fated Kulturkampf, Rössler disagreed with him: he had fought for a strong evangelical mission and a resurgence of the church and he saw his hopes destroyed by Bismarck's shift in policy. It seemed to him that their mutual object—the Little Germany solution, a German empire without Austria and under Prussian Protestant leadership—had as a consequence become devoid of sense.

ARTHUR SALZ

Works: *Studien zur Fortbildung der preussischen Verfassung*, 2 pts. (Berlin 1863–64); *Das deutsche Reich und die kirchliche Frage* (Leipsic 1876); *Ausgewählte Aufsätze*, ed. by Walter Rössler (Berlin 1902).

Consult: Lenz, Max, in *Allgemeine deutsche Biographie*, vol. liii (Leipsic 1907) p. 514–22, and bibliography there cited; Delbrück, Hans, in Rössler's *Ausgewählte Aufsätze*, p. xiii–xxxiii.

ROTHSCHILD FAMILY, international bankers. The first Rothschild of importance was Mayer Amschel (1743–1812), the son of a small trader in the ghetto of Frankfort. Starting as a dealer in old coins, money changer and merchant he established connections with Landgrave Frederick II of Hesse-Cassel and his son William IX and occasionally arranged loans from the Hessian state treasury to needy states and princes. The disposal of English bills of ex-

change, representing part payment to the Hessian landgraves for the mercenary soldiers they hired out to England, was managed by Frankfort bankers; Mayer Amschel secured an increasingly larger share of the business and eventually dominated it. Partly by bribery of important state officials but mainly through his ability, he became indispensable to the landgrave in financial matters and in 1801 became the court agent. The enormous sums which William deposited at interest with him increased Mayer Amschel's credit and reputation and permitted a constantly greater participation in the flotation of loans, including foreign loans. The economic basis of Mayer Amschel's success was essentially the exploitation of feudal wealth through more modern forms of financing and investment.

While Napoleon's advance into Germany seriously limited the business activities of Mayer Amschel and his princely client, it marked the rise of Nathan Mayer Rothschild (1777–1836), the third and ablest son of the founder of the house of Rothschild. He settled in England as a young man, at first occupying himself with trade but gradually acquiring considerable financial interests. For ten years he was engaged in supplying England's subsidies to Napoleon's continental enemies, an enormous task in which his talent for financial manipulations in the grand manner found expression. His resources were greatly increased when William of Hesse, fleeing from Napoleon, entrusted to him part of his treasury (not all of it, despite a legend to the contrary started by the Rothschilds). In cooperation with his four brothers in various European capitals Nathan cannily and daringly manipulated all the technical financial means whereby foreign money might be obtained in exchange for English currency or credit; he understood perfectly how to offset all pressure on the rate of exchange for English money. According to Commissary General Herries, Nathan Rothschild's political chief, it was only with the Rothschild help that these financial operations essential to the defeat of Napoleon could be carried out successfully.

After the Napoleonic wars the house of Rothschild gained increasing prominence in the circles of international high finance. Nathan Rothschild held sway in London, where he dominated the stock exchange; the four brothers—in Frankfort, Paris, Vienna and Naples—were powerful in their countries. By means of an unshakable family unity, constant exchange of opinions before any important transaction and a rapid and dependable news service by which they kept track of and exploited events the Rothschilds, dominated by Nathan, forged steadily on to supreme financial power. After the peace of 1815 London became more than ever the great market for the credit needs of the European states, and the Rothschilds devoted themselves to these credit transactions. At first, especially in London, they seem to have continued to engage in speculation in government bonds floated by other banking houses; but later they undertook large scale bond flotations of their own, the first a loan to Prussia in 1817. Then followed a series of loans to the governments of Austria, France, the German states, Belgium, Russia and the Kingdom of Naples. A loan to Brazil broadened the scope of the Rothschilds' international operations. London was considerably indebted to them for its undisputed position as the world's leading financial market. They enhanced the popularity of foreign loans in England by making interest payable in sterling coin, thereby avoiding fluctuations in exchange. At the same time the Rothschilds, especially Nathan, dealt extensively in stocks, but unlike modern investment bankers they avoided any considerable permanent connections with corporations. The brothers were equally intrenched in the continental capitals, acting as bankers for the governments, participating in intrigues and exploiting politics and wars for financial gains, particularly in France and Austria. They were Metternich's financial agents. By 1836, when Nathan Rothschild died, the family had surpassed the older banking houses, the Barings, the Hopes, the Goldsmids and others, as earlier they had eclipsed the Bethmanns, the Rüppells and Harniers in Frankfort; they were the world's financial leaders and among the wealthiest of men. This power was in some cases used to mitigate the political disadvantages of the Jews.

Thereafter the house of Rothschild, dominated by Lionel Nathan Rothschild (1808–79), virtually monopolized the flotation of large government loans and frequently affected political events decisively. Although at first skeptical, they early realized the importance of railways and took an active part in their promotion. They backed railways in England, the first railway in Austria, the largest railway in France, the great network of Belgian railways and were identified with railway financing in Brazil and the United States. They participated in the financing of the Crimean War, of the Papal States, of Italian

unity. The Rothschilds were displaced as the leading bankers in France by the organization of the Crédit Mobilier in 1852, which was aimed directly at them, but upon its collapse a few years later their power was restored and even increased. They acquired large commercial interests in the southern states of the United States and were consequently pro-Confederate; but this did not prevent them, in alliance with Jay Cooke, from taking part in the United States government financing of 1871. The Rothschilds were an important factor in the European export of capital to the United States and through their American representative August Belmont they participated in extensive financial transactions, including the Morgan loan to the Cleveland administration in 1895.

At the outbreak of the World War the Rothschild family was still financially powerful, immensely wealthy and socially important (the family had acquired nobility). But their strength was on the wane; the earlier supremacy was no longer theirs, partly because of changes in investment banking and partly because they were unable to adapt themselves to an age in which corporate financing was more important than governmental. Their family cooperation moreover was far less intensive. The French and English branches of the house of Rothschild profited greatly from the war, but the Austrian branch was almost ruined. The latter recouped its fortunes, however, through speculation in foreign exchange based on inside knowledge of the financial operation intended to bolster the French franc in 1924; in this venture the English and French Rothschilds participated with the house of Morgan.

In addition to the external historical factors which determined the financial success of the Rothschilds there was another factor, which Gentz, the great publicist of the Napoleonic period, designated as "the traders' instinct"—that native, unacquired, inimitable instinct which makes choice of the commercially sound a matter of course.

JAKOB STRIEDER

Consult: Corti, Egon C., *Der Aufstieg des Hauses Rothschild, 1770–1830* (Leipsic 1927), tr. by Brian and Beatrix Lunn (New York 1928), and *Das Haus Rothschild in der Zeit seiner Blüte 1830–1871* (Leipsic 1928), tr. by Brian and Beatrix Lunn (New York 1928); Ehrenberg, Richard, *Grosse Vermögen, ihre Entstehung und ihre Bedeutung*, 2 vols. (vol. i 3rd ed., vol. ii 2nd ed., Jena 1925) vol. i; Ravage, M. E., *Five Men of Frankfort; the Story of the Rothschilds* (New York 1929); Sauer, J., *Finanzgeschäfte der Landgrafen von Hessen-Kassel* (Fulda 1930).

ROTTECK, KARL WENZESLAUS RODECKER VON (1775–1840), German politician and historian. Rotteck was born in Freiburg i. Br. His father was a professor of medicine raised to the nobility by Emperor Joseph II, and his mother was descended from an old titled family of French Lorraine. Rotteck was thus twice heir to the traditions of Hapsburg-Austrian Josephinism, and these were confirmed during his student years at his native University of Freiburg by the teaching of Johann Georg Jacobi. Appointed to a chair of history in this university as early as 1798, he laid the foundations of an immense popularity by his great *Allgemeine Geschichte* (9 vols., Freiburg i. Br. 1812–26; 25th ed., 11 vols., Brunswick 1866–67), which together with the later works of Schlosser, Gervinus and Häusser helped to train the German bourgeoisie to liberal and constitutional views of German history. Rotteck was indeed the chief political mentor of south Germany. Under the first constitution given to Baden by Grand Duke Karl Friedrich, his career became definitely political when he assumed a professorship of political science and natural law and when he represented his university in the first, or upper, chamber of the grand duchy. In 1831 he exchanged this mandate for that of a deputy in the second chamber. Here he fought for a radical abolition of feudal services and tithes, for freedom of the press and parliamentary responsibility of the executive, and to this end he took over the publication of the *Allgemeine politische Annalen* (vols. i–xi, Munich 1830–32) and with Welcker founded the newspaper *Freisinnige* (1831–32), both of which created a favorable name for German liberalism throughout the century. The *Staats-Lexikon* (15 vols., Leipsic 1834–43; 3rd ed., 14 vols., 1856–66), which he likewise founded with Welcker, was the first publication of its kind in Germany and may be said to have been the bible of the revolutionary movement culminating in 1848. Dismissed from his chair in 1832, Rotteck was at once elected mayor of Freiburg but was prevented by government veto from taking this office. Nevertheless, his enthusiastic adherents spread his fame over the country by a campaign for planting *Rotteckseichen* in every community. Rotteck's later books, chief of which was the *Lehrbuch des Vernunftrechts und der Staatswissenschaft* (4 vols., Stuttgart 1829–35; 2nd ed. 1847–48), did not even approach the success of his universal history, perhaps because of his rather uncritical condemnation of the British

aristocracy, a heritage of Napoleonic times. Characteristically Rotteck opposed the accession of Baden to the German Zollverein, toward which his government, led by Nebenius, showed a much deeper understanding.

CARL BRINKMANN

Consult: Röpell, R., *Karl Wenceslaus R. von Rotteck* (Breslau 1883); Ganter, Emil, *Karl von Rotteck als Geschichtschreiber* (Freiburg i. Br. 1908); Gerlach, Hermann, *Die politische Tätigkeit Karl von Rottecks in den Jahren 1833–40* (Jena 1919); Schib, K., *Die staatsrechtlichen Grundlagen der Politik Karl von Rottecks* (Mulhouse 1927); Wilhelm, T., *Die englische Verfassung und der vormärzliche deutsche Liberalismus* (Stuttgart 1928); Zehnter, Hans, *Das Staatslexikon von Rotteck und Welcker*, List-Studien, vol. iii (Jena 1929); Gauer, W., "Badische Staatsräson und Frühliberalismus um die Juliwende" in *Zeitschrift für die Geschichte des Oberrheins*, vol. lxxxiv (1932) 341–406; *C. v. Rottecks gesammelte und nachgelassene Schriften mit Biographie und Briefwechsel*, ed. by H. von Rotteck, 5 vols. (Pforzheim 1841–43).

ROTTEN BOROUGHS. The corrupt borough constituencies characterizing the English parliamentary electorate before 1832 from which the term "rotten borough" is derived resulted from various causes. Apart from the universities the electoral units represented in the House of Commons were the counties and the corporate towns. The franchise in both was originally democratic, although in the boroughs there was no uniformity. The Tudors and Stuarts doubled the number of borough members; but thereafter and until 1832 English representation remained fixed at 80 county and 405 borough members, the only change being the transfer of Grampound's two seats to Yorkshire in 1821. The decay of once prosperous towns in the centuries following their enfranchisement accounts for the earliest of the rotten boroughs. This was a continuing factor, creating new Gattons and Old Sarums in each generation. Another crop of rotten boroughs resulted from the enfranchisement by the Tudors of mere villages in order to insure the crown's control of Parliament. The narrowing of the franchise by corporate action, royal charter or the decisions of parliamentary committees facilitated the subjection of borough elections to royal or private influence. Of the 203 English borough constituencies, 59 had a resident householder franchise; in 39 the vote was attached to certain parcels of land called burgages; in 43 the corporation, i.e. the mayor and council, had exclusive right of election; and in 62 the vote was vested in the freemen, but as the corporation admitted the freemen, it exercised a large measure of control.

Early in the sixteenth century when seats in the House of Commons began to be prized, the wooing of borough electorates by courtiers, lawyers and landowners began. The residence requirement for representatives was generally disregarded for over a century before its repeal in 1774. The payment of members, although never abolished by statute, disappeared as soon as candidates offered to serve unpaid. After the non-resident member came the patron, acquiring local property and influence and bestowing local favors in return for the right to nominate the borough members. The patron appears in embryo in Elizabeth's reign, but the heyday of the boroughmonger was the eighteenth century, when the greatest of them controlled half a dozen seats apiece and Sir James Lowther returned 9 members, known as Lowther's ninepins. The degree of the patron's control and the means of establishing it varied with the population and franchise of the particular borough. In small hamlets ownership of the bulk of the property gave the patron full control. Most "pocket boroughs" were of this type. In corporation boroughs the corporation might be packed with dependents. Where freemen voted, the corporation might be persuaded to restrict them to a manageable number or to create enough non-residents to swamp the resident vote. The larger the electorate the more recourse was had to treating, bribery or intimidation and the greater the expense of elections. Patronage was the government's chief reliance in winning elections, even church preferments being used for electoral purposes.

The evil increased rapidly during the eighteenth century in spite of the efforts of reformers. The reasons were threefold: expanding wealth, a phenomenal shift in population and the determination of the landed class to balance the unfair county representation by controlling the smaller boroughs. Grey stated in 1793 that 157 members were returned directly by 84 individuals, and that the majority of the House were chosen by considerably fewer than 15,000 electors. Croker reckoned that in 1827, 276 seats were controlled absolutely by patrons. Boroughs were bought, sold and inherited. The reformers' demands for disfranchisement were denounced by patrons as confiscation.

The evil effects of boroughmongering were manifold. A majority of the House were returned directly or indirectly by a couple of hundred patrons. Members so returned were seldom independent. Some patrons sold their seats out-

right but most bartered the votes of their members for places or peerages. By his manipulation of this corrupt regime George III threatened to restore to the crown the independence lost in 1688. Municipal life was contaminated by its connection with the corrupt electoral system. The electorate was so demoralized by bribery that the evil survived until the establishment of the ballot in 1872 and the passage of the Corrupt and Illegal Practices Prevention Act of 1883. Although the costliness and inefficiency of government services under the spoils system were notorious, most of the nineteenth century passed before the country was rid of that incubus. By means of the rotten boroughs the landed class was able to dominate Parliament and to dictate its legislation. The industrial towns of the north were unrepresented until 1832, and not until 1885 was the balance righted between land and industry. It required the three franchise acts of 1832, 1867 and 1884 to restore the democratic character of the franchise. Many rotten boroughs disappeared in 1832—56 lost their representation entirely while 31 were deprived of one member each—but some survived until 1867 and a few until 1885. Both in 1885 and in 1918 in the effort to equalize electoral districts the larger boroughs were divided into single member districts while many small boroughs lost their separate representation. The plural vote, which had favored the landed class, was abolished in 1918. Efforts to secure proportional representation failed in 1918 as in 1885; no provision was made for periodic reapportionment.

EMILY ALLYN

See: REPRESENTATION; APPORTIONMENT; LEGISLATIVE ASSEMBLIES, section on GREAT BRITAIN AND DOMINIONS; CORRUPTION, POLITICAL.

Consult: McKisack, May, *The Parliamentary Representation of the English Boroughs during the Middle Ages* (Oxford 1932); Merewether, H. A., and Stephens, A. J., *The History of the Boroughs and Municipal Corporations of the United Kingdom*, 3 vols. (London 1835); Porritt, E. and A. G., *The Unreformed House of Commons*, 2 vols. (Cambridge, Eng. 1903); Namier, L. B., *The Structure of Politics at the Accession of George III*, 2 vols. (London 1929); Morris, H. L., *Parliamentary Franchise Reform in England from 1885–1918*, Columbia University, Studies in History, Economics and Public Law, no. 218 (New York 1921); Seymour, Charles, *Electoral Reform in England and Wales, 1832–1885* (New Haven 1915), and *How the World Votes*, 2 vols. (Springfield, Mass. 1918) vol. i. chs. iii–viii, with further bibliography there cited.

ROUGÉ, VICOMTE OLIVIER CHARLES EMMANUEL DE (1811–72), French Egyptologist. Educated at the Collège de Saint-Acheul, Rougé was trained for a juristic career; but he applied himself to the study of Semitic languages as an avocation and in 1839 began the study of Egyptian, which had just been deciphered. In 1849 he was appointed curator of the Egyptian section of the Louvre and in 1860 he became professor of Egyptology in the Collège de France.

Rougé was, with the German Lepsius, the founder of the second phase of Egyptology, in which precise logical method replaced the brilliant conjectures and approximate interpretations characterizing the period of discovery and decipherment. Well trained in Semitic philology, he introduced sound linguistic method into the study of hieroglyphic and especially of hieratic texts. He was the first to classify correctly the then known monuments of the pyramid age. His treatment of Egyptian phonology and his defense of the Egyptian origin of the alphabet were of fundamental importance. Rougé also collected and published a great many Egyptian monuments and texts. Nearly all more recent French Egyptologists were his immediate pupils or studied under them.

W. F. ALBRIGHT

Important works: "Mémoire sur l'inscription du tombeau d'Ahmès," and "Recherches sur les monuments qu'on peut attribuer aux six premières dynasties de Manéthon" in Institut de France, Académie des Inscriptions et Belles-Lettres, *Mémoires*, 1st ser., vol. iii (1853) 1–196, and vol. xxv (1866) pt. ii, p. 225–375; *Le poème de Pen-ta-our* (a translation) (Paris 1856); *Rituel funéraire des anciens Égyptiens*, 4 vols. (Paris 1861–64); *Chrestomathie égyptienne*, 4 vols. (Paris 1867–76). The following were published posthumously by his son, Vicomte Jacques de Rougé: *Mémoire sur l'origine égyptienne de l'alphabet phénicien* (Paris 1874); *Inscriptions hiéroglyphiques copiées en Égypte*, 4 vols. (Paris 1877–79); *Inscriptions et notices recueillies à Edfou*, 2 vols. (Paris 1880).

Consult: Wallon, H. A., *Notice historique sur la vie et les travaux de M. le Vte. Emmanuel de Rougé* (Paris 1873); Maspero, G., "Notice biographique du Vicomte Emmanuel de Rougé" in Rougé, O. C. C. E., *Oeuvres diverses*, 6 vols. (Paris 1907–18) vol. i, p. i–clvi.

ROUND, JOHN HORACE (1854–1928), British historian and genealogist. Round was one of the most prominent of the scholars who founded the modern study of Anglo-Norman history. Although he never held an academic appointment and had no ambition to found a school of history, his influence on younger workers has been great. He was a strict and very outspoken critic of inaccurate scholarship, and his own writing set a new standard of exactitude in

genealogical studies. Although most of his work bore a technical character, its results became well known through his relentless exposure of many famous but spurious pedigrees; and he may be said to have opened a new period in the study of family history in England. His strength lay not in any power of continuous historical writing, which he rarely attempted, but in the originality and precision of method with which he approached the investigation of individual problems. All his books are in reality collections of essays. The most important for general historical purposes are *Geoffrey de Mandeville* (London 1892), *Feudal England* (London 1895), *The Commune of London, and Other Studies* (London 1899), *Studies in Peerage and Family History* (London 1901), *The King's Serjeants and Officers of State* (London 1911) and *Family Origins, and Other Studies* (ed. by William Page, London 1930). In all these books the interest centers around questions of Anglo-Norman government and family history. They deal with an extremely varied range of subjects, among which may be mentioned the nature of the assessment underlying the *Domesday Book*, the early government of London, the household organization of the Anglo-Norman kings and the condition of England in the reign of Stephen. Probably Round's most important single contribution to historical knowledge was his demonstration that the system of knight service on which English feudalism rested was established by William I. Here Round was challenging the opinion held by many eminent historians that knight service was gradually developed on a basis supplied by the pre-Conquest distribution of landed estates; and his conclusions, which have not been seriously attacked, have proved of the first importance for the study of old English as well as of Anglo-Norman history. The definite results reached by Round would of themselves entitle him to a high place among English historians, but his greatest achievement lies in his establishment of the principle that the detail of Anglo-Norman topography and family history is the only sure foundation for the general history of England of that period.

F. M. STENTON

Consult: "Memoir" by William Page in *Family Origins, and Other Studies*, p. ix–xlviii; Tait, James, in *English Historical Review*, vol. xliii (1928) 572–77.

ROUSSEAU, JEAN-JACQUES (1712–78), French social and political philosopher. When Rousseau came to Paris and as a student of music gained entrée into the circle of Diderot, d'Alembert and other *philosophes*, the circumstances of his life had implanted in him a tendency to vacillate between respect for order and discipline and impatience with any form of restraint. His childhood and early youth, passed in the Calvinistic atmosphere of the Genevan theocracy, where the welfare and, on the whole, the happiness of the people had been promoted by an extremely rigid social organization, left a lasting impression on his thought. Many critics, emphasizing this aspect of Rousseau's heritage, have tried to explain the *Contrat social* as an expression of admiration for the political wisdom of Calvin. But with equal justification his Genevan background can be presented in terms of the psychological maladjustments resulting from his frail health, the absence of parental sympathy and his distaste for the duties of an engraver's apprentice: aggravating his egoism and hypersensitive intractability, these influences made him from the age of sixteen a restless vagabond, whose travels were interspersed with periods of domestic service, protracted and sometimes idyllic sojourns with his patroness, Madame de Warens, and an interval of feverish self-instruction.

Although Rousseau had already contributed to the *Encyclopédie* several articles on music and a very important essay on political economy, he did not become a celebrity until the publication of the *Discours . . . sur . . . les sciences et les arts* (1750), containing the well known "paradox" that mankind deteriorates as civilization advances. In his subsequent *Discours sur l'origine . . . de l'inégalité parmi les hommes* (1755) he devoted considerable space to showing that the misery which has invariably accompanied the progress of civilization is absent in primitive life, but he pointed out also that primitive peoples are incapable of positive happiness. Despite the thousands of statements to the contrary he never recommended an actual return to the state of nature. He stressed once more the corrupting influence of civilization upon the masses in his *Lettre . . . sur le projet d'établir un théâtre . . .* (1758), which denounced Voltaire's project to establish a regular theater in Geneva. His three major works were written after his rupture with the *encyclopédistes*, vigorous advocates of the civilization which he scorned. The first of these writings, *La nouvelle Héloïse* (1761), was quite as responsible as his posthumously published *Confessions* (1782–89) for his reputation as the father of romanticism. Yet this novel was in fact

a vehement plea against surrender to passion or love marriage and a defense of social convention as more conducive to enduring happiness. *Émile* (1762), his revolutionary treatise on education, represented to a large extent a synthesis and continuation of Montaigne and Locke. The attack launched upon it by church and state centered, however, not about Rousseau's pedagogical theory but about the *religion naturelle* which he proposed to substitute for the dogma of revealed religion. Rousseau's best known work, *Contrat social* (1762), aroused comparatively little comment at the time in France. In Geneva, on the other hand, where the issue of the rights of the individual conscience against authority had flared up periodically since the Reformation and where the bourgeoisie was at the moment in conflict with the aristocratic government, Rousseau's advocacy of popular sovereignty met with a fervid response. The official condemnation of the book was defended by a member of the Magnifique Conseil in a pamphlet which evoked Rousseau's fiery *Lettres écrites de la Montagne* (1764). The controversy between Rousseau and Geneva, which became known as the *affaire J.-J. Rousseau*, was a faint adumbration of the French Revolution.

In his various political writings Rousseau was not primarily concerned with demonstrating anew the century old theory of popular sovereignty based on a social contract. The more profound problems which he faced were these: once the social contract has been accepted and every individual has completely alienated all his rights to the community as a whole, from what source will the newly constituted state derive its laws; and further what reason is there to expect that these laws will be observed? As regards the first question, Rousseau recognized that each state must perforce rely on wise lawgivers like Moses, Lycurgus and Solon to provide a code appropriate to its conditions—a task which for perfect realization would require the talents of omniscient deities. The second question involved this fundamental difficulty: since it was left to the free will of the citizen to accept or reject the laws, what guaranty has the state that he will observe them when they happen to conflict with his interest? Rousseau might have answered either that the people would obey spontaneously because they were the source of the laws and had voluntarily adopted them, or that some means of coercion would be necessary. In the article "Économie politique" for the *Encyclopédie* (vol. v, 1755) he indicated his awareness of a conflict between the interests of the state and those of the individual, although he offered no more satisfactory solution than the suggestion that laws be made to enforce the laws. In a first draft of the *Contrat social* he explicitly criticized Diderot for his apparent conviction that the natural goodness of man assured the invariable observance of the laws. He then proceeded, it is true, to develop, in the doctrine of the *volonté générale*, his own conception of a force which would impel individuals to desire the common good, since they themselves would be beneficiaries. But, as Rousseau clearly realized, this was merely a theory and in view of human fallibility many, or in fact all, of the citizens might be unable to discern what was best; in other words, the *volonté de tous* might easily fail to coincide with the *volonté générale*. Hence the state must place its trust in the capacity of the lawgivers to make the best laws and in that of the magistrates to uphold them. Even Rome, which Rousseau regarded as the most perfect state ever constructed, was not entirely proof against lawlessness and disorder. In the end Rousseau decided that the only absolute guaranty reposed in the citizen's inner sense of obligation to obey the laws, and that such a sense could be derived only from religion. Thus in the final chapter of the *Contrat social* he advocated as essential to the absolute security of the state the exclusion of all who refused to subscribe to the seven dogmas of the *religion civile*. Apart from this creed, which centered chiefly about the belief in a God of justice and in an after life, Rousseau was an eloquent foe of intolerance.

In reviewing the much mooted question of Rousseau's relation to the revolution Vaughan came to the conclusion that Rousseau's influence was most clearly discernible in the brief period when his two professed disciples, Robespierre and Saint-Just, were in power and in the four constitutions promulgated between 1791 and 1799. In all probability he helped to inspire the Declaration of the Rights of Man. The idea of a civil religion and the strenuous defense of religious toleration as well as the doctrines of popular sovereignty and the separation of the legislative and executive powers seem to have gained momentum from his writings, but it is not possible to trace definitively the lineage of concepts which were current in greater or less degree among other forbears of the upheaval.

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ROY, RAM MOHUN (1772–1833), Indian religious reformer and nationalist. Roy received the education customary to a Brahman and in addition learned Arabic and Persian. He traveled through India for a number of years and was in the employ of the British East India Company from 1804 to 1814.

Roy was the pioneer of the renaissance movement in India, the first Hindu to break through the barrier between the ancient East and the modern West. He advocated that India adopt European intellectual achievements in order to further its own development. His numerous activities had but one objective, to arouse India's spirit and to free it from the deadening stupor of mediaevalism. Through Roy's influence European thought and social standards began to penetrate, to a limited extent, the circles of the high caste Hindus. He created a vernacular press and together with John Hare established the Hindu College in Calcutta, the first educational institution in India to give instruction along western lines. He was active in social reform and was instrumental in the abolition of suttee, the sacred Hindu rite of immolating the living widow on the funeral pyre of her husband.

At an early age Roy had come into contact with Islam and Sufism and had become critical of the polytheism and idolatry of the Hindus. Later, when he had learned English, his religious convictions were further modified by British liberal and rational ideas. He became profoundly interested in religious reform and in 1828 with Dvarkanath Tagore he organized the Brahmo Samaj, a religious society preaching a return to a purified and primitive Brahmanism combined with theism and humanitarian rationalism. Although the synthetic doctrines of the society appealed to only a very small group of high caste intellectuals, they pointed the way to many subsequent reform movements.

HANS KOHN

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ROYAL COURT. Although the concept of courtesy (*Höflichkeit*, *courtoisie*) dates only from the Middle Ages, the cultural influence of the royal court goes back much farther. In the Old Kingdom (*c.* 2980–2475 B.C.) of ancient Egypt political and cultural life was concentrated in the court of pharaoh, who was regarded as a god around whom the important figures of the empire grouped themselves in strict hierarchical order. This rigid centralization was replaced toward the end of the Old Kingdom by a feudal system, but the courtly culture of the Middle and New Kingdoms never equaled that of the old.

Far less is known concerning the importance of the court in the other ancient oriental empires. Among the Babylonians the king seems to have been primarily a lawgiver, like Hammurabi; among the martial Assyrians he was above all a military leader, like Sargon II. Similar elements prevailed in the court culture of the Persian Empire, especially under Darius I. In all these cases the cultural influence of the courts was dependent far more than in Egypt upon the personality of the ruler. These ancient court cultures exerted some influence upon European courts through the Hebrew kingdom, which gave to modern kingdoms the idea of the "anointed of the Lord."

In Greek history the court was important only in the early period, as in Mycenae. Not until the rise of the Alexandrianism of the Ptolemaic empire did the entire intellectual culture of the eastern Mediterranean area again acquire a thoroughly courtly stamp. Ptolemy II attracted learned men from all over the world and founded the famous library at Alexandria, while his wife and sister Arsinoë was a patron of the poets. Mention should be made also in this period of the courts of the Seleucids in Antioch and of the Attalids in Pergamum.

Because of disputes over favorites and dynastic struggles this Hellenistic world soon became ripe for the attack by the Roman Republic, which was steadily becoming monarchical as a result of contact with the East. Even then the victorious Roman military leader was surrounded by his *cohors praetoria*, a group of friends suggesting almost a courtly retinue, while a few great men played the role of patrons of letters, as, for example, the younger Scipio toward Polybius. Caesar's attempt to bring this monarchical development to a logical conclusion was defeated by a final flicker of the republican spirit.

While Caesar's successor, Augustus, professed himself content with the principate, he was clever enough to utilize his republican magistracy and the assistance of his friend Maecenas to control the intellectual development as well. He encouraged Vergil and Horace and banished Ovid, whose frivolity appeared to him to endanger the work of his moral restoration. Under Augustus this relation was still essentially personal, but with the later emperors it steadily became institutionalized, although no clear relationship developed between intellectual and political life.

Only under the adopted emperors of the second century A.D. did there arise a type of enlightened monarch who, like Hadrian, encouraged the philosophers or, like Marcus Aurelius, was himself philosophically disposed. In the great politico-social crisis of the third century this entire culture, strongly colored by court influence, was threatened with extinction; it was saved, however, first by Diocletian's reforms and later by Constantine's capitulation to Christianity. In the late Roman Empire, which gave rise to that of Byzantium, there again developed a pronounced court culture leaning heavily on oriental forms. Ceremony was regulated to the minutest details, and everything connected with the emperor was considered holy (*sacer*).

In the Germanic military kingdoms of the period of the great migrations the tie with the ruler was originally based not on religious or institutional grounds but solely on a personal relation of trust. The court offices which slowly developed—marshal, seneschal and lord high steward—at first embodied only a relationship of personal service, which in the Germanic and unlike the ancient conception appeared honorable. Despite the attempts of certain important Germanic rulers, like the Vandal Gaiseric or the Ostrogoth Theodoric the Great, to develop an absolutist power, cultural life was never centralized in the royal court, for their centralized power did not endure. Outstanding personalities like Charlemagne were, it is true, able to influence intellectual life. But the church remained the characteristic center of such activity, which furthermore was determined far more by knightly influences than by royal courts, even after the renewal of the emperorship under Otto I. Although it is in this very period that the expression courtly behavior originated, this referred not to the emperorship or to the various royal courts but to the encouragement of cultural life by the local dynasts. Enlistment in the

service of a lady love, the lyrics of the troubadours and the songs of the minnesingers were first cultivated in the courts of southern France, which Babenberger and the landgrave of Thuringia attempted to emulate on German soil, as the Wartburg *Sängerkrieg* shows.

A pronounced court culture, in which the center of political power was at the same time the core of social and intellectual life, first appeared in the late Middle Ages, although in competition with the culture of the cities. The lead in this new development was taken by the papal Curia, which in the Renaissance was the foremost protector of artists and scholars. The significance, for the intellectual life of Italy, of Julius II and the Medici popes who followed him is generally known. The city-state of Florence, however, competed successfully with the Curia from the beginning. In Florence Cosimo de Medici and his son Lorenzo the Magnificent, paralleling the example of Augustus, retained the republican form but constructed a ceremonious principate and established a broad cultural patronage, which reached its height in its cultivation of Platonic philosophy. The greater and smaller dynasties of Italy emulated the Medici. Out of this atmosphere, in which the noblewomen played a decisive part, arose the ideal type of the courtier, a dilettante who is master of or at least conversant with all the arts and sciences.

At the same time, in the Burgundian kingdom of Philip the Good and Charles the Bold, there flourished a courtly culture which, despite its emphasis on knightly ideals, may be considered in many respects a Nordic counterpart of the Italian Renaissance. This minor renaissance acquired especial significance because the Burgundian court ceremonial entered Spain with Charles V and subsequently influenced Vienna and Paris. Under Philip II the Spanish court became a firmly established institution, virtually independent of the personality of the reigning monarch, whom it forced to conform to its requirements.

With the rise of European national states the cultural significance of the court in England and France increased, almost contemporaneously with that of Spain. The Reformation and the Counter-Reformation again raised the theologian to intellectual supremacy and strengthened the church, so that only those states which were confessionally unified maintained their positions of power. Elizabethan England, whose cultural growth reached its highest point in Shakespeare, stepped into the foreground on the Protestant side; while among the Catholic countries, even after the miscarriage of the universalistic plans of Charles V and his son Philip II, Spain remained the leading power, attaining with Cervantes, Calderón and Velásquez its highest intellectual development under Philip III and Philip IV. Germany receded far into the background, while France recovered with surprising rapidity from the effects of the religious civil war and under Henry IV was again able to play the role of a great power. Institutionally strengthened by Richelieu and Mazarin, the French monarchy successfully took up the struggle against Spain and with the Peace of the Pyrenees in 1659 France supplanted Spain as the leading power on the continent.

Under Louis XIV, the *roi soleil*, France attained intellectual supremacy as well, retaining this lead for almost a century. Out of the fusion of the idea of the anointed of the Lord and the Roman law concept of *princeps legibus solutus*, there arose a type of kingship which, while religious in origin, was basically worldly; this was to become the model for the entire European continent. Louis XIV acted this type of king for his princely compeers with such intensity and thoroughness that for the first and perhaps the only time in modern history the political and cultural tendencies of an age were inextricably intertwined. To Bossuet the king held the state together in the same way as God the universe. The "century of Louis XIV" was characterized by the fact that all human activities, political or intellectual, were subject to and stamped by the same norms of a thoroughly courtly culture. It is not accidental that naïve fantasy identified this king with his most characteristic creation, the palace and gardens of Versailles. Nothing excited imitation so strongly as this establishment, where the sun king gathered about himself an aristocracy deprived of political rights and surrounded his person with a ceremonious cult whereby the rising and the retiring of his all Christian majesty became ceremonial acts of state. This cult of the king, which made obedience on the part of his subjects a religious duty, corresponds to the concept of the kingly power as Louis XIV himself formulated it in his memoirs. "The king represents the entire nation; . . . it is completely embodied in his person." The French poetry and above all the drama of this period reflect this monarchic-aristocratic world as expressed in differences in and quarrels over rank at Versailles.

Political activity was theoretically restricted to the king; all others were subjects who owed the ruler passive obedience. In practise even Louis XIV had to share his power with the nobility, who supplied his officers and diplomats. Never have wars been characterized by such absence of hate and slander of the enemy as in the seventeenth and eighteenth centuries. For the diplomats were merely courtiers, who continued against other nations the game they had learned at court—the fight for glory, for the prestige of their prince. This glory motive is fundamental in the foreign policy of absolutism. All the princes were concerned with it; their aim was to increase the inheritance of their fathers. Thus war appeared as an entirely natural form of political activity, and the diplomacy of the period served more as a preparation for war than as a preventive of it.

Louis XIV was never equaled by any of his imitators, primarily because none of the princes who set out to create Versailles palaces had behind him a state already consolidating itself along national lines. Furthermore the idea of kingship slowly disintegrated in the eighteenth century. The sun king had identified himself entirely with his state and had equated his interests with those of France. The enlightened despotism of the eighteenth century, as represented by Frederick the Great, Joseph II and Catherine II, distinguished between ruler and state and considered the monarch "the first servant of the state." There was still no thought of participation by the subjects in administration of the state; rather the principle applied was "all for the people, nothing by the people." But the monarchy was no longer a value in itself; at least in theory it had become an institution justified only through the benefits which it conferred on society as a whole. This represented a fundamental concession to bourgeois thought of the eighteenth century, which was inclined to gauge all political and social measures according to the standard of "the greatest happiness for the greatest number."

In this respect England was far ahead of the continent. The absolutism which the Tudors had established while cleverly maintaining the parliamentary forms had collapsed in the middle of the seventeenth century as a result of the unenlightened policy of the Stuarts. The Glorious Revolution of 1688 finally set up a parliamentary oligarchy, half aristocratic, half bourgeois, in which the Tory landed interests and the Whig moneyed interests struggled for supremacy, leaving the social position of the crown almost untouched but limiting its political power so severely that thenceforth the king "could do no wrong." Even under the house of Hanover the royal court remained the center of social life, and in this capacity it has continued down to the present to play a more important role than the continental courts. The price of this social prerogative was the renunciation of political activity, which came increasingly into the hands of the cabinet. The monarchs on the continent gradually became weary of their courtly ceremonial in the eighteenth century and began to free themselves from its bonds. The role which Louis XIV had played with ease became an uncomfortable burden for his great-grandson and successor, Louis XV. There gradually developed in France a public opinion which, in the absence of all legal forms, was voiced in the salons of Paris by the reigning philosophers. The literary monarchy of Voltaire entered the lists against the political monarchy of Louis XV; its peculiar strength consisted in the fact that it expressed what every man, that is, every French bourgeois, already knew. About the middle of the eighteenth century the process of divorcing intellectual from political life had everywhere been carried to completion. In western and central Europe the center of intellectual life had quite definitely shifted to the bourgeoisie, frequently in alliance with the liberal nobility, which alone represented the same ideas in the economically backward areas of eastern Europe.

In the great revolution of 1789 the bourgeoisie, conscious of having attained its intellectual majority, undertook to seize control in the political field as well and to fashion state and society after its own desires. The French idea was transferred to the other European countries with an adjustment based on the degree of development attained by their respective bourgeoisies. The role of the monarch as leader in intellectual and political life was now played out; all attempts at restoration at best led only to temporary and partial successes. The monarchs themselves gradually became bourgeois. Frederick William III of Prussia may perhaps be considered the first bourgeois king. He functioned almost like a minor official; concerned only with the welfare of his subjects, he sought unsuccessfully to remain aloof from all international conflicts. His conqueror, Napoleon, tried to reestablish in France a courtly atmosphere after the pattern of the *ancien régime* but his attempt was unsuccessful.

The Restoration period did not involve a return to the past. On the contrary, during this extrapolitical and relatively uneventful period the bourgeoisie everywhere strengthened its position. Even in the countries of more or less enlightened absolutism the decisive factor was no longer the hereditary nobility but the bureaucracy, which thought in bourgeois terms even where it was recruited from the nobility. The rulers were forced to make conscious or unconscious concessions to the spirit of the times and to behave as bourgeois. Characteristically the lead was taken by the lesser princes, such as Leopold, who ascended the Belgian throne about the same time that the French bourgeoisie gave themselves a king after their own hearts in the person of Louis Philippe. Another Coburger, the prince consort of the English queen Victoria, faced the delicate task of reeducating his pleasure loving young wife in bourgeois earnestness and respectability; he succeeded amazingly and thus helped to shape the Victorian era, which also established a high point in English intellectual life. A general democratization of society ensued and to an ever increasing extent rank was replaced by wealth; the bourgeois way of life gradually came to set the tone for all circles, including the court itself. The more the ruler adjusted himself to this development, the firmer was his hold upon his position; so that after the World War, except for Italy, where Fascism saved the monarchy, only England among all the great powers retained its monarchical form.

The period of courtly culture, which reached its zenith in the seventeenth century, was finally brought to a close by the World War. The court has retained a certain social prestige, to which the members of the upper classes in democratic countries readily succumb, and which advocates of an authoritarian democracy, like the Italian Fascists, know how to utilize for their own ends. The continued existence of monarchistic groups in republican countries does not obviate the fact of the decadence of the monarchic idea. For these groups of *bien pensants*, recruited from the upper classes, are numerically very weak. Even a monarchical restoration will not bring a return to the past. The time when the court was the center of the political, social and intellectual life of an epoch is definitively past.

PETER RICHARD ROHDEN

See: MONARCHY; EMPIRE; NOBILITY; ARISTOCRACY; PLUTOCRACY; LITERATURE; CHIVALRY; GENTLEMAN, THEORY OF THE.

ROYCE, JOSIAH (1855–1916), American metaphysician and social philosopher. Royce was born and educated in California and as a student came under the influence of a scientific mind with philosophical leanings—Joseph Le Conte, a pupil of Agassiz. At the same time his imagination was deepened by association with Sill, the poet, and by reading in Greek drama. His later philosophical development was molded by German idealism, especially by Kant, Hegel, the romanticists and Schopenhauer, and also by the logic of Charles Peirce and the voluntaristic psychology of William James.

In his thirty-four years as teacher at Harvard University Royce developed an original interpretation of idealism, based in large part on social experience and applying a new insight to social structure. Although generally regarded as an absolutist, Royce had a strongly empirical bent: his concern throughout was with "experience." Experience for him was not, however, a matter primarily of space and its contents, but rather of human emotion and purpose. What chiefly attracted him to the romanticists and to Hegel was their perception of the fact that human passion has its logic; that life requires a discovery of this logic, or inner principle, and an ordering of personal and social life in accord with it; this leads to recognition of the unity of all conscious life, whether that unity be called the Absolute, or God, or the ideal community.

It is characteristic of Royce that he was strongly individual: that he was always repelling and repelled by much of the spontaneous group life around him. He was keenly sensitive to the goods and evils of social motives, especially to the intangible loyalties and disloyalties which determine the fate of all societies. For him no community has any cohesion except the loyalty which its members entertain toward the "causes" which that community professes to cherish. Yet loyalty, as affecting a highly self-conscious and assertive individual, remained for him a quality having not only its mysteries but its dangers, and requiring intelligent criticism. Royce made it part of his work to bring this imponderable to light and to establish its metaphysical basis (*The Philosophy of Loyalty*, New York 1908; *The Hope of the Great Community*, New York 1916).

His greatest metaphysical work, *The World and the Individual* (2 vols., New York 1900–01), took its title from the effort to show, in contrast to Hegel, that the life of an absolute purpose

requires the moral independence of each individual. Royce not only rejected the common prejudice that one must choose between the unity and the variety of the world, between the total life and individual freedom, but insisted that neither could be had without the other. It is only in the development of the individual that the life of the whole can properly be expressed.

The psychological basis for this theory of the individual was prepared by Royce in an earlier work, *Studies of Good and Evil* (New York 1898), and developed in his *Outline of Psychology* (New York 1903). Instead of regarding the individual as a closed moral unit, out of whose assemblages societies are made, Royce held social consciousness to be a necessary condition of self-consciousness. Out of this naturally grew his later conception of the self as a community; a conception which in turn makes it possible to regard the community as a self and to interpret the universe in terms of an ideal community (*The Problem of Christianity*, 2 vols., New York 1913).

The World War brought to Royce an immediate demand for an application of his philosophy. This gave rise to his striking proposal for a form of international insurance (*War and Insurance*, New York 1914) and various addresses (collected in *The Hope of the Great Community*). His absolute idealism was not inconsistent with a fervent belief in the reality of evil and in the necessity of resolute rejection. His sociology had an ethical and religious motivation, guided by a profound grasp of scientific method and a wide mastery of relevant fact.

WILLIAM ERNEST HOCKING

Other important works: *The Religious Aspect of Philosophy* (Boston 1885); *The Spirit of Modern Philosophy* (Boston 1892); *Lectures on Modern Idealism*, ed. by J. Loewenberg (New Haven 1919).

Consult: "Papers in Honor of Josiah Royce on His Sixtieth Birthday" in *Philosophical Review*, vol. xxv (1916) 229–514, with a bibliography of Royce's writings by Benjamin Rand; Aronson, M. J., *La philosophie morale de Josiah Royce* (Paris 1927); Marcel, G., "La métaphysique de Josiah Royce" in *Revue de métaphysique et de morale*, vol. xxv (1918) 337–88, 475–518, and vol. xxvi (1919) 119–49, 211–46.

ROYER-COLLARD, PIERRE PAUL (1763–1845), French philosopher and statesman. Like most of his intellectual contemporaries Royer-Collard reacted vehemently against the Jacobin phase of the French Revolution. In an effort to undermine the eighteenth century rationalism of which he considered Jacobinism an outgrowth, he appealed to the Scottish philosophy of common sense as refutation of the sensationalist epistemology of Condillac and his revolutionary disciples. A Jansenist by training and conviction, he felt that human reason alone was incapable of comprehending the unknowable and sought to reidentify philosophy and religion. As professor of philosophy and dean of the Sorbonne from 1811 to 1814 he exerted a deep influence not only on his colleague Guizot, but also on Victor Cousin and his fellow eclectics. With the restoration of Louis XVIII, Royer-Collard assumed more active responsibilities. In 1814 he was appointed director of government publishing and printing and in the following year president of the commission of public instruction. His election in 1815 as deputy from the Marne launched him upon a career as parliamentarian and political leader which was to last until 1845.

At the same time the violent antiliberal counteroffensive, which he witnessed at close range during the "White Terror" of 1815–16, materially altered the trend of his political and social thinking. His extreme anti-Jacobinism gave way to a realization that the French Revolution had been responsible for establishing certain civil and social liberties which must be diligently safeguarded against the forces of reaction. Proceeding from a set of more or less abstract principles, he developed a rather flexible working political philosophy and program, around which he rallied a group of likeminded parliamentarians known as the Doctrinaire (*q.v.*) party. In the course of the various shifts in party and governmental leadership during the reigns of Louis XVIII and Louis Philippe, Royer-Collard remained the most eloquent and profound spokesman of the liberal groups in their persistent opposition to the right. As counselor of state from 1815 to 1820 he was the moving spirit among the ministers who were engaged in setting up a new constitutional regime; and in 1830 as president of the Chamber he was largely instrumental in overthrowing the Bourbons. In the interest of public order he supported, although not actively, the monarchy of Louis Philippe and was outspoken in his opposition to the measures of September, 1835, against the liberty of the press.

Maintaining at all times a middle course between the rival theories of divine right of kings and popular sovereignty, he based the new constitutional charter on the principle of constitutional sovereignty. According to the generally accepted interpretation formulated by Royer-

Collard this sovereignty derived from the interaction of three equally balanced powers—the monarchical represented by the king, the aristocratic represented by the peers and the democratic represented by the elective chamber. Instead of being rigidly separated these powers should work together harmoniously. Such collaboration, if accompanied by an irremovable magistracy and by a free press, was an adequate guaranty of liberties. He regarded voting not as a natural right of the individual or even as a device for indirect representation, but as a specialized function to be entrusted to those groups of the population best qualified to perform it.

CHARLES H. POUTHAS

Consult: Jouffroy, T. S., *Cours d'histoire de la philosophie moderne* (Paris 1831); Barante, A. de, *La vie politique de M. Royer-Collard, ses discours et ses écrits*, 2 vols. (Paris 1861); Spuller, Eugène, *Royer-Collard* (Paris 1895); Taine, H., *Les philosophes français du XIXe siècle* (2nd ed. Paris 1860) ch. ii; Faguet, Émile, *Politiques et moralistes du dix-neuvième siècle*, 3 vols. (Paris 1892) vol. i, p. 257–306; Michel, Henry, *L'idée de l'état* (Paris 1895) p. 291–99; Laski, H. J., *Authority in the Modern State* (New Haven 1919) ch. iv; Soltau, Roger, *French Thought in the Nineteenth Century* (London 1931) p. 43–50.

RUBBER is peculiarly a commodity of the modern industrial age. Not only has the great expansion in its use occurred within the last generation, but most of the uses to which it is now put were unknown fifty years ago. Rubber is notable both for the variety of its products, numbering more than 32,000 different articles, and for the overwhelming importance of a single one of them, tires, whose production absorbs more than three fourths of all crude and reclaimed rubber. It is one of the few important raw materials which all manufacturing countries must import. Crude rubber occupies an important place in the foreign trade of the United States, the principal importer and manufacturer. The American imports of crude rubber rose from an annual average of $86,000,000 in 1911–15, or fourth place among all imports, to $430,000,000 and $506,000,000 in 1925–26, or first place among imports, chiefly because of a sharp rise in prices; by 1929 rubber imports had dropped to third place and by 1932 to sixth place, being exceeded in the latter year by imports of coffee, silk, sugar, newsprint and woodpulp. On the basis of value added by manufacture the rubber industry ranked fifteenth among the manufacturing industries of the United States in 1929 and thirteenth in 1931, as compared with twenty-seventh in 1914. On the basis of total value of the product it ranked fourteenth in 1929 and seventeenth in 1931, as compared with twenty-ninth in 1914.

Rubber was among the strange articles that Columbus brought back to Europe from his second voyage of discovery. Even at this time natives of Central and South America had learned to use rubber in making waterproof garments and shoes, but for nearly 250 years rubber continued to be little more than a curiosity in other parts of the world. In 1770 Joseph Priestley gave rubber its popular name by mentioning that it could be used for "wiping from paper the marks of a black-lead-pencil," and it came into popular use for that purpose. A satisfactory waterproof cloth was developed by Macintosh and Hancock as early as 1820. From 1820 to 1837 numerous attempts were made to introduce waterproof rubber shoes and various other products made with rubber. Little success attended these efforts, chiefly because of inability to overcome the effect of changes in temperature upon rubber.

In 1839 Charles Goodyear, after years of disappointing experiments, devised a method of vulcanizing rubber by the application of heat to a mixture of rubber and sulphur. He was repeatedly involved in litigation over patents and royalties, and despite eventual court action in his favor he never realized a substantial return on his patents. Goodyear's discovery of a satisfactory means of vulcanizing rubber marked its emergence as an important commercial product. By 1856 a wide variety of rubber articles, including belting, hose, boats, balloons, gloves and other articles of apparel, tents, water bags, cushions and carriage tires were being offered to the public. From the Civil War to the beginning of the twentieth century the manufacture of rubber products grew slowly but steadily. New uses for rubber appeared from time to time but the most important products were boots and shoes, waterproof fabrics, tubing, carriage tires and mechanical goods. Toward the end of the period production of bicycle tires assumed substantial proportions.

It remained for the development of the automobile to revolutionize the rubber industry. The tremendous impetus which this gave to the demand for rubber tires led to the rise of the plantation rubber industry, transformed rubber manufacturing from small scale enterprises to giant industries and contributed to unsettling variations in the price of the crude product.

In Brazil, the main producer prior to 1912, the output rose from 31 tons in 1827 to 27,650 in 1900; only small amounts were produced elsewhere. In 1905, 99.7 percent of the total world supply, or 59,230 tons, was wild rubber. It rose to a maximum of 73,834 tons in 1912, declining to only 8210 tons in 1932. The proportion of wild rubber to total world supply of crude rubber was 55 percent in 1913, 7 percent in 1922 and just over 1 percent in 1932. For the ten years 1922–31, 72 percent of all wild rubber came from Brazil, 8 percent from elsewhere in South America and 20 percent from Africa.

At one time it was said that each ton of rubber cost a human life. In the early years of the twentieth century various western powers protested against the methods allegedly practised by the Belgian authorities to compel the natives of the Congo to provide them with rubber—such measures as holding women hostages for delivery of rubber by their husbands, cutting off hands when the quantity was insufficient and forcing natives to eat the rubber when the quality was unsatisfactory. Shortly before the World War the virtual enslavement of native rubber workers in the Putumayo region of Peru led to an international campaign of exposure. In the Congo, which, although termed a free state, was in reality a preserve of Leopold of the Belgians, two methods were used to secure rubber: direct forced labor and imposition of a tax on native villages of so many kilograms of rubber. Exports of crude rubber rose from $30,000 in 1886 to $9,000,000 in 1905. The extraction of rubber was combined with other enterprises, and non-Belgian capital, including the American Congo Company, participated in the activities. One concessionaire company in six years made net profits of over $3,000,000 on a paid up capital of $45,000. Yearly dividends exceeded original investment. The stocks of these companies soared to fabulous prices. With the expansion of plantation rubber, output of rubber in the Congo declined steadily, as did wild rubber in other regions, until now it is negligible.

Rubber is found in a large number of plants, including goldenrod and many varieties of milkweed, but only a few plants have figured as commercial sources of rubber. The earliest attempts to cultivate rubber made use of the *Ficus elastica* tree, but the only important source at the present time is the *Hevea brasiliensis*, a tree indigenous to the Amazon valley. In 1930–32 over 99 percent of the world's supply of crude rubber was obtained from *Hevea* trees compared with less than 55 percent in 1910. Seeds of the *Hevea* brought from Brazil by Henry Wickham in 1876 were germinated in England and seedlings were transported from there to Ceylon and subsequently to British Malaya. Interest in the new plant developed slowly, but a coffee blight toward the close of the century made planters in the Middle East more willing to experiment with rubber. By 1904, 66,000 acres, chiefly in the hands of natives, were planted to rubber. Rubber growing received an impetus from the high prices prevailing before the World War and rising prices during the first years of the Stevenson Act again stimulated heavy planting. By 1927 the acreage planted to rubber in the Dutch East Indies exceeded the total planted in British Malaya. Rubber planting in Indo-China has also grown rapidly in recent years. The area planted to rubber in the Middle East totaled 1,140,000 acres in 1910 and 4,326,000 acres in 1920, in each case approximately half being situated in British Malaya. The total area in rubber at the beginning of 1932 was estimated at 7,955,000 acres, of which 38.5 percent was in British Malaya, 41 percent in the Dutch East Indies and over 6 percent in other non-British areas.

The plantation rubber industry falls into two categories, that controlled by natives and that controlled by plantation companies, or "estates." The native usually plants his rubber trees along with rice or some other crop, which he continues to cultivate. The capital investment is relatively slight, especially in the Dutch East Indies, where much free land is available to persons who settle and clear it. The work on the native holding is usually performed in spare time or by members of the family who would not otherwise be employed. Because of differences in organization and methods the native grower finds it easier than the estate plantation grower to shift from the production of rubber in response to continued low prices. Native production constituted approximately 45 percent of the total output of rubber in 1929.

Estate plantation rubber is usually in the hands of joint stock companies, whose holdings may vary from a few hundred to many thousand acres. The first rubber plantation company was formed in London in 1903. Companies are sometimes incorporated in the producing country, in which case part of the capital may be supplied locally; but it is more usual for them to be incorporated abroad, particularly in London. In the case of a company incorporated in

London the London office ordinarily has general charge of the affairs of the organization, but the estate itself is in the hands of a manager, who administers the plantation with the aid of a European and native staff. On the smaller estates the staff frequently consists entirely of natives. The rubber estates in Java generally use local labor. In British Malaya the estates depend principally upon labor imported from India, China and Java, the estates in Ceylon upon labor from India, and the estates in Sumatra upon labor from Java. Labor conditions are characteristic of those prevailing in plantation regions (*see* PLANTATION).

The rubber trees require considerable attention in the way of cultivation, prevention of disease and tapping. Latex, which is not the sap of the tree but a milky fluid contained in the bark, is obtained by narrow incisions in the bark. During the period of high prices trees were tapped once or even twice a day. With lower prices it has become customary to tap less frequently, but over a wider circumference of the tree. The trees are ordinarily rested for two months or more each year. After the latex has been gathered it is brought to the plantation warehouses and coagulated by acetic acid or some other chemical. The resulting rubber comes on the market as "crêpe" rubber or, if it has gone through a smoking process, as "smoked sheet."

Some of the larger plantation estates engage in experiments to increase the yield of rubber trees, to reduce disease and in other ways to augment productive efficiency. The local planters' associations likewise pursue experimental work and in general seek to further the interests of growers. Experiments to improve yield, particularly by means of bud grafting and seed selection, have increased annual yield from the usual 300 or 400 pounds per acre to 1000 pounds or more, although the average yield even on the most progressive estates is still far below this figure.

The high prices of crude rubber before and during the World War were expressed in the high dividends of rubber companies. They were lower shortly after the war, when prices dropped, but rose sharply a few years later, when the Stevenson restriction scheme forced up prices. Stock prices and dividends declined precipitately with the failure of the restriction scheme and the fall in prices of crude rubber. Many synthetic rubber substances have been produced, particularly in Germany, but none has thus far become commercially important. The government of the Soviet Union has reported the production of considerable quantities of rubber from a domestic shrub.

Trade in rubber is mainly through private contract. The chief markets in the producing countries are Singapore, Penang, Colombo, Surabaya and Batavia. Large quantities of plantation rubber and most of the rubber produced in Africa are marketed through London and other European markets. The principal markets for South American rubber are Pará and Manáos. Exchanges for forward dealing in rubber exist in New York, London, Hamburg, Paris and Amsterdam, but only the first two of these do a large amount of business. In addition to the local planters' organizations there are in England the Rubber Growers' Association, the Rubber Share Brokers' Association, the Rubber Trade Association of London and the India Rubber Manufacturers' Association, Ltd. The Rubber Growers' Association is of very great importance; it maintains relations with other rubber associations in England and other countries and with the planters' associations in the producing countries. For years it has fostered new uses for rubber, and it played a leading part in the enactment of the Stevenson plan to restrict production and raise prices. Somewhat similar organizations exist in Germany, the Netherlands and the United States. The Rubber Trade Association of New York includes dealers and importers; the Rubber Manufacturers' Association, Inc., formerly the Rubber Association of America, comprises manufacturers of rubber products; and the Rubber Reclaimers' Association is made up of reclaimers not allied with manufacturing companies.

For the five years 1910–14, 44.5 percent of the total output of crude rubber was consumed by the United States. Other leading consuming countries were Great Britain, Germany and France. During and after the war the United States forged far ahead and in 1924 absorbed nearly 76 percent of the total output. The relative importance of the United States declined after this date; in 1932, for the first time in many years, consumption by the United States fell to less than half the world total; namely, 47 percent (Table 1).

Crude rubber has always been subject to wide swings in price. These fluctuations are traceable primarily to certain peculiarities in the demand for and supply of rubber. In the first place, the demand for crude rubber is highly inelastic, principally because over three fourths of the

TABLE I

ESTIMATED WORLD ABSORPTION OF CRUDE RUBBER, 1926–32
(In long tons)

COUNTRY	1926	1927	1928	1929	1930	1931	1932
United States	366,000	377,000	440,000	472,000	376,000	350,000	330,000
United Kingdom	40,000	45,000	48,500	72,000	75,000	77,000	79,000
Japan	18,000	20,500	25,500	34,000	33,000	43,000	56,000
Germany	23,000	39,000	38,000	49,000	45,000	40,000	45,000
France	34,000	34,000	36,500	59,000	68,000	46,000	41,000
Russia	6,500	13,000	15,100	13,000	16,000	28,000	30,000
Canada	20,000	26,000	30,500	35,500	29,000	25,000	21,000
Italy	10,000	11,000	12,500	16,000	18,000	10,000	15,000
Australia	9,000	9,500	8,500	16,000	5,000	7,000	13,000
Czechoslovakia	2,000	3,000	3,000	4,500	4,000	8,000	10,000
Belgium	2,500	6,500	8,000	9,500	11,000	11,000	9,000
Other countries	16,000	15,500	21,900	27,500	30,000	30,000	36,000
Total	547,000	600,000	688,000	808,000	710,000	675,000	685,000

Source: United States, Bureau of Foreign and Domestic Commerce, Rubber Division, *Special Circular*, no. 1111 (1932), and no. 3430 (1933).

consumption arises from the automobile industry, in which rubber is a minor but absolutely essential element. In the second place, the supply of rubber also is inelastic. It is difficult to increase the quantity materially in a short period because of the necessary lapse of four to seven years between planting and harvesting. The organization of the plantation rubber industry with heavy fixed investment, with labor frequently recruited from a distance and with a large proportion of native producers, who may increase their output despite falling prices, also has contributed to the rigidity of supply so far as contraction is concerned.

The high price of crude rubber which prevailed prior to the World War encouraged heavy planting. Unlike most raw materials, crude rubber declined in price during and even after the war. Where the price had risen above three dollars a pound in 1910, it fell below 12 cents in 1921. The maturing of rubber trees, the improvement of roads, the post-war depression and the introduction of the longer wearing cord tire combined to hold prices at record low levels from 1920 to 1922. During this time various attempts were made to restrict production in order to restore prices. At the end of 1920 a large group of British, Dutch and Chinese growers undertook voluntarily to restrict output by 25 percent, but the results were disappointing. Despite failure to obtain the cooperation of the Dutch the British Parliament on November 1, 1922, enacted the Stevenson Rubber Restriction Act, named after the chairman of the committee which presented it, to restrict the supply of rubber. The act imposed a prohibitive tax on rubber exported by any planter in excess of a certain percentage of his "standard production." This standard was based where possible on actual output during the year ended October 31, 1920. The proportion of export allowed, originally 60 percent, was to be raised or lowered in case the market price over quarterly periods was above or below certain pivotal levels.

The average price of crude rubber in New York in August, 1922, was 14 cents per pound; in December, the second month of restriction, it was $27\frac{3}{8}$ cents. The averages for 1923 and 1924 were 30 cents and 26 cents respectively as compared with 16 cents in 1921 and 17 cents in 1922. Restriction undoubtedly played a part in this price recovery. But there were other contributing factors, including increasing business activity in the United States and a rapidly expanding demand for automobiles, economic recovery in Europe and the development of balloon tires. These influences became more pronounced in 1925, and in June and July of that year there was a runaway market with the price of rubber reaching $1.23 per pound. This was due in part to uncertainty as to the way in which restriction would be administered. Despite the apparent success of the Stevenson Act in raising prices during the early years, its influence gradually weakened. Reduction in the export allowance to the limit set in the law failed to overcome the downward trend of prices in 1926–28. In the spring of 1928 it was announced that restriction would be abandoned at the end of the sixth year, October 31, 1928.

Both the rise of prices following the enactment of restriction and the drop after the an-

nouncement of its abandonment indicate that restriction played a substantial part in determining prices. The high prices stimulated production chiefly through heavier tapping in the unrestricted Dutch areas. Of greatest ultimate importance was the impetus to new planting in restricted and more particularly in unrestricted areas. Indignation against the Stevenson Act and especially against the high prices prevailing in 1925 and 1926 led to an active antirestriction campaign in the United States. This campaign, encouraged by the government, assumed large proportions and caused a certain amount of friction between the United States and Great Britain. Measures to economize the use of rubber were put into effect. The output of reclaimed rubber was increased from 54,000 tons in 1922 to 223,000 tons in 1928, although only part of this increase was due to restriction. Attempts were made to revive the production of guayule rubber, a Mexican industry which in 1909 represented an American investment of $30,000,000 and supplied 20 percent of the rubber consumed in the United States, but which had declined and practically disappeared; these efforts were, however, unsuccessful because of the low prices which followed the breakdown of the Stevenson Act. Guayule rubber is now of importance only as a possible source of rubber in case of emergency.

The Stevenson restriction plan precipitated a movement among American rubber companies to own and control their own sources of supply. The most ambitious project was that of the Firestone interests in Liberia, which contemplated rubber production on a large scale. At the end of 1932 three American companies—United States, Firestone and Goodyear—were reported to own rubber plantations totaling approximately 150,000 acres and representing an investment of $52,000,000 in Sumatra, British Malaya, the Philippines and Liberia, part of this investment dating from before the war. Another American company owns 18,000 acres of rubber plantations in Java. Several foreign companies, notably the Dunlop Rubber Company, Ltd., and Michelin et Cie, also have extensive plantations. The low prices of crude rubber in recent years have made plantations a liability rather than an asset to the companies owning them. Against this must be set the substantial profits on plantation account earned, particularly by the United States Rubber Company and the Dunlop company, before 1920 and during the early years of the Stevenson Act. On the whole the planting operations undertaken in response to the slogan, "Americans should own their own rubber," have thus far proved a costly failure.

In retrospect it seems that the Stevenson Act was hardly justified by the circumstances. The rubber industry was probably no worse off than many other agricultural industries at the time, and it is likely that improvement in general business conditions would have cured most of the ills. It was a mistake to prolong restriction and to raise the pivotal price in 1926, since the effect in both instances was to encourage very heavy planting. Far from relieving overproduction, the ultimate effect of the Stevenson Act was greatly to aggravate it. Restriction was instituted with the average price of rubber at about 16 cents a pound. It was abandoned because it was found impossible to hold the price above 40 cents. But in 1932 the price fell to just over 2½ cents and for the entire year it averaged only 3½ cents a pound. It is probable that the losses from restriction outweighed the gains, and it appears that the producing countries, because of the aggravation of overproduction, were the chief losers. In 1921, 72.5 percent of all rubber produced in the Middle East came from British possessions and in 1922, 71.5 percent; largely as a result of restriction the proportion fell to 59 percent in 1924 and to 57 percent in 1927. After the abandonment of restriction production in British areas rose again to an average of 66 percent for 1929–32. In view of the greater increase in planting in non-British areas it is probable that the relative importance of the British areas will decline further.

The manufacture of rubber products is concentrated in countries which are not producers

TABLE II

MANUFACTURE OF RUBBER PRODUCTS, UNITED STATES, 1914–31

	VALUE OF OUTPUT (in $1000)	VALUE ADDED BY MANUFACTURING (in $1000)	NUMBER OF WAGE EARNERS	WAGES (in $1000)	AVERAGE YEARLY WAGE
1914	300,994	137,959	74,022	44,167	$ 597
1919	1,138,216	543,872	158,549	193,763	1222
1923	958,518	457,355	137,868	182,084	1321
1925	1,260,805	539,075	141,869	191,286	1348
1927	1,225,077	564,707	141,997	198,074	1395
1929	1,117,460	538,783	149,148	207,306	1390
1931	614,265	361,398	99,259	112,596	1134

Source: United States, Bureau of the Census, Census of Manufactures: 1931. *The Rubber Industries* (1933) p. 2.

of crude rubber, by far the most important of these being the United States. Rubber manufactures of all varieties in the United States have made great progress since 1914 (Table II). The industry's proportion of value added to output by manufacturing is somewhat higher than the average for manufacturing as a whole. Rubber manufacture, particularly in the making of tires, is an industry with large fixed capital and overhead costs. The machinery and apparatus used are heavy and complex, and chemical processes are of the utmost importance. The manufacture of rubber goods direct from latex, eliminating the step of preparing crude rubber in bulk form, is increasing. This process, since its invention in 1921 for use in paper making, has been applied to many other purposes, including canning and the manufacture of textiles, adhesives and hose; this use of latex is said to produce a cheaper, stronger and more durable article than milled rubber reduced to liquid form by mastication and dissolution.

Technological progress and the increasing productivity of labor have resulted in considerable displacement of labor. While physical output rose substantially, the number of wage earners declined from 158,549 in 1919 to 149,148 in 1929; there was, however, a slight increase in average yearly money wages and a somewhat larger increase in real wages. The increase in the productivity of labor was especially notable in the manufacture of tires and tubes. By 1931 the man hour output of pneumatic tires had increased 34 percent over 1929, 86 percent over 1926, 172 percent over 1922 and 581 percent over 1914, accompanied by an improvement in quality which multiplied the average life of a tire fully five times. For many years the growth in automobile output and the consequent increase in number of tires were sufficient to offset the effect on unemployment of the increased man hour productivity and the greater life of tires. The maximum of man hours worked was not reached until 1928, and the total for 1929 was only slightly less. By 1931, however, the decline in demand for tires in combination with the other factors mentioned brought about a great reduction in man hours worked. In 1931 an output greater in number of tires by 668 percent and in weight by 856 percent was produced with only 40 percent more man hours than in 1914. Average yearly earnings rose from $1469 in 1923 to $1526 in 1929, above the average for the rubber industry as a whole; but in 1931 they dropped to $1290, while the percentage of earnings per worker to average "value added by manufacture" fell from 37 percent in 1921 to 28 percent in 1931. Unionism is nonexistent in the rubber industry; the union of rubber workers, affiliated with the American Federation of Labor, which in 1903 claimed 1000 members, has disintegrated. Some of the large tire companies have experimented with employee representation.

Aside from tires and tubes the most important products made from rubber are footwear; waterproof fabrics; mechanical rubber goods, such as belting, hose and machinery parts; and sundries, such as medical supplies, toys and tire repair materials (Table III). While the United States leads in the production of most lines of rubber goods, the United Kingdom holds first place in the manufacture of waterproof clothing and golf balls.

Large and small scale production exist side by side in the rubber industry. The manufacture of rubber fabrics, toys, mechanical goods and the enormous variety of rubber goods in general is frequently carried on by small independent concerns. The manufacture of tires, on the contrary, is in the hands of a few large companies; while approximately 370 tire companies have been in existence in the United States, it is estimated that as a result of failures, mergers and shifts into other lines only 28 distinct tire companies were in operation in 1930. The concentration of production is even greater than these figures indicate. The 4 largest companies, Goodyear, United States, Goodrich and Firestone, produce approximately 70 percent of all rubber tires sold in the United States; these companies in addition manufacture a large proportion of other rubber goods. These conditions are generally true of the industry in other major producing countries; concentration in Germany is probably as marked as in the United States. The existence of great excess capacity has resulted in bitter competition, particularly among tire manufacturers, who in recent years have been selling through company distributing chains and through mail order houses and service stations. Prices and profits for the industry as a whole have been adversely affected. During business depression the large companies in general suffer more than the smaller companies. This is partly because the large companies have greater overhead costs and supply a large proportion of the original equipment for automobiles, this business falling off greatly during depressions, while the smaller companies have

less overhead and carry smaller inventories and so are less affected by declining prices. Various attempts have been made to regulate competition by establishing trade associations which would serve to fix prices and to prevent discrimination and price cutting; so far these attempts have been without success. In Germany, Czechoslovakia and Poland sales cartels have been formed by rubber manufacturers; dealers also have formed sales cartels, in which foreign producers, especially American, British and French, figure conspicuously.

TABLE III

VALUE OF OUTPUT OF RUBBER PRODUCTS IN THE UNITED STATES, 1899–1931
(In $1000)

	TIRES AND TUBES	BOOTS AND SHOES	CLOTHING, MECHANICAL GOODS AND SUNDRIES	TOTAL
1899		41,090		99,881
1904		70,065		148,015
1909		49,721		197,395
1914		53,822		300,994
1919		116,917		1,138,216
1921	496,123	94,033	114,747	704,903
1923	644,194	131,740	182,584	958,518
1925	925,002	115,935	219,869	1,260,805
1927	869,688	124,608	230,781	1,225,077
1929	770,177	102,538	244,746	1,117,460
1931	406,283	47,905	160,077	614,265

Source: United States, Bureau of the Census, Census of Manufactures: 1931, *The Rubber Industries* (1933) p. 2–3.

Profits in the tire industry have depended chiefly upon demand from the automobile industry and the movement of crude rubber prices. A large part of the demand for tires is for use as original equipment on automobiles. This demand is almost entirely independent of the level of tire prices, but it reflects general business conditions closely. The high prices of crude rubber during 1925 did not injure the tire manufacturers; indeed, because of the stimulus given to buying by the upward movement of prices and because of the appreciation of inventories, they were responsible for one of the most profitable years in the history of the industry. With the fall in the price of crude rubber, the companies which owned their own plantations suffered severe declines in profits.

Some of the larger tire companies maintain extensive operations overseas in the form of agencies for purchasing raw materials, distributing organizations for the sale of finished products, branch factories and rubber plantations. Various French and British companies have established branch factories in the United States and elsewhere and American companies have established branches in South America, Canada, Australia, England and on the continent. The experience with American branch factories abroad appears on the whole to have been fairly successful.

The reclaiming of rubber constitutes an important part of the rubber industry, particularly in the United States. The fact that reclaimed rubber contains valuable chemicals and is already partially processed renders it preferable to crude rubber for many uses. The proportion of reclaimed rubber used varies considerably with the different branches of the industry. Over the three years 1929–31, reclaimed rubber used in the manufacture of tires and tubes amounted to 30 percent of the crude rubber, 119 percent in rubberized fabrics, 147 percent in heels and soles and 233 percent in mechanical rubber goods (Table IV). Its importance increases.

TABLE IV

CONSUMPTION OF CRUDE AND RECLAIMED RUBBER, UNITED STATES, 1920–32

YEAR	CRUDE RUBBER (in 1000 long tons)	RECLAIMED RUBBER (in 1000 long tons)	PERCENTAGE RATIO OF RECLAIMED TO CRUDE RUBBER	PRICE OF CRUDE RUBBER per pound
1920	195	75	38	$.36
1921	169	41	24	.16
1922	283	54	19	.17
1923	275	70	25	.30
1924	302	76	25	.26
1925	388	137	35	.72
1926	366	165	45	.49
1927	373	190	51	.38
1928	437	223	51	.22
1929	467	217	46	.21
1930	376	154	41	.12
1931	350	123	35	.06
1932	332	78	23	.035

Source: United States, Bureau of Foreign and Domestic Commerce, Rubber Division, *Special Circular*, no. 1111 (1932), and no. 3420 (1933).

Rubber manufacture requires large amounts of chemicals, the most important being carbon black, zinc oxide and sulphur. These cost in 1929, according to the Census of Manufactures, $13,135,000, $9,149,000 and $1,354,000 respectively. Among the important chemical elements are rubber accelerators, chemical compounds which increase the tensile strength of rubber, shorten the time of the curing process and reduce oxidation.

Exports of rubber goods are an important item in foreign trade and are concentrated in nine major producing countries (Table v). Variations in these totals are partially due to fluctuations in the price of crude rubber. From 1927

TABLE V

VALUE OF DECLARED EXPORTS OF RUBBER PRODUCTS
(In $1000)

	1927	1928	1929	1930	1931	1932
United States	71,788	70,832	76,953	58,906	36,711	16,364
United Kingdom	39,911	39,618	43,415	40,993	28,210	21,906
Germany	28,169	32,049	36,656	32,252	25,926	15,248
France	37,591	30,185	25,259	20,080	15,356	10,190
Canada	27,993	30,666	31,928	25,205	12,964	5,877
Italy	13,953	13,127	12,801	9,820	7,244	5,955
Japan	5,311	7,859	11,265	12,062	11,452	8,851
Belgium	5,929	8,599	10,704	10,548	9,572	5,442
Czechoslovakia	968	1,168	1,540	2,287	4,036	3,204
Total	231,613	234,103	250,521	212,153	151,471	93,037

Source: United States, Bureau of Foreign and Domestic Commerce, Rubber Division, *Special Circular*, no. 1111 (1932), and no. 3430 (1933).

to 1932 international shipments of tires fell 41 percent and belting and hose 44 percent, whereas trade in rubber footwear rose by 56 percent. Rubber footwear constituted approximately 14 percent of all international trade in rubber goods in 1932 as compared with only 7 percent in 1927. In 1927 the United States and Canada led in the export of rubber footwear; in 1932 Japan and Czechoslovakia held first and second place respectively. Foreign trade in rubber goods has been profoundly influenced by tariff increases and the establishment of foreign branch factories, and a greater local production has resulted. Since 1914 conditions in foreign trade have been extremely unstable, even for as rapidly growing an industry as rubber.

Rubber has played a turbulent role in international economy. During the period when it was derived chiefly from wild plants its history was characterized by the worst features of imperialistic policy, a sorry record of exploitation of natives not only by whites but by natives as well. The plantation industry was introduced into colonial possessions which had already reached a fairly advanced stage of development, and the conduct of the industry seems on the whole to have been enlightened and humane in comparison with conditions of wild rubber production. But with the recent expansion of rubber growing in Africa allegations of exploitation of natives have again arisen. The production of rubber has been intimately bound up with the export of capital and with imperialism.

Wide swings in prices have characterized the rubber industry, and the price of crude rubber, at least since the introduction of the automobile, has borne little relation to the cost of production and has had pronounced economic effects on the economy and social life of the producing countries. The concentration of rubber production lent itself to restriction, but the aftermath was disastrous, a result due more to increased planting in the producing countries than to any measures initiated by consumers of rubber. The concentration of production in a small area in the Middle East and the inelastic nature of supply and demand are conditions which still favor attempts at artificial control on the part of producers. Reclaimed and synthetic rubber are potentially more important factors than in the past and constitute the chief defense in the hands of consuming countries.

The striking vicissitudes of the rubber industry in all its branches have been primarily the growing pains of a new industry—the dislocations attendant upon the development of a new technique. It is likely that as time goes on and the automobile, rubber growing and rubber manufacturing industries attain maturity, a degree of stability approaching that in other great industries will be realized.

CHARLES R. WHITTLESEY

See: RAW MATERIALS; PLANTATION WARES; PLANTATION; FORCED LABOR; AUTOMOBILE INDUSTRY; VALORIZATION.

Consult: Hancock, Thomas, *Personal Narrative of the Origin and Progress of the Caoutchouc . . . in England* (London 1857); Geer, W. C., *The Reign of Rubber* (New York 1922); Hauser, E. A., *Latex* (Dresden 1927), tr. by W. J. Kelly (New York 1930); Lloyd, F. E., *Guayule*, Carnegie Institution of Washington, Publication no. 139 (Washington 1911); Luff, B. D. W., *The Chemistry of Rubber* (London 1923); *Handbuch der Kautschukwissenschaft*, ed. by Karl Memmler (Leipsic 1930); Jacobs, Fernand, *L'industrie du caoutchouc* (Paris 1923); Morel, E. D., *Red Rubber* (new ed. Manchester 1919); Hardenburg, W. E., *The Putumayo, the Devil's Paradise* (London 1912); Great Britain, Parliament, House of Commons, Select Committee on Putumayo, *Report and Special Report*, Reports and Papers, no. 148 (1913); United States,

Bureau of Foreign and Domestic Commerce, "Marketing of Crude Rubber," by E. G. Holt, "Rubber Production in the Amazon Valley," by W. L. Schurz, and others, and "The Plantation Rubber Industry in the Middle East," by D. M. Figart, *Trade Promotion Series*, no. 55 (1927), no. 23 (1925), and no. 2 (1925); United States, Bureau of Foreign and Domestic Commerce, "British Colonial Office Reports on the Rubber Situation," compiled by E. G. Holt, and "British Trade in Rubber and Rubber Products," by R. B. Macatee, *Trade Information Bulletin*, nos. 603 and 644 (1929); Soliva, Robert, *An Economic View of Rubber Planting* (Singapore 1931); Galang, F. G., *The Rubber Industry in the Middle East*, Philippine Islands, Department of Agriculture and Natural Resources, Bureau of Agriculture, Bulletin no. 42 (Manila 1928); Tervooren, W., *Die Finanzierung von Kautschukplantagen* (The Hague 1930); Akers, C. E., *The Rubber Industry in Brazil and the Orient* (London 1914); Morgan, Sidney, *The Preparation of Plantation Rubber* (London 1922); Pearson, H. C., *Crude Rubber and Compounding Ingredients* (3rd ed. New York 1918); Whittlesey, C. R., *Governmental Control of Crude Rubber; the Stevenson Plan*, Princeton University, Department of Economics and Social Institutions, International Finance Section, Publications, vol. ii (Princeton 1931); Rowe, J. W. F., *Studies in the Artificial Control of Raw Material Supplies, no. 2, Rubber*, London and Cambridge Economic Service, Special Memorandum, no. 34 (London 1931).

RUBIN, MARCUS (1854–1923), Danish statistician and economic historian. Rubin studied at the University of Copenhagen and upon graduation was entrusted with the organization and direction of the municipal statistical office in Copenhagen. In 1895 he took charge of the state statistical office, reorganized its work and succeeded in bringing Danish official statistics to a high standard of efficiency. In 1902 he was appointed head of the Department of Customs and Taxation and in 1913 he was elected director of the Danish National Bank, a position he held for the remainder of his life.

Rubin was a voluminous writer and his interests covered a wide range of statistical, economic and social problems. In the realm of statistics he was concerned chiefly with vital statistics and cooperated with Harald Westergaard in the preparation of *Landbefolkningens Dödelighed i Fyens Stift* (Copenhagen 1886), a detailed study of the mortality of the population in rural Denmark, and *Aegteskabsstatistik paa Grundlag af den sociale Lagdeling* (Copenhagen 1890; tr. into German as *Statistik der Ehen*, Jena 1890), an analysis of marriage and fertility rates of the various social classes. The latter work attracted international attention and stimulated further research in this direction. Rubin's chief claim to distinction, however, rests upon his work as a historian. His *1807–14 Studier til Köbenhavns og Danmarks Historie* (Copenhagen 1892), presenting a detailed account of this critical period in Danish history, and *Frederik VI's Tid fra Kielerfreden til Kongens Död* (Copenhagen 1895), which carried the story of Denmark to the death of Frederick VI in 1838, are still indispensable sources for the student of Danish history of that period.

HARALD WESTERGAARD

Works: For a full list of Rubin's writings see *Nationalökonomisk Tidsskrift*, vol. xxxii (1924) 174–91.

RUFFIN, EDMUND (1794–1865), American agriculturist and advocate of southern secession. A native of Virginia, Ruffin at the age of nineteen assumed the direction of the family plantation located on the James River. Here he experimented with marl on depleted soils and developed the hypothesis that lands once fertile but reduced by cultivation had become "acid" and thereby had lost their power to retain fertilizers. He advocated the use of calcareous materials to correct this condition, and the planting of legumes, the application of organic manures and the use of underground drains to restore fertility. His successful operation first of the family farm and then, after 1843, of another "seating" of more than 1500 acres of choice land located on the Pamunkey River proved the practical value of his advice. Ruffin's ideas were given wide circulation through the publication of *An Essay on Calcareous Manures* (Petersburg, Va. 1832; 5th ed. Richmond 1852) and through the pages of the *Farmers' Register*, an agricultural periodical which he edited and published from 1833 to 1842. He is generally credited with having begun the agricultural revival which brought new prosperity to the tidewater South in the decades before the Civil War. In 1842–43 Ruffin published a periodical called the *Bank Reformer*, in which he opposed the wide use of unsecured banknotes in Virginia. He demanded the withdrawal of the state from direct participation in banking and urged the immediate resumption of specie payments. He held that unsound banking was a direct burden on agriculture, the dominating interest in southern society.

Ruffin early championed southern rights. His defense of slavery included the usual appeal to nature and history; but he went further in that he insisted that all forms of society tended to exploit their laboring classes and also that it was impossible to avoid a peasantry in any rural order which did not rest on the enslavement of

an inferior race. He justified secession as a constitutional right on the grounds of oppression of a minority by a sectional majority. In *Anticipations of the Future* (Richmond 1860) he developed the theses that secession was possible without war and that the common interests of trade would ultimately bring the northwestern states into union with the South. He was an advocate of direct commercial intercourse between southern ports and Europe, favored the conquest of Central America and was sympathetic toward the reopening of the slave trade. Ruffin called upon his fellow southerners to develop a sectional literature and system of education as essential elements in a "superior civilization."

AVERY CRAVEN

Consult: Craven, Avery, *Edmund Ruffin, Southerner* (New York 1932); Ellis, H. G., "Edmund Ruffin: His Life and Times" in *The John P. Branch Historical Papers of Randolph-Macon College*, vol. iii (Richmond, Va. 1909–12) p. 99–123; Cutter, W. P., "A Pioneer in Agricultural Science" in United States, Department of Agriculture, *Yearbook, 1895* (1896) 493–502; Swem, E. G., "An Analysis of Ruffin's *Farmers' Register*, with a Bibliography of Edmund Ruffin" in Virginia, State Library, *Bulletin*, vol. xi (1918) 37–144; Gray, L. C., *History of Agriculture in the Southern United States to 1860*, 2 vols. (Washington 1933), especially p. 781.

RUFFINI, FRANCESCO (1863–1934), Italian jurist, historian and statesman. Ruffini was born at Lessolo in Piedmont. He studied for a time at Leipsic with the distinguished ecclesiastical jurist Emil Friedberg, and played a leading part in introducing into Italy the scientific study of ecclesiastical law, a subject which he taught for short periods at the universities of Pavia and Genoa and for thirty years at the University of Turin. Among his studies in ecclesiastical jurisprudence are a useful Italian edition of Friedberg's treatise on ecclesiastical law (*Trattato del diritto ecclesiastico cattolico ed evangelico*, Turin 1893), a treatise on Italian ecclesiastical law (*Corso di diritto ecclesiastico italiano*, Turin 1924) and a learned monograph on the *Actio spolii* (Turin 1889). His best known work in this field is *La libertà religiosa* (Turin 1901; tr., with an epilogue by Ruffini, by J. P. Heyes with preface by J. B. Bury, London 1912), which contains the most complete treatment to be found of the historical development of the idea of religious liberty. After sketching the earlier theories of religious toleration in western Europe Ruffini analyzed at considerable length the liberalizing role played by Socinian doctrines during the Reformation and post-Reformation periods and emphasized the basic differences between the systems of separatism and jurisdictionalism in the regulation of religious liberty by the modern state. After an illuminating study, "Le origini elvetiche della formula del conte di Cavour: 'Libera chiesa in libero stato' " (in *Festschrift Emil Friedberg*, Leipsic 1908, p. 199–220), he produced two invaluable volumes on the youth of Cavour, in which he made use of numerous unedited letters (*La giovinezza del conte di Cavour*, 2 vols., Turin 1912). This was followed by *Camillo di Cavour e Mélanie Waldor* (Turin 1914), which for the first time made known Cavour's relations with the French novelist Mélanie Waldor. From these studies there emerged a new and intimate picture of the youthful Cavour and the development of his ideas. Ruffini's last important work consisted of two scholarly volumes on the religious experience of Manzoni and his relations with Jansenism (*La vita religiosa di Alessandro Manzoni*, 2 vols., Bari 1931).

Ruffini was made a senator in 1914 and served as minister of public instruction in the Boselli war ministry (1916–17). As is shown by his public activity and his essays and speeches on Cavour, Mazzini and Victor Emmanuel II, he was animated by the liberal and democratic traditions of the Italian Risorgimento. He was one of the earliest Italian enthusiasts of President Wilson and was a firm believer in the League of Nations, on whose Committee for Intellectual Cooperation he served for a time. In the troubled post-war years in Italy (1919–20) besides exerting a powerful moderating influence against the excesses of the extremists, which at Turin and other important centers were more successfully combated by liberals like Ruffini than by the Fascists, he advocated a number of constitutional reforms. With resolute courage he spoke in the Senate on behalf of the liberal opposition to Fascism. His speeches and writings against Fascism exemplify the constructive and vital elements of the liberal tradition of the Risorgimento. In 1931 he refused to take the oath of allegiance to the Fascist regime which the Fascist government demanded of university professors and as a consequence was dismissed from his post at the University of Turin.

GAUDENCE MEGARO

RUGE, ARNOLD (1802–80), German publicist and social philosopher. Ruge was the outstanding figure of the young Hegelian move-

ment. As editor of the *Hallische Jahrbücher für deutsche Wissenschaft und Kunst* and later of the *Deutsche Jahrbücher für Wissenschaft und Kunst* he succeeded in creating the only movement of cultural criticism, outside of Young Germany, sufficiently powerful to be singled out for special persecution by federal and local authorities. He started out on his intellectual career as a left Hegelian who sought to formulate demands for liberal reforms in the language of Hegelian logic and a freely interpreted Protestantism. At first he and his collaborators concentrated their fire upon reactionary cultural tendencies which were perpetuating the feudal ideology in law, literature and religion. The very skill and effectiveness, however, with which they demolished the historical school of Savigny and Leo, the religious fundamentalism of Hengstenberg and Baader and the romantic traditions inspired by Schelling, Schlegel and their circle gave rise to an extremely hostile reaction on the part of the authorities, which was strengthened when Ruge fell under the influence of Bruno Bauer and especially of Ludwig Feuerbach. Nevertheless, it was only when Ruge dropped his terminological camouflage and openly declared for a republican government, trial by jury, abolition of censorship and other political rights enjoyed by the bourgeoisie in England and France that he was compelled to leave Germany.

Despite his short period of collaboration with Karl Marx in editing the *Deutsch-französische Jahrbücher* Arnold Ruge remained, until his final period of apostasy when he placed his pen at the service of Bismarck, a liberal political democrat who believed that all social problems could be settled by representative institutions which expressed and functioned in accordance with the "spirit of reason." In this sense he never transcended the fundamental presuppositions of Hegel's *Rechtsphilosophie*. None the less Ruge was far in advance of the political consciousness of the German bourgeoisie, whose interest he defended so vigorously. Having no personal contacts with the manual workers and peasants in Germany and only a bowing acquaintance with the industrial and commercial forces developing in Europe, he attempted to derive specific proposals of political and social reform from abstract ethical principles rather than from concrete historical situations. The result was that his specific social program, aiming as it did only at reforms within the structure of the existing economic order and state, did not rally any working class elements behind it; while his abstract theory, with its sweeping negations of all feudal hangovers and its apotheosis of the violent bourgeois revolutions in England and France, frightened off the timid and wavering German middle classes, who hoped that Germany would grow peacefully into a full blown political democracy on the model of the United States.

SIDNEY HOOK

Works: *Arnold Ruges sämmtliche Werke*, 10 vols. (Mannheim 1847–48); *Aus früherer Zeit*, 4 vols. (1862–67).

Consult: Stirling, J. H., "Modern Metaphysicians: Arnold Ruge, the Philosophy of Humanism" in *British Controversialist* (1870) 321–42, 401–17; Hook, Sidney, "Arnold Ruge and Karl Marx" in *Modern Monthly*, vol. vii (1933) 409–21, 431, 480–86; Levy, A., *La philosophie de Feuerbach* (Paris 1904) bk. ii, ch. ii; Mayer, Gustav, *Friedrich Engels in seiner Frühzeit* (Berlin 1920) chs. iii–iv, and "Die Anfänge des politischen Radikalismus im vormärzlichen Preussen" in *Zeitschrift für Politik*, vol. vi (1913) 1–113; Koigen, David, *Zur Vorgeschichte des modernen philosophischen Socialismus in Deutschland*, Berner Studien zur Philosophie und ihrer Geschichte, vol. xxvi (Berne 1901) p. 292–315; Rosenberg, Hans, "Arnold Ruge und die hallischen Jahrbücher" in *Archiv für Kulturgeschichte*, vol. xx (1929–30) 281–308.

RULE OF LAW, also frequently called "the supremacy of law," is a characteristic doctrine of the common law that the judiciary, in ordinary legal proceedings, may pronounce upon the legal validity of the acts of the king's ministers and servants and hence, in the United States, upon the validity of administrative, executive and legislative action with reference to the constitution and, in the case of administrative and executive action, the statutes governing such action. Along with the doctrine of judicial precedent and trial by jury it is one of the three distinctive institutions of the Anglo-American legal system. Historically it comes from a fundamental notion of Germanic law of which the feudal idea of the relation of king and subject and the reciprocal rights and duties involved in that relation is an example. It became definitely established in the common law as a result of the contests between the courts and the crown in the sixteenth and seventeenth centuries.

While the Roman law books told the men of the Middle Ages that the will of the sovereign had the force of law, the Germanic polity of the time assumed a fundamental law above and beyond mere will and conceived that those who exercised authority were to be held accountable if they failed to conform their action to that law. Thus in the Salic law it is laid down that if a

creditor appeals to the count for justice and the latter, for no sufficient reason, fails to act, he shall answer for it. But if the count acts and goes beyond enforcement of what is due, he shall answer for that. In thirteenth century England the judiciary became distinct from the administration and strong central courts grew up, purporting to administer the common custom of the whole realm. The judges thought of a system of law and order reflecting "the law and order of the universe" and hence assumed that, in the words attributed to Bracton, the king, although not under any man, ruled under God and the law. The formulations in the Magna Carta and its reissuings of the feudal duties of the king toward his tenants in chief furnished the basis for development of a legal doctrine of the duties and responsibilities of those who exercised powers of government. In the reign of Edward III in 1338 the court held that a collector of the king's taxes could not distrain cattle for non-payment without a warrant; in another case (1339–40) the Court of King's Bench fined a sheriff for refusing to execute a writ by reason of a letter from the king under his private seal. It told the sheriff he could not justify refusal to execute a writ of the king's court by showing a private letter from the king, thus in effect distinguishing between the act of the king as such and the private action of Edward Plantagenet. While in each case the decision turned on form, there was here a step toward requiring the crown and its agents to act within the legal limits of their authority. As the doctrine became established, if the king purported to act beyond the legally appointed bounds of his authority, the acts were of no legal effect. If his agents acted beyond those limits, not only were their illegal acts of no effect, but they became personally liable in an ordinary action at law to any one damaged thereby. When Fortescue wrote, in the fifteenth century, it could be said that the rule of an English king was not the personal rule of Edward or Henry. It was, as Fortescue put it, political; it was government within bounds established by law.

During the Middle Ages the growth of the common law had held down the strong administration developed after the Conquest. But there was a revival of administration under the Tudors and Stuarts and in reaction from this a revival with further development of the doctrine which the seventeenth century lawyers found in the great thirteenth century treatise of Bracton and in a succession of cases between the reign of Henry IV and that of Elizabeth. In these cases the crown had sought to grant profitable monopolies to private persons or companies; to provide for seizure of private property by letters patent, without opportunity for the owner to be heard and without adjudication; and to use the royal power of protecting social interests as means of providing revenue and enriching royal favorites. The courts held uniformly that monopolies could be created only by Parliament, that property could be forfeited only in accordance with the law of the land and so not by royal letters patent, and that the royal guardianship of public and social interests was to be exercised in accordance with principles of reason and within legally defined limits. Naturally this led to a contest between the common law courts and the crown which came to an end only with the Revolution of 1688. Coke, the protagonist in this contest, held to the idea of a fundamental law operating as a check both on the crown and on Parliament. The Revolution of 1688 settled for the British polity that Parliament was to be supreme; that there were to be no limits upon parliamentary supremacy. But in the United States both aspects of Coke's doctrine prevailed, and thus the American practise of judicial review of unconstitutional legislation derives in part from the mediaeval idea of supremacy of law.

In the formative period of American law Coke's *Second Institute*, in which is to be found the classical formulation of the doctrine, was almost a Bible. The doctrine was put in the very foundations of American polity and was developed by the courts in a pioneer, rural, agricultural society in which there was little need of administrative activity. In consequence in the United States in the nineteenth century a system of judicial interference with administration was carried to an extreme. A paralyzing of administration by legal proceedings became an everyday occurrence. Important measures of police or administration commonly encountered injunctions, which also came to be used as a means of keeping the peace. A practise grew up of private suits by taxpayers to prevent alleged waste of public funds and misuse of the proceeds of taxation. Some courts went so far as to enjoin the collection of taxes for defects in levying them. In one state the highest court directed a writ of mandamus to the speaker of the House of Representatives, directing him to carry out constitutional provisions as to canvass of election returns. It was taken to be funda-

mental that administration was to be held down to an inevitable minimum. In the zeal not to be bureau ridden the American people achieved the other extreme of being court ridden.

Coke's statement that the Court of King's Bench had jurisdiction to correct oppression of the subject or "any other manner of misgovernment" was accepted by American courts down to the latter part of the nineteenth century, although as early as 1880 some courts began to desist from extreme assertions of the doctrine. But with the change from a rural, agricultural society to an urban, industrial one a revival of administration and a reaction from the extreme development of the common law doctrine were inevitable. The demands of an expanding law of public utilities and the requirements of social legislation, which called for inspection, supervision and speedy enforcement, led to a rapid development of administrative tribunals and agencies, which is still in process. The common law review of determinations of administrative tribunals, treating procedural defects as jurisdictional by holding that there was want of power unless it was exercised in detail in the prescribed way, hampered for a time the efficiency of these new agencies. In consequence a strong tendency arose in the twentieth century to take away judicial review of administrative action wherever courts would hold it constitutional to do so, and in other cases to cut down such review to the unavoidable minimum. This trend was manifest especially in legislation for the regulation of public utilities in the first two decades after 1900. It has been increasingly common to seek to limit judicial review to legal questions of the scope of the authority of an administrative commission or tribunal and to make administrative determinations of fact conclusive. But the line between law and fact in such cases is not easily drawn, and it is by no means settled how far the courts will allow this tendency to go.

As far as England is concerned, the judicial scrutiny of the action of administrative officials continued in the last century as it had been defined in Coke's *Second Institute*. Accordingly Dicey (*Introduction to the Study of the Law of the Constitution*) could say in 1885 that the rule of law, as a characteristic of English law, meant, first, that no one could be made to suffer in body or goods "except for a distinct breach of law established in the ordinary legal manner before the ordinary courts of the land," contrasting such a regime with one in which persons in authority exercise "wide, arbitrary or discretionary powers of constraint"; second, that every man is "subject to the ordinary law of the realm and amenable to the jurisdiction of the ordinary tribunals"; and, third, that the rights of individuals are secured by judicial decisions "determining the rights of private persons in particular cases brought before the courts." But when he came to write the introduction to the eighth edition of this work in 1915 Dicey was compelled to say: "The ancient veneration for the rule of law has in England suffered during the last thirty years a marked decline" (p. xxxviii). Although the doctrine was by no means carried as far in England as it was in nineteenth century America, the revival of administration began earlier in Great Britain and has gone further than in the United States. Legislation has given final judicial powers to administrative officials, has exempted them in many cases from common law liability for their actions and has greatly extended the area of non-reviewable administrative discretion. This changed attitude toward administration and administrative discretion and the tendency to rely upon bureaus rather than upon courts have been increasingly manifest since Dicey's last pronouncement and show no signs of abatement despite vigorous protests from some recent writers, notably Lord Hewart, the lord chief justice of England. Indeed they are inevitable in the economic order of today. The need of individualization, the call for speedy determinations, the demand for direction and guidance in advance of action, instead of leaving enterprises to guess at the way in which courses of action will be regarded judicially after the event, with such expert advice as they may be able to secure, can be met only by administrative methods and require a large measure of freedom of administrative determination and a wide discretion in administrative officials. It is significant that the highest judicial tribunal in Great Britain now holds that in an appeal from administrative action to an administrative reviewing tribunal what had been regarded as the most ordinary requirement of a judicial appeal does not obtain. The tribunal may act on a secret inspection by an inspector who makes a secret report which the appellant may not see, may not criticize or contradict and may not explain by independent evidence or extrinsic argument. The courts will not interfere as long as the administrative tribunal applies its ordinary procedure to all alike.

Because of the constitutional requirement of

due process of law American courts have not gone so far. Obviously the doctrine of the rule of law is going through a crisis analogous to that through which it passed in the seventeenth century. While it cannot maintain itself in the extreme form which it took on in the last century, it is too deeply rooted in the Anglo-American polity to be likely to disappear.

ROSCOE POUND

See: JUDICIARY; JUDICIAL PROCESS; JUDICIAL REVIEW; CONSTITUTIONALISM; ADMINISTRATIVE LAW; DUE PROCESS OF LAW; STATE LIABILITY; COMMON LAW; CIVIL LAW.

Consult: Coke, Edward, *The Second Part of the Institutes of the Lawes of England* (London 1642), commentary on Magna Carta; Dicey, A. V., *Introduction to the Study of the Law of the Constitution* (8th ed. London 1915) introduction, p. xxxvii–xlviii, and pt. ii, "The Rule of Law"; McIlwain, C. H., *The High Court of Parliament and Its Supremacy* (New Haven 1910); Robson, W. A., *Justice and Administrative Law* (London 1928); Port, F. J., *Administrative Law* (London 1929) chs. iii, v, vi; Hewart, G. H., *The New Despotism* (London 1929); Dickinson, John, *Administrative Justice and the Supremacy of Law in the United States* (Cambridge, Mass. 1927); Holdsworth, W. S., *History of English Law*, 10 vols. (3rd ed. London 1922–32) vol. vi, ch. vi; Pound, Roscoe, *The Spirit of the Common Law* (Boston 1921) lecture iii, and "Justice According to Law: Executive Justice" in *Columbia Law Review*, vol. xiv (1914) 12–26.

RÜMELIN, GUSTAV (1815–88), German statistician. Rümelin served in the school system of Württemberg and in 1856 was appointed chief of the department of the Württemberg church and school system. In this capacity he was instrumental in enacting a comprehensive reform of the public schools and drafted a church law regulating the relations between the state and the Catholic church. The latter bill met with strong opposition and Rümelin was retired at his own request in 1861. In the same year he became director of the Württemberg statistical bureau and until 1871 he published a statistical study in almost every issue of the *Württembergische Jahrbücher für Statistik und Landeskunde*. He also taught statistics and philosophy at the University of Tübingen. In the article on statistics which he contributed to the *Handbuch der politischen Ökonomie* (vol. ii, Tübingen 1882, p. 465–520) he conceived of statistics as a method of investigation applicable to the study of aggregates which not only endeavors to establish the quantitative scope of mass phenomena but also takes account of the variability of the individual cases composing the aggregate with respect to specific characteristics. This method, independent of the method of induction, which takes the individual as the type, is of particular value to the social sciences, which in most instances deal with aggregates composed of individual cases of greater or lesser variability.

Rümelin also turned his attention to other problems of social theory in a number of essays included among those in *Reden und Aufsätze* (3 vols., Freiburg i. Br. 1875–94). In *Gesetze der Geschichte* (vol. ii, p. 118–48) he denied the existence of strict causality in history, and in *Gesellschaft und Gesellschaftslehre* (vol. iii, p. 248–77) he urged the study of society in terms of the psychological instincts (*Triebe*) at the basis of social organization. He rejected the rationalistic conception of the social contract and formulated a theory of the state along the lines of the Hegelian and the historical schools. Rümelin attained considerable importance as a population theorist; although he criticized some of Malthus' calculations, he defended ardently the latter's main conclusions and ascribed the large unemployment which existed in Germany during the crisis of 1876–78 to overpopulation.

RUDOLF MEERWARTH

Consult: Sigwart, C., "Gedächtnisrede auf Gustav Rümelin" in Rümelin's *Reden und Aufsätze*, vol. iii, p. i–xx; Schnizer, Otto, *Gustav Rümelins politische Ideen* (Tübingen 1919); Schmoller, G., in *Schmollers Jahrbuch*, vol. xxxi (1907) 1469–1526.

RURAL EXODUS. *See* URBANIZATION.

RURAL INDUSTRIES. What has been called the "primary division of labor," that between agriculture and industry, can be understood in another sense from the traditional concept of "progress" involved in this division. The seasonal and "organic" character of agricultural production calls for other occupations and pursuits to fill the resulting periods of partial or total inactivity. The most natural of these supplementary occupations were originally and to a large extent will remain the transformation and finishing of agricultural raw materials by the agriculturist himself. In other words, the growing interdependence of economic activities in a market, or exchange, economy will never benefit the farmer to the same degree as the non-agricultural worker. The scale of rural industries embraces economic and social organizations as diverse as the artistically superior "house work" of Scandinavian, Slavic and Asiatic peasants and the employment of impoverished rural "home industrials" by merchanting, or commission,

houses. It is important to ascertain to what extent industrial activities associated with agriculture are remnants of an old order and makeshifts of a new or, like the folk arts and, on another plane, the processing of products by modern agricultural cooperatives, a self-sufficient element in an economic and social equilibrium.

All the basic human wants were at first provided for within the closed household economy: not only food but the principal clothing and housing materials were prepared and finished in an unbroken process from production to consumption; and even metals, wherever they were easily accessible, were smelted and forged by the individual peasant. From this stage division of labor progressed along two distinct lines. The simpler and more primitive development was the specialization, within the rural households and village settlements, of those more complicated crafts partaking mostly of the character of "real capital" production, like smith's or carpenter's work. The result was and, as in India, still is a slowness in the development of a market and cash nexus on the basis of divided labor. The specialized craftsmen serve their agricultural neighbors and usually are paid a customary fee in kind through a system of mutual community obligations. The second line of division was the rise of towns both as centers of industrial production and as markets for rural raw and food materials. Of course, as in other such economic stages, this development was not a single, uniform and direct process. Theoretically there is a relation between increasing size of markets and increasing division of labor. But special circumstances determine to what extent the country and the town become interlaced in their productive services, as in the industrialization of milling or brewing, or how far the townsman's household imitates the farmer's in self-sufficiency by the processing of materials, as in baking and slaughtering, or even by small scale agriculture within town walls, such as that of the *Ackerbürger* of mediaeval and occasionally of modern Germany.

The two lines of division of labor indicated are cut across by another, more social than economic in nature—the widespread stratification of the rural population into classes of landlords and tenants. The more numerous a landlord's tenantry and the more complete their dependence upon him, the greater were the possibilities of division of labor both for the needs of the lord himself and for outside markets. The "families" of industrially skilled slaves in the ancient world and of dependent craftsmen in the mediaeval manors, whether secular or ecclesiastical, have since Adam Smith given rise to the much debated "curial" (*Hofrecht*) theory of the origin of craft guilds. Regardless of how far this theory may be correct, it undeniably hits upon the vast importance of the ancient and feudal estate, the *oikos* of Rodbertus' theoretical terminology, as regards the development not only of rural industries but of a class of rural entrepreneurs which contributed as much as the towns and in some cases probably more to promoting industry beyond the internal services of rural communities and at the same time beyond the handicraft stage, when entrepreneur and workman were identical. Characteristically the Russian law of serfdom (*krepostnoe pravo*) produced high degrees of craftsmanship both in the *obrok* system, under which the servile craftsman was allowed to work for the market subject to a fixed duty to be paid to his lord, and in the small scale rural industries, directed either by the lords or the peasants themselves (*kustari*). The Soviet Union, despite its large scale planned industrial development, continues to depend to a significant extent upon such rural industries.

Rural industries, whether conducted by small peasant proprietors or by great landlords, are capable of considerable growth both quantitatively and qualitatively. These two forms of rural industry were, however, soon overshadowed in modern Europe by the merchanting, or commission, system and by government mercantilism. The former emerged more or less slowly out of the older system of exclusive division of labor between rural production of foodstuffs and raw materials and urban handicrafts, as in the course of time these handicrafts came to be conducted on the one hand by the average guild masters, striving to limit production to a given demand, and on the other by the rising entrepreneurs, seeking to extend it for a stimulated demand or new markets. While the guild masters sought a sharp restriction or prohibition of additional rural production, the entrepreneurs attempted to promote it by providing materials, capital and marketing facilities. The battle for and against "country weaving" in England or "rural crafts" (*Landhandwerke*) in Germany during the decline of the urban craft guilds is illustrative of this contrast. The merchant employer of rural handicraftsmen appeared sometimes as an ally of the landlords and sometimes as an opponent, since he was a

competitor for the rural labor force. Already at that time there appeared certain phenomena which foreshadowed the modern debate concerning the social justification of rural industries. On the one side, the lower standard of living in the country and the part time nature of most rural industry created a resemblance to the sweated labor of the bulk of urban industrial homeworkers. On the other, the insufficient living gained from small or "dwarfed" holdings, whether due to feudal exactions or to dismemberment of property, made the entrepreneur seeking low paid rural labor often seem the savior of a decaying countryside, for even the smallest piece of land endows the rural homeworker with a modicum of independence not enjoyed by his urban competitor.

In the industrial planning of mercantilistic governments the promotion of rural industries has played a large part down to the present neomercantilist period. It was a natural corollary to the mercantilistic policy of engaging labor reserves wherever they could be found. With the reversal of the situation through the world wide unemployment consequent upon the World War governments have continued to look to the land for reserves for occupation and settlement instead of for reserves of labor. One of the chief concerns of earlier mercantilism, the provision of sufficient wool and flax for the rapidly expanding weaving and knitting industries, led not only to the deliberate revival of old rural industrial habits, such as the social evening meetings of wives and "spinsters" for the common exercise of the craft, but, as in eighteenth century Russia, to the foundation of new "spinning villages," especially for the new foreign material, cotton. In France Colbert's system of state regulation and supervision of the craft guilds sought, although with only partial success, to embrace also the rural industries.

In the modern rural industries, even where artistic quality does not insure a market, however precarious, the factor of cheap wages plays by no means the exclusive or even predominant part sometimes ascribed to it. The other chief determinants of industrial location, raw materials and the tradition attaching to their processing, are in most cases ultimately of equal importance. The fact that the industrial age of coal and steam was everywhere preceded by the use of water and charcoal as power generators would alone explain why a great many of just those industries which required more than the man power of the old handicrafts arose outside the towns, chiefly in mountainous districts. The use of textiles, hides, timber, metal ores, earths and sands (glassmaking) for all kinds and stages of manufacture points in the same direction. The persistence with which rural industries have clung to certain districts can be explained largely by the ease of transition from one of these forms or stages to the other. Thus after mining and metallurgy had become concentrated into large urban units the rural communities originally engaged in the small scale extraction and manufacture of these raw and semi-processed materials turned to the production of finished cutlery, as in Westphalia, or watches, as in the Black Forest, or medical instruments, as in Württemberg. Another course was the initiation of new rural industries (mostly of high "labor capacity"), sometimes without any apparent impetus from large commercial employers. The manufacture of violins from the timber of the Tyrolese valleys was a typical rural industry of late mediaeval and early modern times. But the quite different demand of modern mass societies for cheap musical instruments was catered to equally well by the rural home industry of Saxony and Württemberg. A similar development has led from the old sculpturing and painting of the Catholic peasants to the modern rural manufacture of toys, dolls or artificial flowers. It is true that since the World War most of these industries, especially in Germany, have suffered heavily from the loss or restriction of their former wide export markets; but it is significant that their chief competitors in these markets, for example, the Japanese toy industry, appear to be organized on much the same model of small and often rural homework.

In a survey of the different and often contradictory aspects of modern rural industries it is important to realize that the greatest differences prevail not only between industries with a more or less "organic" relation to their rural surroundings, with regard to both labor and materials, but also between different mixtures of agricultural and industrial labor. From this standpoint the question generally emphasized by the literature on home industries—whether the laborer is legally a dependent employee or an independent small master—loses much of its relevance. It is possible that the type of modern factory laborer with an allotment of land or even a small holding will live on a higher social level than the small peasant handicraftsman who works on his own or in occasional dependence upon outside middlemen or capitalists. The

former type will probably increase considerably as a consequence of mass unemployment, which makes for shorter hours of work and for the resettlement of the land. Significant in this connection are the proposals in the United States to establish small factories in connection with the government's first attempts to resettle subsistence farming colonies under the provisions of the public works administration act of 1933. Nor should it be forgotten that the urban concentration of modern industrial life seems to be changing rapidly in the direction of a break up of overgrown centers and their replacement by a rural and semirural organization of settlements and workshops. The English garden city movement was only a dim and indirect forecast of this tendency. The same aim has been expressed and put into practise by certain American entrepreneurs, notably Henry Ford and Jackson Johnson of the International Shoe Company. The recent expansion and cheapening of facilities for the transportation of men, materials and power will probably promote the growth or at least retard the decay of rural industries, as in the case of small sized industries generally.

CARL BRINKMANN

See: RURAL SOCIETY; HANDICRAFT; PUTTING OUT SYSTEM; HOMEWORK, INDUSTRIAL; ARTEL; PRODUCERS' COOPERATION; LOCATION OF INDUSTRY; PEASANTRY.

Consult: *Heimarbeit und Verlag in der Neuzeit*, ed. by Paul Arndt, vols. i–xix (Jena 1922–31); Simon, Marie, *Der wissenschaftliche Streit über die Berechtigung der Heimarbeit* (Jena 1931); Benjamin, Dora, *Der Stand der Heimarbeit in Deutschland*, Schriften der Gesellschaft für soziale Reform, vol. lxxvii (Jena 1928); Hinze, Kurt, *Die Arbeiterfrage zu Beginn des modernen Kapitalismus in Brandenburg-Preussen* (Berlin 1927); Unwin, George, *Studies in Economic History* (London 1927); Oxford University, Agricultural Economics Research Institute, *Rural Industries of England and Wales*, 4 vols. (Oxford 1926–27); *Rural Industries*, published quarterly in London since 1925; Tarlé, É., *L'industrie dans les campagnes en France à la fin de l'ancien régime* (Paris 1910); Laur, Ernst, "Die bäuerliche Heimarbeit in den nordischen Staaten Europas" in Switzerland, Volkswirtschaftsdepartement, *Landwirtschaftliches Jahrbuch*, vol. xlii (1928) 813–936; Brunner, E. de S., and Kolb, J. H., *Rural Social Trends*, Recent Social Trends Monographs (New York 1933) ch. iv; Ford, Henry, *My Life and Work* (New York 1923) ch. xii; Morachevsky, M. V., "Petites industries rurales, dites de Koustari" in *La Russie à la fin du 19e siècle*, ed. by V. I. Kovalevsky (Paris 1900) p. 538–45; Ribnikov, A. A., *Kustarnaya promishlennost* (The kustar industry) (Moscow 1913); "Melkaya i kustarno-remeslennaya promishlennost SSSR v 1925 g." (Small scale and kustar handicraft industry of the Soviet Union in 1925) in U.S.S.R., Tsentralnoe Statisticheskoe Upravlenie, *Trudi*, vol. xxxiii, pt. i (Moscow 1926); Fong, H. D., *Rural Industries in China*, Nankai University, Nankai Institute of Economics, Industry series, Bulletin no. 5 (Tientsin 1933); Taylor, J. B., "The Possibilities of Rural Industry in China," and Fong, H. D., "Rural Manufacturing Industries in Chekiang" in Nankai University, Nankai Institute of Economics, *Monthly Bulletin on Economic China*, vol. vii (1934) 47–59, 60–72.

RURAL SOCIETY as compared with urban society is marked by a relative predominance of the agricultural occupations, by the closeness of the people to a natural as contrasted with a human environment, by the smallness of its communal aggregates, by a relatively sparse population, by greater social homogeneity, by less internal differentiation and stratification and by less territorial, occupational and vertical social mobility of the population. The individual in rural society as a rule has fewer contacts with others, he associates with people from a smaller geographic and social area, a greater proportion of his social contacts are face to face and his relationships with any particular individual tend to have a longer duration. The people of rural society live in systems of organization which tend to include a higher proportion of status as contrasted with contract relationships; they are bound to a greater extent by organic ties rather than by the cooperation made necessary by economic division of labor.

Rural society has been variously defined as comprising all persons residing in the open country or all persons connected directly with agricultural occupations or all persons residing in administrative units of less than a given size. In Europe local units having a population of fewer than 2000 persons are defined as rural; the United States census first regarded as rural towns and villages of fewer than 8000, including the open country; later all persons residing in the open country and in communities of fewer than 4000, subsequently of 2500, were classified as rural inhabitants. As a provincial city of 25,000 people, however, may be more akin to rural society than to urban, whereas a smaller aggregate may belong more to the urban world, it is preferable to define rural society typologically rather than statistically.

The distinguishing economic, social and political characteristics of rural society are derived from its relationship to the land, from which most of its inhabitants make their living. The diet and the living conditions of rural areas are closely related to their land products and therefore tend to be regional and to be affected pri-

marily by natural calamities, such as famines. Rural politico-social classes are those related to the control of land as contrasted with the greater orientation of the urban political social system about personal and movable property, material display and human groups. Vertical social mobility in rural society is connected with movements up and down the scale from landlessness to the position of a landlord. A conflict of classes may develop within the society on the basis of landownership: small landowners against large, tenants against landlords, hired laborers against owners of estates. Agrarian radicalism has historically been closely connected with land rights, as illustrated in the history of China and recently in the Mexican peasant movement following 1912, in the revolution in Russia, in the peasant movements in central Europe following the World War and in the farmers' holidays in the United States that resulted from the foreclosures of mortgages after the crisis which began in 1929. The importance of land rights is also shown by the nature of voting in rural societies where legislation is by popular referendum.

Oriental society has been historically more rural than has western society, with the exception of the period following the decline of Roman culture when Islam and China were probably more urban than was western society organized around Constantinople. Rural society declined in relative importance in the Mediterranean region between the time of the conquests of Alexander the Great and the reign of Constantine and also in modern times in Europe and in the United States. This decline has been reflected only numerically, in the proportion of people living under rural conditions, for the greater development of urban society as a rule enabled the rural population to increase and to have higher material standards than during the times in which rural society was relatively more predominant. The lines of distinction between rural and urban society are now less marked in Europe and in the Americas than in the Orient, because of the commercialization of agriculture and the more mobile populations of the former areas; a few kilometers from the oriental centers of urban society, such as Tokyo, Shanghai Bangkok or Bombay, one still encounters a different world. Variations within rural society depend upon whether the region is a pioneer fringe, a settled community or an immediate urban hinterland. The pioneer fringes which existed in the United States between the sixteenth and nineteenth centuries or in northern Europe in the Middle Ages varied considerably from the older settled regions or the market gardens, suburban estates and other types of rural society to be found around the large cities. The agricultural possibilities of the soil determine to some extent the character of the rural community. For instance, the rural society on the eastern plains of England has always differed considerably from that in the more hilly sections of Wales. The manorial system of England, as it developed after the invasions of the Romans and the other foreign groups in the Middle Ages, was considerably different from the more self-sufficing tribal and family economy to be found in the western part of the country.

The economic characteristics of a relatively isolated society develop around its regional self-sufficiency. The family tends to manufacture much of its own goods; what it does not make is generally produced by artisans who reside in the villages or in the nearest communities. Industry and agriculture are so little divided that it is extremely difficult to separate the occupations from each other, unless one considers the task alone and not the individuals. Even the local leaders, who carry on the functions of religion, medicine, art and government, participate in one way or another in the direct activities of agriculture. Extremes of conspicuous consumption or of pauperization do not often become as apparent as in urban society. Rural societies that are less isolated from the urban world have economies more closely approximating urban economy. Trading towns and villages which replace temporary and periodic marketing places of the peasants become the centers of rural social life. Banks and money economy increase; prices are quoted in units of currency based upon a standard measure, and credit begins to play a production rather than merely a consumption role. Peasants who formerly borrowed money from relatives largely in their own village borrow for economic purposes from money lenders at high interest rates. During the period of change from the pure rural society to the urbanized rural society much property passes into the hands of non-agriculturists, and the inevitable result is antagonism and conflict between the social classes. This antagonism is enhanced when the money lenders, who come from the urban society, are of a different race, such as in the case of the Sikh money lenders in India and the Chinese or Annamese traders among the peoples of Malay origin. As the society becomes an urbanized rural aggregate

commercial banking appears, and later rural banks tend to be absorbed by urban banks; technological changes influence agriculture and rural society suffers from the economic fluctuations of urban society. In rural regions where agriculture has become essentially capitalistic, as in some parts of the United States and in the plantation areas of the tropics, the class struggle assumes a form comparable to that of industrial societies.

Contact with urban life facilitated by improvement in transportation leads to the use of ready made garments and other urban commodities. Houses are not as frequently built and roofed with native materials as before; instead lumber and other building supplies are purchased from traders. Culture and language symbols become more national and less local; urban fads, fashions and styles permeate the rural society; economic division of labor increases and illiteracy tends to diminish. Educational, hygienic, technical or economic public services improve but rarely come to be as advanced or as numerous in rural societies as they are in corresponding urban societies.

Regional cultures arise out of the local environment, the inventions of the people and the selectivity of traits which rural society secures from the urban. It is difficult to determine how much of a specific rural culture is indigenous to the country and how much of it is selected from past generations of urban influence. Rural art is manifested in domestic articles, in religious images and in festivities such as folk songs, dances and games; in the more purely rural societies each village is often recognized by the type of cloth that is woven there, each region by the type of articles which it wears. In commercialized rural societies, however, these distinctive characteristics disappear as part of the standardization process which results from the general movement of cultural interchange between rural and urban communities. The migration to the cities of the younger generation and of many families has tended to break down the vitality of the social life of the rural communities. The economic crisis beginning in 1929 led to a decided movement, in the United States as in other parts of the world, from the cities back to the country; this return movement has tended further to efface the differences between rural and urban cultures.

The judgment of Siegfried, Demangeon and others that agglomerated village types of rural societies have a different kind of culture from those with isolated farm homes is doubtful, for there is little difference between the cultures of the isolated families and the village families when both operate under the same conditions. Among the important factors in the increase of the isolated farm homes in western society are the amount of land available and the economic rationalization of agricultural economy. Whatever differences in culture are found may be ascribed to these factors rather than to the location of the home, because grouped villages tend to take on the same cultural changes as do isolated farms when the trend of rural society is toward commercialized culture.

CARLE C. ZIMMERMAN

See: AGRICULTURE; PEASANTRY; VILLAGE COMMUNITY; AGRICULTURAL ECONOMICS; AGRICULTURAL COOPERATION; FARMERS' ORGANIZATIONS; AGRARIAN MOVEMENTS; AGRICULTURAL LABOR; RURAL INDUSTRIES; AGRICULTURAL EDUCATION; AGRICULTURAL FAIRS; EXTENSION WORK, AGRICULTURAL; COUNTRY LIFE MOVEMENT; CHAUTAUQUA; FOLK HIGH SCHOOLS.

Consult: Sorokin, P. A., and Zimmerman, C. C., *Principles of Rural-Urban Sociology* (New York 1929); Sorokin, P. A., Zimmerman, C. C., and Galpin, C. J., *A Systematic Source Book in Rural Sociology*, 3 vols. (Minneapolis 1930–32); Sanderson, D., *The Rural Community* (Boston 1932); *The Rural Community, Ancient and Modern*, ed. by N. L. Sims (New York 1920); Brunner, Edmund de S., and Kolb, J. H., *Rural Social Trends*, Recent Social Trends, Monographs (New York 1933); Terpenning, Walter A., *Village and Open-Country Neighborhoods* (New York 1931); Williams, James M., *The Expansion of Rural Life: the Social Psychology of Rural Development* (New York 1926); Peake, Harold, *The English Village, the Origin and Decay of Its Community, an Anthropological Interpretation* (London 1922); Siegfried, A., *Tableau politique de la France de l'ouest sous la troisième République* (Paris 1913); Branson, E. C., *Farm Life Abroad; Field Letters from Germany, Denmark and France* (Chapel Hill, N. C. 1924); Thomas, W. I., and Znaniecki, F., *The Polish Peasant in Europe and America*, 2 vols. (2nd ed. New York 1927); Robinson, G. T., *Rural Russia under the Old Régime*, The Peasant Revolution in Russia, vol. i (New York 1932); Borders, Karl, *Village Life under the Soviets* (New York 1927); Yakovlev, Y. A., *Red Villages—the 5-Year Plan in Soviet Agriculture*, tr. from Russian ms. by Anna Louise Strong (New York 1931); Altekar, A. S., *A History of Village Communities in Western India*, University of Bombay, Economic series, no. 5 (Bombay 1927); Kulp, D. H., *Country Life in South China, the Sociology of Familism*, vol. i– (New York 1925–).

RURAL SOCIOLOGY. *See* RURAL SOCIETY.

RUSH, BENJAMIN (1745–1813), American physician and social reformer. After graduating from the College of New Jersey in 1760 Rush

studied medicine under Redman and at the University of Edinburgh, where he received his degree in 1768. In the following year he was appointed professor of chemistry at the College of Philadelphia. From 1789 he was professor of the theory and practise of medicine. He was one of the founders of Dickinson College and served also as treasurer of the United States Mint from 1797 to 1813.

Rush was among the most eminent intellectual figures of his day. A leader in the medical profession, he pointed the way to many modern ideas, although he subscribed to a number of the older theories. His preeminent contribution to medicine is his *Medical Inquiries and Observations upon Diseases of the Mind* (Philadelphia 1812), the first American work on insanity. It remained the only systematic study until 1883. Rush was aware of psychological as well as physiological factors in insanity. The insane were classified according to types and scientific treatments were advised. His *An Account of the Bilious Remitting Yellow Fever . . . in the Year 1793* (Philadelphia 1794) is considered one of the best histories of epidemics. It was through Rush's efforts that the first free dispensary in the United States was established.

Rush was active also in political affairs. He supported the American Revolution from its inception and was one of the signers of the Declaration of Independence. He advocated the national constitution of 1787 and helped to frame the Pennsylvania state constitution of 1790. He always supported national as opposed to sectional interests.

One of the outstanding proponents of scientific education, Rush believed that the success of a democratic government was dependent upon the preparation of its citizens for the task of governing. Accordingly in his "Address to the People of the United States" and in his "Plan of a Federal University" (both reprinted in American Historical Association, *Papers*, vol. iv, 1890, p. 169–72, 172–75) he urged a national system of education based upon state supported schools and culminating in a national university, a graduate school in which students would be trained for holding public office. The curriculum was to consist of modern languages, law, politics, history, agriculture and commercial sciences. Rush was in general opposed to the classical content of contemporary education, which he regarded as undemocratic, and in "An Inquiry into the Utility of a Knowledge of the Latin and Greek Languages" (reprinted in his *Essays, Literary, Moral and Philosophical*, Philadelphia 1798, p. 21–56) argued for a modern liberal curriculum. He suggested technical schools and higher standards of medical education and was the first to propose a veterinary science.

But Rush's interest in social reform went beyond education. He was influential among the early abolitionists and in the movement for penal reform, opposing the "savage" criminal code, especially the death penalty, and advancing reformatory measures. A believer in temperance, he advocated the control of spirituous liquors.

BURTON ALVA KONKLE

Consult: Good, Harry G., *Benjamin Rush and His Services to American Education* (Berne, Ind. 1918); Woodbury, Frank, "Benjamin Rush, Patriot, Physician and Psychiater" in American Medico-Psychological Association, *Proceedings*, vol. lxix (1913) 427–30; Mills, Charles K., *Benjamin Rush and American Psychiatry* (New York 1886).

RUSKIN, JOHN (1819–1900), English essayist and social theorist. Ruskin was born in London of well to do middle class parents; he was left a large fortune, which he gradually dispersed in helping others and in pursuing his social and economic experiments. He began his literary career as a critic of art, and his first important work was the opening volume of *Modern Painters* (London 1843) written mainly for the purpose of defending Turner against his critics. But from the first Ruskin's conception of art involved a consideration of the relation of art to life. Assuming, in accordance with the orthodox romantic tradition, that the art of a people is the expression of its national character and that art should serve moral and social as well as purely aesthetic ends, his writings dealt largely with social, economic and moral principles. The quintessence of his artistic doctrine is given in the famous chapter on the nature of Gothic architecture which appeared in his *The Stones of Venice* (3 vols., London 1851–53) and was subsequently reprinted by William Morris at the Kelmscott Press. His growing interest in strictly economic and social questions is indicated in his *The Political Economy of Art* (London 1857) and still more strikingly in the series of books written in the 1860's which began with his famous diatribe on the classical economists, *Unto This Last* (London 1862). Committed to the doctrine that economics must be conceived in terms of human welfare, he denied that the mere exchange of goods apart from their production could rightfully "breed" in such a way as to yield interest.

His economic writings were fiercely attacked at the time of their first appearance, but they have exercised a wide influence on subsequent economic thought. During this period Ruskin also turned his attention to practical social reforms, helping Octavia Hill in her efforts to establish model lodging houses, starting his scheme for the provision of work for the unemployed in cleaning the streets and in similar activities and teaching art at F. D. Maurice's Working Men's College. In 1871 he took a further important step by beginning his extraordinary monthly miscellany, *Fors Clavigera* (8 vols., Orpington 1871–84), in which he appealed directly to the working class and bade men realize the dignity of productive labor and by ordering their lives after a simpler fashion escape from the false complexities of the modern economic system. In connection with this new appeal he launched in 1871 his Guild of St. George, endowing it with a tithe of his fortune. Through this body he endeavored to promote model farming, the revival of village industries and a reform of the educational system; and while most of his experiments led to no lasting result, he undoubtedly gave great stimulus to the movement for the revival of handicraft. In 1870 he had become professor of fine arts at Oxford University, and his lectures there attracted a large band of disciples. In his economic thought Ruskin was greatly influenced by his friend Thomas Carlyle, and he exerted a profound influence on William Morris and through him on the wider socialist movement. Politically Ruskin was opposed to parliamentary reform on the ground that reform must be individual rather than political. He called himself a Tory, but he was also prepared to accept the name of socialist. Above all he was a preacher declaiming, in terms reminiscent of an earlier generation of romantic mediaevalists, against the injustice and poverty of life which he found to be characteristic of industrialized society and endeavoring to inspire men by setting before them the ideals that he conceived to be embodied in the great art and architecture of the past.

G. D. H. Cole

Works: *Works*, ed. by E. T. Cook and Alexander Wedderburn, 39 vols. (London 1903–12).

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RUSSELL, JOHN, First Earl (1792–1878), British statesman. Russell inherited a name that was "a programme in itself," for his family had long been champions of liberty. A Whig from birth, he entered Parliament at twenty and remained there for no less than sixty-five years, from 1812 to 1861 in the House of Commons and after his elevation to an earldom in the House of Lords. He grew up to regard Great Britain as the champion and schoolmaster of Europe, and when in the name of Great Britain he hectored other powers he not infrequently offended foreign statesmen who had no special reverence for the Glorious Revolution of 1688. United Italy owed much to him. He first broke the concert of Europe by justifying rebellion on the principles of 1688 and then, moved by a private appeal, refused to join France in confining Garibaldi to Sicily. On the other hand, he must share in the responsibility for the outbreak of the Crimean War and for the Danish disaster of 1864.

From 1831, when his name stood for parliamentary reform, to 1866, when he ceased to be prime minister, Russell's personality was of immense importance to social progress at home. Apart from the measures he promoted his very existence helped to avert a revolution. He furthered justice to the Irish, municipal reform, popular education, colonial expansion, ecclesiastical reform, control of factories, cheaper postage, abolition of the corn laws—the redress of every privileged abuse. He was instrumental in founding the University of London, which embodied many of his ideas. But electoral reform through the widening of the parliamentary franchise remains the outstanding achievement of his long career: he changed a small and partial measure into a broad one based on principle and secured its passage into law. By extending the constitution to half a million property holders Great Britain, thanks to Russell, secured for many years immunity from continental revolutions.

W. F. Reddaway

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RUSSIAN REVOLUTION. The term Russian Revolution is generally employed with reference to the process of radical change in the social organization, culture and mentality of the Russian people which began in 1917. This revolution has been shaped by the historical, social and psychological factors peculiar to Russia. Indeed it should be regarded not as an isolated historical phenomenon but as a stage in a process which has continued since the early eighteenth century. In the reign of Peter the Great an effort was made to Europeanize the political and economic life of the country, a radical attempt considering the structure of European society and the narrow scope of international interdependence two hundred years ago. In a Eurasian country weighted down by intellectual lethargy and by the ritualistic immobility of the Eastern church the structure of the state—the armed forces, the civil administration and the courts—was changed to conform to European standards, while trade and industry were artificially stimulated. A discordant element was thus introduced into Russian life, provoking a movement of deep unrest which was to grow in intensity with the passage of time. In the course of the following century western ideas spread to the aristocracy attached to the new court at St. Petersburg, while the gentry, the clergy and the masses remained relatively untouched. Consequently there developed a profound estrangement between state and society, between the government and the people. Peter I, whom the opponents of westernization held responsible for this break in historical continuity, was regarded as the Beast of the Apocalypse. Since the Petrine reforms were necessitated by military and financial exigencies, they resulted in complete subordination of the national life to the needs of the state, above all of its army. Fiscal requirements aggravated the burdens of serfdom, which in the reign of Catherine II approximated outright slavery. The peasantry became more and more discontented, and Pugachov's rebellion (1773–74), which spread throughout southeastern Russia, assumed dangerous proportions, although lack of intelligent leadership doomed it to failure.

In its first stage the revolution in Russia extended only to the state apparatus and the aristocracy; in the second stage, which began with the insurrection of a group of army officers in December, 1825, the pivotal position was occupied by the intelligentsia, a product of the closer intellectual contact with western Europe after the Napoleonic wars. By the latter half of the reign of Alexander I the younger generation of the nobility and of the rising middle class had begun to study the idealistic philosophy of Germany and the writings of the early socialist thinkers of France. Recoiling from the degradation and pettiness of Russian public life they yearned for the freedom and intellectual integrity of the West. But they were helpless; the government responded with rigorous repression and the masses remained out of reach. Alienated from the masses and excluded from participation in public affairs, the Russian intelligentsia was left to its own devices, to engage in the everlasting quest for the meaning of "the Russian development, the Russian national idea." Thus there emerged the eternal student and the professional revolutionary, two characteristic Russian types. For the eighteenth century antagonism between the government and the people the cleavages between the state, the intelligentsia and the masses were now substituted.

The development of the Russian intelligentsia was conditioned by its isolation from business and public life and by its psychological make up. The members of this class, catholic in their interests and sympathies, cherished lofty ideals but remained entirely ignorant of the prosaic aspects of existence; they demanded all or nothing, scorned gradual, concrete achievement and were prone to fatalistic despair. The movement of the intelligentsia resembled nothing so much as a permanent discussion club, where ecstatic speeches about the magnificent future offered an escape from harsh reality. An outstanding manifestation of this utopianism was the unwarranted idealization of the masses, especially the peasants. This was common both to the westernists, who looked toward Europe for inspiration and guidance, and to the Slavophiles, who saw in the spiritual and social peculiarities of Russia a substitute, universally valid, for the decaying civilization of the West. The Slavo-

philes had no more contact with Russian reality than the westernists; their Russia was an apolitical community of love and freedom, a kingdom of God prepared by God's chosen people, the Russians.

Throughout the nineteenth century the rootless idealism of the intelligentsia was challenged only by the nihilists of the 1860's who professed extreme utilitarianism and submitted all matters to the acid test of reason. But the nihilist predisposition to a sober view of reality was soon overwhelmed by the longing of the intelligentsia to end its isolation, to bridge the gulf which separated it from the masses. The movement known as "going to the people" was particularly strong in the 1870's; it failed to attain any concrete results largely because of the distrust and inertia of the masses. In their desperation many of the intelligentsia then turned to terrorism, typically a weapon of the self-sacrificing idealistic individual; this form of struggle was of slight practical value, however, for terrorist organizations were undermined by harsh governmental repression and by the corruption inherent in large scale conspiratorial operations. Whether committed to terrorist action or choosing the slower processes of underground propaganda and education, the Russian intelligentsia persisted in idealizing the peasantry and its communal form of agrarian organization; the latter was viewed as the survival of an early agrarian communism, a bulwark against the infiltration of western capitalism and a basis for future socialist organization on the land. *Zemlya i volya* (Land and liberty), the slogan of the populists in the late 1870's, was the basis of the subsequent demand for socialization of the land and convocation of a constituent assembly. Such were the planks in the platform of the Socialist Revolutionary party, which dominated the political activity of the intelligentsia from its formal organization in the early years of the twentieth century until November, 1917.

The development of the Russian state during the nineteenth century failed to keep pace with the times. While the governments of Peter I and Catherine II were comparable in their efficiency to those of western Europe, the state under Nicholas I was still a centralized eighteenth century autocracy, lagging far behind the new states of western Europe which emerged after the French Revolution and the Napoleonic wars. The extent of this lag was revealed in the Crimean War. The backwardness of the largely patriarchal structure of Russia appeared in sharp contrast to the new society of the West, rooted as it was in a dynamic economy and buttressed by a free public opinion. In order to raise the efficiency of the army and the civil administration and to increase the taxable capacity of the country serfdom was abolished in 1861. But like most post-Petrine reforms this measure was inadequate; it burdened the peasant with heavy annuities and it vested control of the land in the commune, thus hindering the adoption of a progressive agricultural technique. Peasant hostility to the state did not abate; the peasantry did not become prosperous, while the landed nobility decayed. Reforms touching upon every phase of public life were enacted in the decade following emancipation, but they were oriented upon a narrow view of the aims of the state and did not greatly improve the lot of the masses or enhance the initiative and self-reliance of the individual. The best intentioned reforms lost their effectiveness for lack of suitable persons to fill the new positions in the reorganized administration. After the "era of reforms" public life reached what was probably its lowest ebb; these were "gray days" dominated by a total absence of any sense of social purpose and creative labor. Literature became an indictment of society and of the intolerable hopelessness of middle class life, especially in the provinces.

While the peasantry distrusted the intelligentsia as an offspring of the hated landowning gentry, it listened to the teachings of dissident religious sects. Those sectarians whose social ideology was molded by a literal interpretation of the Gospel established in the outlying regions pioneer colonies, which developed into prosperous communistic settlements. Many more, obeying the letter of the Gospel, abandoned their families and worldly possessions and wandered as "holy tramps" over the immense steppes of Russia, spreading the anarchistic message of a struggle against the state and the church, the servants of the Antichrist, the two horns of the Apocalyptic Beast. In the face of these doctrines of spontaneous peasant origin, preached in a language which the peasant could easily understand, the official church, completely devoid of social vision, and its illiterate village priests could offer no impressive resistance. As in seventeenth century England, religious dissidence operated as a revolutionizing factor, giving voice and form to the discontent caused by ruthless exploitation and extreme poverty. The peasantry was transformed into a revolutionary class with great

potentialities if the proper leadership were forthcoming; in its absence peasant risings could easily be localized and suppressed, as were the numerous outbreaks in the second half of the nineteenth century.

The quarter century preceding 1905 was a period of rapid industrialization and urbanization in Russia. Industry made great advances with the aid of French, Belgian, British and German capital, and the upper middle class prospered at the expense of the exploited working masses. Yet basically the country remained backward. Neither its social structure nor the production of raw materials was correlated with a high rate of industrialization and urbanization. Agriculture, the major branch of production, continued to stagnate; a large proportion of the agricultural output, drained off by the semifeudal landowners and the state, was sold abroad to service government loans and foreign investments, while the countryside was devastated by recurring famines and the living standards of the urban masses were kept very low. The Manchurian War of 1904 revealed the inner weaknesses of Russia as mercilessly as the Crimean War had done half a century before. The state was doomed but was kept alive by the inertia and feebleness of the opposition. The only classes which supported the autocratic monarchy were the nobility and the upper clergy, both in an advanced stage of economic and spiritual decay. The czar's alliance with the nobility had completely estranged the peasant masses, and the policy of Russification pushed the numerous non-Russian nationalities settled within the empire into the camp of the opposition.

By 1905, when Russia entered upon the third stage of the revolution, there were four conflicting groups. On the right autocracy was supported by the landed nobility and the high clergy, which were represented after 1905 by several reactionary parties. The middle classes, interested in stimulating the capitalistic development of the country, aspired to a more or less liberal constitutional monarchy on the German or the English model. The upper bourgeoisie was organized in the Octobrist party with the czar's manifesto of October 17, 1905 (this and all subsequent dates follow the Julian calendar used in Russia until 1918), as its platform, while the great mass of merchants, manufacturers, liberal gentry and bourgeois professionals was mobilized under the banner of the Constitutional Democratic party (Kadets). The political and economic demands of the peasantry and the majority of the intelligentsia, in so far as they could be formulated definitely, were embodied in the program of the Socialist Revolutionary party. At the extreme left there was the industrial proletariat, which by the end of the nineteenth century began to form a distinct class conscious of its differences from the peasantry and giving pronounced indications of industrial unrest. The views of this class were expressed by the Russian Marxists, who had been active in underground propaganda and organization since the early 1880's. In 1898 they formed the Social Democratic Labor party of Russia, which split in 1903 into a right wing (Menshevik) led by Martov and a left wing (Bolshevik) under Lenin. While the latter demanded a highly centralized party with a small membership of professional revolutionists, Martov favored a loosely organized mass party paralleling the western Social Democracies. The national minorities were represented by numerous political associations, some of which were affiliated with the liberal opposition; most of them, however, were bound by programmatic and personal ties to the revolutionary left.

The revolution of 1905, which followed upon a year of widespread agrarian and industrial unrest, began with the Bloody Sunday of January 9. A mass of unarmed workers, with the clergyman Gapon at their head, marched to the palace to present a petition to the czar and were fired upon by the troops in an act of wanton cruelty typical of the last phases of Russian autocracy. Peasant uprisings and workers' political strikes broke out throughout the country and sections of the army and navy appeared to be infected with the revolutionary virus. But the autocracy did not yield; in a spirit of doubtful wisdom it aroused the anarchic instincts of the masses against the intelligentsia, the cultured classes and the Jews, and a wave of pogroms swept over Russia. In May the first soviet, or council of workers' deputies, was organized in Ivanovo-Voznesensk, an important center of the textile industry, with a view to directing the city wide strike. Similar bodies were later formed in a number of other cities. Of these the most important was the St. Petersburg Soviet, in which Trotsky was the leading spirit; it was created in October and functioned for two months before its entire membership was arrested. In October a general strike paralyzed the country; and the government finally capitulated, promulgating the czar's

manifesto which promised civil liberties and conferred legislative authority upon the elective Duma conceived originally as a purely advisory assembly.

The October manifesto marked the peak of the 1905 revolution, after which the revolutionary tide receded. The armed insurrection of Moscow workers in December lasted for eight days but was drowned in blood by loyal troops; the middle classes hastened to make their peace with the government, and the latter gradually withdrew its concessions. The powers of the Duma were greatly curtailed; and Prime Minister Witte, who was ready to cooperate with the liberal bourgeoisie, was dismissed. Despite the restrictions upon suffrage to the Duma—it was neither equal nor direct—and despite the boycott of the elections to the First Duma by all the socialist groups, the overwhelming majority of both the First and the Second Duma stood in opposition to the government. In 1907 after the dissolution of the Second Duma, which like the first survived only for a few months, the electoral law was changed by the sole authority of the czar and in violation of the constitution (Fundamental Laws) which he had granted; the representation of the peasants, workers and non-Russian nationalities was sharply reduced.

The 1905 revolution culminated in "a constitutional monarchy under an autocratic czar," but this was not due to the strength of the regime. On the contrary, the latter evidenced all its characteristic weaknesses: stubborn adherence to entirely obsolete forms; tardy and unsuccessful halfway measures adopted under strong pressure to win support and to play one group of opponents against another only to betray both as soon as such a course seemed safe; selection of an incapable personnel for the execution of vital policies. But the enemies of autocracy were united only in their negative attitude to the government; the middle classes dreaded the specter of a social revolution, while the revolutionary movement itself was immature and weakened by the failure to cement an alliance between the peasantry and the urban proletariat.

Although apparently it had failed, the 1905 revolution was in effect a huge dress rehearsal of the outbreak which came a decade later. The experience of 1905–07 served as an inspiration to the masses of workers and peasants and the non-Russian nationalities; it aroused them from their lethargy and taught them lessons which could not easily be forgotten. It created in the soviet a pattern for the future organization of the urban masses and demonstrated the necessity of collaboration between the city worker and the peasant. Furthermore it widened the gulf between the right and left wings in the revolutionary camp. The right persisted in its belief that the scope of the revolutionary transformation should be restricted to the establishment of a bourgeois democratic republic and blamed the failure of the 1905 revolution in part upon radical extremism which alarmed the middle classes. The left wing, on the other hand, confirmed in its distrust of the middle class, made the union of the proletariat with the land hungry peasantry a basic element of its ideology.

The postrevolutionary era was marked by severe political reaction. The government, under the premiership of Stolipin for the first five years, was supported by the strong right majorities of the Third Duma (1907–12) and the Fourth Duma (1912–17) in following a policy of repression and of aggressive nationalism both at home and abroad. Where it was not completely exterminated by main force, the revolutionary movement was infested with spies and corrupted by agents provocateurs in the pay of the secret police. The numerous non-Russian nationalities, relegated to an inferior rank, underwent a process of forced Russification which frustrated the cultural development and the economic advancement of these peoples. Russian foreign policy was calculated to provide a link between autocracy on the one hand and the bourgeoisie and conservative intelligentsia on the other. It was oriented upon amity with western nations, on whose capital markets government and industry depended for loans, and upon expansion in the east. In particular the annexation of Constantinople and the Straits was designed not merely to satisfy the craving for imperial aggrandizement but also to fulfil the old dream of regaining Byzantium, the source of ancient Russian culture and religion. The dumas sought to strengthen the army in order to avoid the humiliating defeats of the past, but, as later events proved, an autocratic and bureaucratic regime which retarded the material advancement and spiritual emancipation of the masses could not prepare the country for the rigors of modern warfare. The peasant and the worker were not imbued with the spirit of self-conscious modern nationalism which would make them willing to bear for long the terrible sacrifices demanded by war. The Russian masses and the subject nationalities were kept outside the orbit

of Russian nationalism. The social structure of Russia was top-heavy—a condition which explains the easy susceptibility of Russia to revolutionary upheavals.

The economic structure of Russia was likewise unintegrated and top-heavy. Unlike the western countries, Russia did not experience the comparatively slow transition from a handicraft economy through the factory system to full fledged industrialism. There was consequently little correlation between the base of the Russian economy, which comprised a rather primitive agriculture and peasant handicraft, and the modern industrial giants at the top, which had been built up with the aid of government subsidies and investments of foreign capital. Even considered by itself Russian industrialism was extremely unbalanced. Although railway construction was pushed forward, the transportation system was not sufficiently developed to overcome the separation of the natural reservoirs of fuel and of industrial raw materials. There was moreover a perennial shortage of skilled labor adaptable to modern industrial technique. It cannot be denied, however, that Russian industry had made great strides forward. Agriculture benefited from Stolipin's reforms of 1906, which favored the dissolution of land communes and provided for the abolition of the system of scattered and intermixed allotments. The economic freedom thus conferred upon the more prosperous peasant strengthened his position, but the bulk of the peasants appeared in contrast poorer than ever. Grain trade was improved, better credit facilities were provided and rural cooperation was growing quite rapidly; but many years were required to diffuse the beneficial effects of these developments through the vast mass of the peasantry.

However slow and uneven, the modernization of Russian economy and the relative prosperity which it enjoyed in the years 1908–14 served to lessen the inertia of the people and to make them more receptive to political and economic education. At the same time the masses became more easily accessible to the intelligentsia. Although some of the latter were driven in despair to the sensuality of *Sanin* or the mystical Slavophilism of *Vekhi*, many of those who persevered found a new outlet for their idealistic devotion to the people in the cooperative movement, in the trade unions tolerated by the government after 1906 and in the workers' sick benefit societies provided by the law of 1912. Thus, while the leaders of the 1905 revolution were in prison or exile and revolutionary party organizations were destroyed or crippled, new revolutionary forces were slowly being trained in the country. In 1912 the excesses of the government in suppressing the strike in the Lena gold fields aroused widespread indignation. And from 1912 on there was an increasingly large number of strikes, involving in the first seven months of 1914 over a million workers; in these disputes political demands were often more important than purely economic issues.

The World War, which might have diverted growing internal tension into other channels, served only to reveal the corruption and inefficiency of the existing regime. The development of Russian industry and transportation was insufficient to meet the demand for highly mechanized equipment and for the swift movement of large contingents of troops and supplies. The court, isolated from contact with realities, failed to appreciate the gravity of the situation confronting the country. The ministers, selected by a court camarilla which regarded even the overwhelmingly reactionary Duma as a radical body, lacked energy and training for the tasks before them; indeed it was scarcely to be expected that they could develop such qualities when their tenure of office was dependent upon the whim of an autocrat surrounded by court intrigue. Some of them lacked simple honesty and would have been a dangerous burden even in times of peace. The cleavage between state and society, lessened in the years of peaceful prosperity and spanned in the outburst of national feeling which characterized the first months of the war, soon reappeared and grew ever deeper. The mass of the people were subjected to increasing hardships. In the army an incompetent and heartless corps of officers sacrificed millions of men and called for larger and larger supplies of human cannon fodder. The fields and factories were stripped of their trained workers, while the peasant soldiers, inadequately supplied with munitions, longed for home. By the winter of 1916 military defeats, growing economic chaos and the shortage of foodstuffs in important centers had produced a dangerous instability. The confidence of the upper classes in the high army command, the court and the ministry was definitely shaken; and the conviction became widespread that the fatherland was menaced more by internal foes than by the attacking armies.

Russian autocracy collapsed in February, 1917, and within a few months nothing re-

mained of the state built up by such strong and able monarchs as Ivan the Terrible and Peter the Great. The personality of Nicholas II, the decadence of the nobility and the weakness of the upper bourgeoisie played their part; but the fundamental cause of the crash was the fact that the Russian political and social system could withstand the pressure of modern civilization no more successfully than could the archaic Ottoman Empire. Russia had not experienced the process of national integration which molded the destinies of all European states after the French Revolution. The poverty and illiteracy of the people and the weakness of the bourgeoisie gave the Russian Revolution its chance. The mass of Russians were not allowed to share in shaping the destinies of their country and consequently did not develop that sense of responsibility for and loyalty to the whole which characterizes a modern nation. Russia typified not so much a modern nation state as a semicolonial country exploited by western capitalism with the aid of its own government and upper classes; its antimonarchist revolution was therefore bound to take on the color of an anti-imperialist rebellion. But the revolution led also to the secession of territories settled by non-Russian nationalities; for with regard to these as well as to its Asiatic neighbors Russia had played the part of an imperialist colonizer. For many reasons Russia was the weakest link in the chain of European capitalism and imperialism.

The overthrow of the czarist government initiated the fourth stage of the Russian revolution, which under the conditions then existing proceeded logically and irresistibly to its consummation in the establishment of Soviet rule in October, 1917. The first manifestation of mass action came on February 23 in the form of a demonstration in the principal streets of Petrograd by working class women who were turned away empty handed after they had stood in line for many hours to purchase bread. Within two days a spontaneous mass outbreak developed; organized revolutionary leadership was entirely absent, but under conditions of fundamental instability the chaos was bound to increase rapidly. If the government had not been in the hands of the autocrat and his inept ministers it might still have saved the situation, for the time being at least, by far reaching concessions coupled with energetic action. But the estrangement between the autocracy and the people had reached the point where a rapprochement was no longer possible. In a few days, when it became clear that the peasant army was making common cause with the workers, the outcome of the February outbreak was decided.

While the old government was overthrown, there was as yet no leadership capable of setting up a new government. The provisional committee of the Duma, motivated by the desire to assure continuation of the war and stabilization of the social order, implored the autocrat to grant reforms; as the unrest developed it spared no effort to save the monarchy. But the czar abdicated in favor of his brother, who hesitated to accept the crown without the consent of a constituent assembly. The Duma committee was thus forced, in order to avert chaos, to undertake the creation of a new government. A workers' and soldiers' soviet after the 1905 pattern was organized under the guidance of the moderate socialist parties. These were not prepared to assume full power; they hastened to assure the Duma committee of their willingness to support a government formed by it.

Thus there came into existence the first Provisional Government, whose authority was quickly recognized by the administrative apparatus of the old regime and by foreign countries. It was headed by Prince Lvov, who was widely known as chairman of the Union of Zemstvos, a vast organization which assisted the government in provisioning the army and caring for its wounded; and it included conservative and liberal representatives of the educated middle classes and one right wing socialist. The two outstanding personalities in the new set up were Miliukov and Kerensky. The former, leader of the Kadets and foremost parliamentary critic of the slackness and stupidity of the czarist government in the prosecution of the war, apparently believed that the elimination of autocracy would strengthen Russia's will and capacity for war. As minister of foreign affairs he continued to stress the necessity of a decisive victory and of the fulfilment of Russia's historic mission in the annexation of Constantinople and the Straits. Kerensky, a brilliant young lawyer who had defended the Lena strikers in 1912, a member of the Duma and a vice president of the Petrograd Soviet, was the only member of the government whom the masses trusted at the outset. But Kerensky's grasp of the situation was no more realistic than that of his colleagues; like the other right wing socialists, he believed in the existence of a nationally conscious Russian people willing to continue the war and therefore convinced of the necessity of preserving the

framework of orderly government inherited from the autocratic regime.

Like many of the liberals and Socialist Revolutionaries, the Provisional Government idealized the Russian masses, their patriotism and their innate maturity and shaped its policies to a preconceived pattern of national democratic revolution. It was moreover pushed in the wrong direction by the official and unofficial representatives of the Allied countries, who not only failed to understand the trend of events but also were astonishingly devoid of sympathy with the Russian people, regarding Russia merely as a tool to be used in the achievement of their own war aims. For eight months the growing restlessness of the workers and peasants compelled frequent shifts to the left in the composition of the government and in its program, but these came always too late to effect a permanent adjustment. The first such change occurred during the week ending May 6, when the Kadet Miliukov and the Octobrist Guchkov, the two members prominently associated with the policy of war for imperialist ends, were replaced by Chernov, leader of the Socialist Revolutionary party and advocate of land socialization, and the Menshevik Tseretelli, the strongest man in the Petrograd Soviet.

Both in Petrograd and in the provinces, which quickly and spontaneously followed the example of the capital, the Provisional Government enjoyed only such power as was vouchsafed it by the soviets of workers' and soldiers' deputies. For the masses made the revolution against the wishes of the Duma, from which the Provisional Government issued; and they recognized only the authority of their representatives organized into soviets, considering the latter the guardian of the revolution. At first soviet leadership was in the hands of Mensheviks and right wing Socialist Revolutionaries, who were ready to cooperate with the government. But these groups could no more control movements from below than could the government itself. In the following months the masses veered rapidly to the left from their original toleration of a defensive war and a bourgeois government with a minority of moderate socialists; the executive committees of the soviets, which reflected this trend albeit tardily, could moderate its violence and delay its culmination but were powerless to check or reverse it.

While a semblance of order was thus preserved, the situation was fundamentally unstable. In a vast country characteristically lacking an integrating national consciousness the downfall of the only legitimate and traditional unifying institution, the autocracy, inevitably led to anarchy. The ruling classes of the old order were distrusted and despised by the masses. The leading bourgeois groups, lacking the authority which the autocracy had enjoyed, were too inefficient or too weak to produce a coherent and devoted élite able to salvage the country from the chaos of war and revolution which undermined the defective structure of the state. Once the restraint of centuries was removed, "direct action" in industry, on the land and in the army became the order of the day. The soldiers longed for peace, the peasants coveted the landed estates and the workers pressed for the control of industry. Any well knit group under energetic leadership with an understanding of these demands which in seizing power would give some promise of their fulfilment could direct the course of the revolution. Eventually power passed into the hands of the Bolsheviks, the one party which had a clear program and a definite line of action. In conformity with the principles advocated by Lenin since 1903 it was an organization of picked men united by strict discipline. At its head stood Lenin, who combined a fervent faith in the future of a socialist and internationalist society with an astute understanding of the exigencies of the immediate situation and of the psychology of the Russian masses.

While the Bolsheviks were manoeuvring into a position of leadership, other groups which formerly had been sympathetic to the revolutionary cause turned against it. In the first month of the upheaval class distinctions were submerged in a wave of universal jubilation and general fraternization. The bourgeois intellectuals welcomed the revolution as the realization of a seemingly lost hope. The comparative bloodlessness of the change was hailed as evidence of its superiority over the French Revolution and as proof of the nobility of the Russian soul. The future of Russia appeared bright and clear: as the ally of western democracies it was engaged in a war to destroy Prussian militarism and to liberate the enslaved nationalities of central Europe, and as the foremost representative of the Slavic tradition it was fulfilling its mission in the spirit of love. But this dream was ended abruptly; when the revolution passed the point at which they should have liked it to stop, the intellectuals were driven to counter-revolution. It would be unfair to say that they were

animated solely or even largely by the desire for the preservation of their vested interests. To many of them who were brought up to revere revolutionary ideals and who had always longed for a revolution in Russia the turn of events and their reaction to it involved profound personal tragedy. They were frightened by the chaos and cultural barbarism which appeared about them and were horrified by the instincts of the primitive masses, now unleashed. They became sincerely convinced that the old order, despite all its defects, was infinitely preferable to the chaos and ugliness of the rule of Smerdyakov. The Russian intelligentsia remained true to tradition: once more it recoiled from the realities of life, thereby losing its power to shape them.

The groups of socialist intelligentsia fared little better. The largest among them, organized in the Socialist Revolutionary party, had for nearly half a century fought for the socialization of land and the convocation of a constituent assembly. It now seemed that the work of three generations had borne fruit, for the masses adopted these demands as their own. At the first All Russian Congress of Soviets in June, 1917, the Socialist Revolutionaries in combination with the Mensheviks still controlled a majority of the delegates. This appeared to be the correct historical moment for the realization of their program, but they delayed action from month to month. The difficulties and problems involved were grave, and the longer they were discussed the more insuperable they seemed. The leaders knew too much and doubted too much; the masses knew nothing but demanded swift action. Chernov appeared to have grasped the situation. He drafted a law for the socialization of agricultural land, but the Allies put all their influence against it, arguing that nothing should be done to divert energy from the successful prosecution of the war. This attitude prevailed in the Provisional Government and sealed its fate: for the Russian masses the revolution took precedence over war.

Kerensky tried to find a middle road between the two but failed in this impossible task and lost the confidence of both the middle classes and the masses. From March to July he had drawn to himself the hopes and the love of the majority of the people, yet a few months later his power collapsed like that of the czar in the preceding February. In June Kerensky carried out an extraordinary oratorical campaign which galvanized the army into action, but the offensive collapsed after a fortnight. In early July the government in which he was the most prominent figure suppressed an uprising of Petrograd workers. The insurrection had developed from a spontaneous demonstration against the Kerensky offensive; and although the Bolsheviks considered it premature, they assumed the leadership after its inception. A few days later, on Prince Lvov's resignation, Kerensky became prime minister and in fact dictator of Russia. But the All Russian Conference, convened by the government in Moscow on August 12, revealed the weakness of his position. A fortnight later the attempt at a counter-revolution led by chief of the army command, General Kornilov, marked the turning point. Although Kerensky, who was Kornilov's immediate superior, was finally forced to take an open stand against the latter, Kerensky's vacillation made the ambiguity of his standpoint even more pronounced. The soviets rallied to Kerensky's support and "saved" the Provisional Government; but the respect of both radicals and conservatives for Kerensky was irretrievably lost, the army became completely disorganized and the soviets moved farther to the left.

In the meantime Trotsky, who together with the group of united Social Democrats (Mezhrayontsi) had joined the Bolshevik party in July and was rapidly becoming a most influential figure in the left wing, was elected president of the Petrograd Soviet. Together with Lenin, who had put forward the slogan "All power to the soviets" immediately upon his arrival in Petrograd early in April, Trotsky insisted, against the advice of other Bolshevik leaders, that the proper time had arrived for the seizure of power on behalf of the soviets. It was Trotsky who created the Military Revolutionary Committee of the Petrograd Soviet and obtained complete control of the garrison and the arms of Petrograd. In October all Russia was aware that a Bolshevik insurrection in the capital was impending. When it occurred on October 25, the Provisional Government was overthrown as easily as the czarist government had been eight months before. But whereas the February rising had been entirely spontaneous and unorganized, in October the masses were led by the Bolshevik party with Lenin at its head. When the government headquarters in the Winter Palace were occupied by a detachment of Kronstadt sailors, the second All Russian Soviet Congress, which convened in Petrograd on the day of the insurrection, declared that all power was now transferred to the soviets of workers', soldiers' and

peasants' deputies. Through their chosen representatives the Russian masses had assumed the government of the country. In the midst of complete chaos a group of men breaking entirely with the past and filled with a fanatical faith in the future had taken upon itself the gigantic task of creating a new order.

While other parties allowed themselves to be dragged along in the wake of the revolutionary process, Lenin had the courage to accept the dynamics of the revolution and to put the Bolshevik party in the lead. His own views allowed him easily to adopt the demands of the masses and to become their mouthpiece. There were four major problems which determined the unfolding of the revolution: war, land, control of industry and the status of the non-Russian nationalities. Lenin could sponsor wholeheartedly the demand for an immediate peace. Whereas old revolutionary leaders like Plekhanov and Kropotkin had become war patriots, Lenin had since the outbreak of the war maintained that it was a struggle between two imperialist blocs which the proletariat of each country should endeavor to transform into a civil war against its own bourgeoisie. On the issues of workers' control of industry and of the partition of landed estates Lenin had only to follow the trend which had manifested itself in direct action throughout the country. Likewise the problem of the non-Russian nationalities had found a de facto solution even before November, 1917; Finland, the Ukraine, the peoples of the Caucasus, the Mohammedans of the lower Volga, Crimea and central Asia and the peasant nationalities of the Baltic provinces had set up national governments which declared their autonomy or even complete independence of the Provisional Government. The bourgeois parties fought against this spontaneous process of devolution; in fact it was the demands of the Ukrainian Rada which precipitated the final break of the Kadets with the Provisional Government. But Lenin in accord with his internationalist viewpoint proclaimed the right of all peoples to self-determination and applied this principle not only to the oppressed nationalities in the enemy camp, as the other governments did, but also to those in his own country.

In taking over the government of the former Russian Empire Lenin was supported by the good will of all numerically important elements of the population—the soldiers, the peasants, the workers and the non-Russian nationalities. The new government set out immediately to fulfil the demands of these groups, invalidating thereby the contention of its opponents that it could not last longer than a few weeks. It proved stronger than the apparently powerful coalitions of czarist generals, who stood for the past, with the Entente or the Central Powers, which represented an element alien and repugnant to the Russian masses. During the period of civil war and foreign intervention, from 1918 to the close of 1920, the Communist party, as the Bolshevik party renamed itself, was able to consolidate its power in the face of seemingly insurmountable economic and strategic difficulties.

The second Soviet Congress, which established the new government, issued a call to all belligerent nations to open immediate negotiations for a just, democratic peace. It also promulgated a decree confiscating landlords' estates as well as crown and church lands and placing them under the protection of district soviets and local land committees. This decree legalized the agrarian revolution, which had been in process since early summer. It was not a realization of the Bolshevik program of land nationalization but the fulfilment of the aspirations of the peasants, who had to be won over if the new government was to be established on a firm base. On November 2 a "declaration of the rights of peoples" conferred upon the different nationalities in Russia the right of self-determination and even of separation. Workers' control of industry was authorized on November 14, when it was provided that the shop committees should assume control over production, purchase and sale of raw materials and products and the finances of all business units employing hired labor.

To secure "all power to the Soviets" it was necessary to prevent the reappearance of dual government through the Constituent Assembly. Although for several decades the intelligentsia had dreamed that a free and happy Russia would issue from the deliberations of a constituent assembly, the latter remained a formal ideal without any content; in typical Russian fashion it was expected to work miracles as a pure idea. When the turn of events in February made possible the convocation of the assembly, the intelligentsia suddenly awoke to the fact that the masses were not prepared for this enormous task of democratic reconstruction and postponed elections from month to month. Certain groups moreover wished to delay the assembly until the army was demobilized, on the ground that the settlement of fundamental issues would inter-

fere with the active prosecution of the war. In the first months of the revolution the Bolsheviks pressed for an early convocation of the assembly; even after the demand for Soviet rule had been voiced, they maintained that only a Soviet government could assure the speedy arrangement of free elections. These were provided, however, by the Provisional Government before its demise and were held a fortnight after Soviet accession to power. The Socialist Revolutionary party won a large majority of the seats.

The Constituent Assembly met on January 5, 1918, in an atmosphere of extreme tension. If it had been convened six months earlier it might radically have altered the development of the revolution. Now, however, it was too late. The Bolsheviks declared that the revolution had already recognized the Soviets as the sole government of Russia and that only a dictatorship of workers and peasants could lay the foundations of a socialist society. The popular mind was changing so rapidly in this dynamic revolutionary period that the representatives elected in November no longer reflected the true spirit of the masses. Once more the Socialist Revolutionaries showed that they lived in a world of fictions, for they actually believed that the Soviet government would not dare to attack an assembly which expressed the supreme will of the people and that the people would rise spontaneously to its defense. They were sorely disappointed. In the early morning of January 6 the Constituent Assembly was dispersed by the military guard without any resistance by the members or by the public. Long a cherished ideal, it had come to an abrupt and undignified end. The prestige of the Bolsheviks was greatly strengthened by this easy victory.

Meanwhile peace negotiations with the Central Powers had been opened at Brest Litovsk on November 19, 1917. The Soviet Congress appealed for an armistice on all fronts and urged a general peace based on the principles of no annexations or indemnities and of national self-determination. The Entente ignored the request for a general armistice and the Central Powers defeated the demand for a democratic peace. When the Germans attempted to cloak annexationist proposals with the phraseology of national liberation, Trotsky, who directed the Russian delegation, forced the issue and broke up the negotiations. But Russia was entirely unprepared for the continuation of war, which daily stiffened Germany's position. As usual Lenin did not flinch; he derided the talk of a "holy war" of revolutionary Russia against imperialist Germany and forced the signing of the peace treaty on February 18, 1918. It involved the loss not only of Poland and the Baltic provinces but also of the Ukraine with its rich agricultural land, vast mineral resources and important heavy industries. Acceptance of the humiliating treaty was necessary if the revolution was to be saved. Furthermore the Bolsheviks were quite certain that the treaty would soon be scrapped, for they expected that the establishment of a dictatorship of the proletariat in Russia would be followed by an international proletarian revolution. Although this hope proved vain, the Germans were compelled a year later to submit at Versailles to a peace treaty which was not only very similar to that imposed by them at Brest Litovsk but which abrogated the latter.

In March, 1918, the revolution seemed secure in its achievements. The Soviet government was constituted as the sole government of Russia and its seat was transferred from imperial Petrograd to Moscow, which was more centrally located and always had been closer to the real life of the country. It had rid itself of a foreign menace and was rapidly overcoming such internal resistance as the sabotage of the administrative apparatus taken over from the old government. A period of internal reconstruction was pending. By the end of June, 1918, banks and insurance companies, large scale industry, mines, water transport and the few railways formerly operated by private companies had been nationalized; foreign debts incurred by the czarist and provisional governments were repudiated, foreign investments in private industry were confiscated and foreign trade was declared a monopoly of the state. The cooperation of the professional and technical intelligentsia was sought when it became clear that their skill and experience were indispensable. But the Soviet government was not allowed to proceed in peace. It was forced to defend a country shattered by war and revolution in a desperate struggle against external and internal aggression.

Aggression from within was met by the erection of the dictatorship of the Communist party and by the Red terror. The Extraordinary Commission for the Repression of Counter-revolution, Sabotage and Speculation (Cheka) created in December, 1917, was now given a free hand. The terror was carried out with the utmost ruthlessness, but it began only after the uprising of left Socialist Revolutionaries, the former allies

of the Bolsheviks, in July, 1918, the assassination of the president of the Petrograd Cheka and the attempt by the right wing Socialist Revolutionary Dora Kaplan to assassinate Lenin at the end of August. In the merciless struggle which ensued the iron discipline of the Communist party proved superior to the terrorist idealism of its adversaries, who once more proved themselves out of touch with the real life of the masses. The Communist party, which suppressed the supreme representative assembly of the country and accepted a humiliating peace for Russia, was considered by the Socialist Revolutionaries as insidious an enemy of the people as the czarist autocracy had been. It was overlooked that whereas the autocracy had been estranged from the people, the Communist party had risen to power by accepting and following their aspirations.

Aggression from the outside, by the armies of White generals and foreign states, served only to strengthen the Soviet government. Russia was practically surrounded by armies of foreign invaders: German and Austrian troops occupied the Ukraine and assisted White armies in the northern Caucasus; a Czech corps of former Austrian war prisoners was operating in the Urals and in Siberia, which was invaded also by Japanese forces; English and French troops established a "democratic" government in northern Russia; and French warships entered the Black Sea ports of Odessa, Nikolaev and Kherson. But the most dangerous enemies of the Soviets were the volunteer army in southern Russia under the command of generals Alekseyev and Kornilov (November, 1917–March, 1918), Denikin (April, 1918–March, 1920) and Wrangel (March–November, 1920) and the Siberian army under Admiral Kolchak (November, 1918–January, 1920), who was proclaimed by the Whites supreme ruler of Russia. For some time the situation of the Moscow government appeared desperate. It was cut off from the regions supplying wheat, meat, coal and oil, and it had no army or ammunition for defense against foreign troops and the forces of former Russian officers and Cossacks, supplied as these were with technical advice, munitions and money from abroad. Eventually the Soviets won, for the conflict was not primarily a trial of military strength. It was a class war. Although in several instances the commanders of the White armies arranged at the start for an agreement with right wing socialists and created a semblance of democratic government, this policy was quickly discarded in favor of military dictatorships which treated the regions under their control as conquered territory. The workers, peasants and non-Russian nationalities soon realized that government by the Whites meant the return to power of their old masters and gave their sympathies to the Communists. In certain of its aspects the conflict was indeed a national war. For in a desperate attempt to restore the old order the dispossessed nobility and upper bourgeoisie indiscriminately "sold out" Russia to the Allies and to the Germans, in fact to every foreign power willing to stake money and men on the alluring prospect of the victory of reaction. In the last analysis the issue was decided perhaps by a moral factor. The war was waged with ruthless cruelty on both sides, but on the side of the Whites the ruthlessness was coupled with a deliberate disregard for human values. The corruption and incompetence of most of the White officers and their civilian underlings in southern Russia and Siberia were more disgusting than the witches' sabbath of the last months of the czarist regime. On the other side the Red army of workers and peasants created by Trotsky's genius bore witness, by its simplicity and idealistic devotion, to the inner strength of the Soviet cause. The Red army was moved by an overwhelming enthusiasm for the revolution in Russia and in the world. As in 1792, the badly equipped revolutionary amateurs fighting for the freedom of their own country and a new deal for humanity defeated the well trained professionals of the old order. A new dynamic spirit was born in the formerly apathetic Russian masses.

By the end of 1920 the Soviet power was consolidated both internally and externally. The White armies were dispersed. The war against Poland was lost after initial conspicuous successes, but on the other hand it had induced nationally minded groups actively to support the Soviet government. Russia was reconstituted within its old borders, except for the western provinces now organized into independent states—Poland, the Baltic countries and Finland —which, it may be noted, represented the most Europeanized sections of the old empire. The capitalist powers were forced to give up for the time being their designs upon Russia or the Soviet government. In a war weary world it was difficult to marshal new troops for the fight against the "Bolshevik pest," and the political and economic blockade by the border states under Entente guidance eventually collapsed.

The Soviet government on its side had to abandon hope of immediate world revolution. The Communist, or Third, International, founded by Lenin in 1919 as the legitimate successor of the First International, was intended to expedite and direct the world revolution; but it proved ineffective and in the course of the following decade lost much of its early vigor. It was transformed in fact into an instrumentality for the support of the only proletarian state in existence, the Union of Soviet Socialist Republics. Outside Russia nationalism was stronger than socialism. The short lived Soviet governments of Hungary and Bavaria were overthrown by reactionary dictatorships, Fascism was on its march to power in Italy, while the Social Democratic parties in central Europe collaborated with the bourgeoisie in strengthening the national states. In western Europe capitalism seemed to be entering upon a new period of post-war stabilization. From a revolutionary standpoint the objective conditions in the Orient seemed much more promising. The colonial and semicolonial peoples of the East suffered from political oppression by foreign masters and economic exploitation by western capitalists; their national revolutions could therefore easily be turned into social revolutions. But after 1922 even Asia witnessed a period of comparative stabilization, due in part to the skilful policy of concessions adopted by Great Britain. The great Communist Congress of the eastern nations convoked at Baku in September, 1920, had no successor. Yet Soviet policy in the Orient was of far reaching importance. The Asiatic peoples, having entered the stage of conscious nationalism after the World War, were no longer confronted by a relentless aggressor against their nationhood and progress; the new Soviet state was a friendly neighbor, encouraging in every conceivable fashion their national and economic independence. The Soviet policy based on the principle of complete equality of all nationalities and races effected a revolution in the relations between the Orient and the Occident. This was not, however, the hoped for prelude to a Communist world revolution; the "emancipation of the East" benefited the Soviet Union only to the extent that it resulted in weakening western imperialism and capitalism.

External consolidation of the Soviet government was accompanied by a major change in its internal policy. Although it conformed in a general way to Communist doctrine, the system of war communism which obtained in Russia after the middle of 1918 was inaugurated hastily under the pressure of civil war, internal sabotage by capitalists and technicians and the rapid taking over of industrial plants by the workers. The state or cooperative organizations closely integrated with the state operated under this system virtually all enterprises in industry and trade. Agriculture remained in the hands of the peasants, but cultivation of the soil was compulsory and grain surpluses were requisitioned by the Soviet. While war was raging this system was needed to assure the equipment and provisioning of the army and to prevent starvation in the cities, but it could not be maintained when the danger of external and internal counter-revolution had waned. It was moreover a heavy drain upon the capital resources of the nation, already seriously depleted after more than three years of war and revolution. At the end of the civil war the transportation system was in a state of disrepair, the shortage of materials and fuel brought the productivity of industry to a very low ebb, inefficient husbandry reduced crops and livestock and resulted in widespread food shortage, which a drought in 1921 transformed into a devastating famine, particularly in the Volga region. Peasant revolts against grain requisitions in 1920 and the mutiny of Kronstadt sailors in March, 1921, revealed the necessity of prompt measures to relieve the desperate economic situation. Once more Lenin's realism came to the rescue; he declared that communism could be built in Russia only after a short breathing spell, which would restore some measure of economic productivity and rehabilitate the political strength of the government. The tenth congress of the Communist party in March, 1921, adopted Lenin's program of a New Economic Policy, the NEP.

Lenin realized that large scale social and economic transformation in Russia must encounter tremendous obstacles. He saw that the revolution would have to overcome not merely the deliberate opposition of vested interests, which was weaker here than in richer western countries, but also the stronger and more insidious psychological resistance to radical change. Unlike the peoples of the West, the Russians were still bound by tradition and lacking in initiative and efficiency. To build socialism in Russia, to assure a decent standard of living for the masses, it was not sufficient to redistribute wealth or to socialize the means of production. It was essential to raise all branches of production to a higher technical level, to introduce into Russia

the modern technology of progressive industrialism. But before the Russian could appreciate the need for an advanced technical civilization and adapt himself to its requirements, a process of drastic reeducation and indoctrination was required. The Communist party could not attempt to impose industrialization from above, as is done in backward countries by alien interests; if it was to reshape the Russian economy into a foundation suited to a socialist society it had to enlist the cooperation of the masses, to arouse in them a sense of self-respect, to dignify labor for them and through them. The period of the NEP served as a respite also in this respect; it provided an opportunity for the training of the party membership to the new tasks of economic administration and for the preparation of a comprehensive reeducation of the masses.

Perhaps the most important single feature of the NEP was the replacement of the system of requisitions by a fixed grain tax, which in 1924, with the stabilization of the ruble on a gold basis, was commuted into a money tax on agriculture. The peasant was thus set free to dispose of his products in the open market. Small business reverted to private traders, but large scale industry and the important monopoly of foreign trade remained in the hands of the government. There quickly developed a new class of prosperous peasants (kulaks) and urban middlemen (Nepmen), whose wealth, however, gave them neither political rights nor social standing; moreover they were heavily taxed and closely supervised. In general the danger of a new capitalism was slight. Bourgeois experts were utilized, in so far as they were available, to assist in the economic reequipment of the country, but they were kept under strict control. Reliance upon the profit motive and the market mechanism was reintroduced even in the nationalized sector of the economy, but it was kept within narrowly defined bounds. Special emphasis was put upon the *smichka*, the economic link between the industrial proletariat and the peasantry. State factories were charged with the task of supplying at a reasonable cost the industrial products needed by the peasants, and the danger inherent in the excessive disparity between industrial and agricultural prices was combated.

During the period of the NEP, which lasted from 1921 to 1928, the position of the bureaucracy in the governmental and economic spheres was strengthened and the importance of the party apparatus increased *pari passu*. In these years the Communist party passed through a phase of factional dissension and inner conflict which brought a new emphasis on party discipline and teamwork. The latter was essential in preparation for the rapid reconstruction of a vast and backward country, which would inevitably strain the forces of the party to the utmost. The heroic period of the revolution, the epoch of brilliant improvisation and genial guessing, was over; the industrial period of systematic, carefully planned construction was pending. As an organization of picked men under iron discipline the Communist party was well equipped to overcome the danger inherent in all parties of revolution and especially in Russian parties—the fatal predilection for interminable abstract discussion and the consequent incapacity for leadership.

Lenin's unique position in the party and in the revolution may be attributed to the fact that he combined the traits of an organizer and educator with those of a penetrating thinker. Upon his retirement from active participation and especially after his death in 1924 Trotsky, the brilliant intellectual, the hero of the October insurrection and the civil war, fell heir to Lenin's position as the party's foremost theorist. But during the period of consolidation the party machine had come into its own. At its head stood Stalin, a man devoid of theoretical profundity, incapable of stirring the masses by his eloquence but energetic and persevering in the practical work of building the party organization. Totally unlike the older type of the Russian revolutionary intellectual, Stalin is not a dreamer with broad cultural interests but a practical man who has his ear close to the ground; he is representative not of the party as it was before 1917 or during the heroic period of the revolution but of the party as it developed after 1924, of the new Soviet intelligentsia. In the struggle for power between Stalin and Trotsky, which marked the second half of the NEP period, the latter was almost always theoretically correct and accurate in interpreting Lenin; but Stalin preserved an equally important aspect of Lenin's heritage in being more skilful in fixing upon the practical needs of the hour. It was a conflict between two generations and two temperaments. Stalin won; his opponents had to submit or suffer expulsion from the party. Under the regime of the "general line" the party had developed into an apparatus governed by the most rigid discipline, an instrumentality of action directed by a few men at the top. This characteristic of the party served to give it a commanding

position in 1917; it was reenforced and indeed overemphasized as the revolution resumed its stormy march upon the termination of the NEP in 1928.

One of the points at issue in the Trotsky-Stalin controversy was the agricultural policy. As early as 1925 Trotsky had led the left wing in opposition to the party line, insisting on a vigorous policy against the kulaks. He asserted that the kulaks, who rented land and hired outside labor, were becoming the chief source of supply of food for the cities and of grain for export; their economic influence was growing and the situation was rapidly approaching a point where the fate of the country might have to depend largely upon their willingness to cooperate. The "right deviation," which crystallized somewhat later, feared on the other hand that an attack upon the kulaks and abandonment of the NEP would result in a complete economic breakdown. Stalin maintained a position midway between the two, but in 1929 he adopted Trotsky's agrarian program. Stalin's shift did not, however, effect a reconciliation with Trotsky, for the fundamental ideological difference between the two was much broader than this issue; it had been at the basis of their disagreements on every concrete question of domestic and foreign policy and there is every likelihood that the divergence will continue. Stated in most general terms it concerns the problem as to whether socialism can be built in a single country. Trotsky maintains, in accordance with Lenin's position both before and during the revolution, that the establishment of Communist rule in Russia must lead to a world proletarian revolution and that socialism cannot be achieved in Russia alone; policies which go contrary to this assumption and count on the persistence of capitalism in the West are bound to lead to a degeneration of the proletarian dictatorship in Russia and to the loss of its effectiveness as the leader of world Communism. Stalin, on the other hand, proceeds from the apparently more realistic assumption that there is no hope for a world revolution for the time being, that socialism must therefore first be developed in the Soviet Union and that the necessary conditions for such development must be created through the industrialization of the country and the collectivization of its agriculture. This policy, it is asserted, accords with the internal economic and educational needs of the Soviet Union; it has an important bearing also on the international situation, for the achievement of socialism in Russia will be the most effective form of propaganda for world Communism.

Stalin's policy was adopted when the NEP was abandoned in 1928. Since that time a direct and relentless drive toward the goal of socialism has been pursued, although compromises, concessions and temporary retreats are still employed to rectify maladjustments arising from excessive speed. The current aim is the rapid transformation of a backward agrarian community into a progressive industrial nation. Internally it involves the mobilization of the entire nation under the centralized command of the Communist party operating as the general staff of an army through its own apparatus and the more ramified structure of the totalitarian state. The pace which has been set, conditioned in part by military considerations, leads despite centralized organization to much waste and, in a country poor in accumulated capital, to terrible suffering, which can be borne only by those peoples who are ready to sacrifice the present to the future. In its international aspects the policy of industrialization leads to the emancipation of Russia from economic dependence on the West, upon which it had to rely even after the revolution for the importation of machinery and technical experts available only in exchange against agricultural exports. The aspiration toward economic self-sufficiency has also a political angle; the revolution is to be protected from a possible attack by imperialist powers which would seek to destroy the beginnings of socialism.

The drive toward socialism calls for advance planning in all branches of the economic and cultural life of the country; indeed the post-NEP era has been characterized as the period of planned economy, more accurately, of planned society. Broadly speaking, the advance proceeds along three roads: industry, agriculture and culture, or education. Work on the industrial front will provide the plant necessary for the introduction of a universally high standard of living. In the first stages it is proposed to establish the conditions essential for the efficient exploitation of the natural resources and to build up the heavy industries supplying the equipment needed in the manufacture of consumer goods and in agriculture. This campaign is closely bound up with the awakening of the spirit of initiative and self-reliance in the working masses and with their training in technical and managerial skills. On the agrarian front the

program involves the introduction of machinery and modern methods of cultivation as well as the substitution of technically efficient collective farming for the primitive and deficient individual farming of the Russian peasant; it is expected to assure not only an increase in the supply of foodstuffs for domestic consumption and of raw materials for industrial expansion but also the establishment of a real community of interest between the workers in city and country, the *smichka* which Lenin insisted upon. Advance on the cultural front is a necessary supplement to the work in the economic sphere, for it is designed to combat illiteracy and traditionalism, to change the habits and ways of life of the masses. Cultural activity is dominated by as strict a discipline as that which controls economic processes. Adult and child are indoctrinated with the new spirit, a boundless enthusiasm for the task of building a classless society and a high efficiency in the performance of concrete tasks. The arts and sciences are mobilized to this end; and cultural treasures, formerly inaccessible to the masses of Russia, are spread before the new citizens to awaken in them a sense of independence and dignity as active participants in the new society. Religion is fought as an element of reaction, which tends to make men look back to the past rather than forward to the future. But the propaganda of the godless is effective only because the youth in the Soviet Union has a new faith in the possibility of human happiness.

Since the inauguration of comprehensive planning Soviet development has been controlled by two five-year plans. The first, dating from October 1, 1928, was declared successfully terminated at the end of 1932. In accordance with it much progress was made in the development of heavy industries: the coal industry was modernized, oil output was expanded, the production of electric energy was almost tripled, new blast furnaces, automobile and tractor plants and machine factories were erected. But the transportation system remained weak, the development of the light industries manufacturing consumers' goods lagged behind and the population, still suffering from the shortage of many essential articles of consumption, was put under a terrific nervous strain. The excessive speed of industrialization interfered with the proper coordination of the various branches of production, while the lack of technical experience and the ineptness of the bureaucracy resulted in considerable waste. In keeping with Lenin's policy of elastic readjustment Stalin in 1931 abandoned exclusive reliance upon "socialist competition" and introduced a system of bonuses, piecework and graduated wages to stimulate efficiency and workmanship, stressing also the necessity of greater confidence in experts and more wholehearted cooperation with them.

During the period of the first Five-Year Plan the changes in agriculture were more drastic than in any other branch of the Soviet economy. These were necessary in view of the inability of agriculture, as carried on under the archaic Russian system, to meet the growing needs of an expanding industrial society and the development of a class of capitalistically minded peasants, which represented a potential danger to the state. The World War interrupted the work of consolidating the scattered holdings of peasant families, which was an important feature of Stolipin's reforms. During 1917 the system of communal land tenure with periodic repartitions, which retarded the adoption of more intensive methods of cultivation, was restored throughout Russia. The period of civil war and the early years of the NEP involved considerable retrogression even from the low standards of pre-war agriculture. Since the population increased at a high rate and industry expanded rapidly, it was possible that in the not too distant future there would be a shortage of foodstuffs and organic raw materials. In 1925 the government resumed the work of rearranging intermixed strips of land into solid plots, put credits and machines at the disposal of peasant cooperatives and sent agricultural experts into the villages. By 1927 agriculture reached the prewar norm and the livestock losses incurred in 1921–22, the years of famine, were recouped. But industry could not as yet meet the demand of the peasants for finished goods, and the disparity between industrial and agricultural prices increased to the detriment of the latter. Agricultural output was therefore reduced, and the government, unable to purchase a sufficient quantity of grain, especially for export, resorted once more to requisition at fixed prices. The year 1928–29 was marked by widespread peasant unrest. In the autumn of 1929 the government inaugurated a vigorous campaign of rapid collectivization of farms. Because of the ruthlessness and inexperience with which it was carried out, the reform provoked considerable resentment. In the spring of 1930 Stalin was compelled to remind overzealous Communists that

collective farms could be formed only after due preparation and with the voluntary consent of the prospective members. It was moreover agreed that for the time being a modified form of collective organization in which only land, implements and draft animals were pooled was preferable to the commune which would socialize all property and provide for common living quarters. The ruthless war against kulaks was continued, but the middle and poor peasants were subjected only to the indirect pressure of tax and credit discrimination in favor of the collectives and of a vast educational campaign. The number of machine tractor stations, which lease machines in exchange for a share of the crop, was greatly increased and sections were attached to them charged with the task of organizing new collectives and reorganizing those which had received a bad start. Poor harvests in 1931 and 1932, sabotage by kulaks who slaughtered their animals and the preparations for a war which threatened in the Far East brought on a grave crisis in 1932. The prolonged unrest in the Ukraine and in the northern Caucasus was appeased only after large peasant groups were banished to the north and to Siberia; the cities experienced a hard winter. But in 1933 an excellent harvest eased the situation. In the spring of that year the government introduced a fixed grain tax sufficient to provide for its needs; the surplus grain was left to the collectives for distribution to the individual members in proportion to the number of days worked. Such grain might be sold or exchanged against manufactured goods on the free market; the same rule was applied to the products of poultry yards and vegetable gardens held as individual property by the members of collectives. A working compromise was thus reached in 1933–34, assuring the socialization of the countryside—the education of the peasantry in collective and efficient work and its cultural indoctrination—and allowing at the same time a measure of individual profit making as an incentive.

A similar evolution of the original policy is to be observed in the field of industry. The speed of industrialization which proved so onerous in 1928–32 was moderated under the second Five-Year Plan launched in 1933. The latter lays more stress upon light industries manufacturing goods for popular consumption in the city and especially in the country. It envisages a more intensive development of the Asiatic parts of the Soviet Union, less exposed to the attack of the western powers. The sparse and primitive population of these regions is to be raised to the highest levels attained in European Russia, while new railways will tap the potential riches of the vast forests of northern Siberia and of the steppes of Kazakstan.

Soviet concentration upon the building of socialism in one country affects also the foreign policy of the government. After the defeat suffered by Communism in China at the hands of the nationalist upper class, the attitude of the Soviet Union to oriental nations, always one of friendship and equality, is no longer colored by expectation of their rapid conversion to Communism. In recent years the relations between the U.S.S.R. and Turkey, which like Russia is passing through a process of Europeanization, have been particularly close. The desire to prevent aggression against Russia, which was early crystallized as an important factor in the western policy of the Soviet, has virtually excluded almost every other aim since the inauguration of planned economy in Russia and particularly since the economic crisis of 1929 with its aggravation of the international situation in Europe. The Soviet government has pursued a very active policy of non-aggression treaties, has advocated total disarmament and has proposed pacts looking toward the complete cessation of all forms of economic aggression. At the present time the international prestige of the Soviet Union, friendly to the nations of the East and sincerely anxious for peace with the nations of the West, is probably superior to that enjoyed by imperial Russia in the twentieth century.

The revolution in Russia has not ended, but its direction and goal appear to be fixed. In a vast Eurasian country it is accomplishing a change comparable to that which the French Revolution effected in France and initiated for the other nations of continental Europe; it is secularizing a civilization formerly bound by religious traditionalism and raising the bulk of the population to new levels of material and cultural life. Politically its role in Russia is not unlike that of democratic nationalism in the West—it is building a state deeply rooted in the consciousness of the masses. Russian autocracy perished because it was neither integrated with the people nor linked to the economic organization of the country; the government of the Soviet Union will not fail in either respect. The transition from one to the other has followed two characteristically western principles—industrialism and its critical evaluation, Marxism.

The fourth stage of the process designated above as the Russian Revolution was initiated by a generation of émigrés who brought to the Asiatic chaos of old Russia the discipline of western intellectualism and the vigor of European activism. At present it is being pushed forward by a generation which has its roots in the Russian soil and which embraces the various nationalities of the Soviet Union. To the third generation of leaders, which will take the helm in the future, life in old Russia will be as little known as that of foreign countries. Thus the Europeanization of Russia will be continued as an autonomous process directed entirely by indigenous forces.

The transformation of Russia from a backward country with an illiterate population and a primitive agrarian economy into a progressive state with a cultured population and a modern industrial economy is in keeping with the general trend of the twentieth century. The weakness of old Russia, idealized by the Slavophiles as its peculiar virtue, lay in the fact that from about 1800 it was out of harmony with the rest of Europe. With an increase in international interdependence characteristic of the period of imperialism this comparative isolation could no longer be maintained; the pressure for the effective utilization of natural resources throughout the world was too strong to be resisted. Russia was drawn into the orbit of world economy before 1917, but in a wholly inadequate fashion; its resources were often exploited by and for foreign capital. The revolution of 1917 impelled the Russian people to assume control of this process and to guide it in their own interest. This interpretation of the 1917 revolution, advanced by Hans von Eckardt, makes it appear a Russian variant of a post-war phenomenon characteristic of many countries which like Russia had been virtually semicolonial dependencies of European powers. Europeanization, which before the World War had been passive, has now become active. Oriental and Latin American nationalities are taking over European civilization in order to raise the economic and cultural levels of their own populations and to achieve independence of European masters. At present the Soviet Union, with its emphasis upon industrialization and mass education, is leading in this process.

In any discussion of the 1917 revolution in Russia and of the essentially similar processes of active Europeanization elsewhere which sets out to treat these developments as reproductive of the significant tendencies of the French Revolution, certain transitional phenomena are necessarily disregarded. These may be described as the superficial resemblances between Bolshevism and fascism. Both erect the colossal structure of the totalitarian state dominated completely by one party, both resort to the total mobilization of all resources in the interests of the state. But in fascist countries the national or racial state is an end in itself, its totalitarian character is a permanent feature, while in Bolshevik ideology the dictatorial state is a tool eventually to be replaced by a society of free and equal individuals. Fascism and reactionary nationalism appeal to emotions linked with the past, seeking to infuse new vigor into the traditional ideals of the nation or race. Bolshevism appeals to science and reason, destroys the links with national and racial traditions and looks toward a future when all distinctions of the past will be abolished. Bolshevism has been characterized as an effort to establish the kingdom of God against God; it could as well be described as an effort to realize the ideals of liberalism and humanitarianism by means thoroughly abhorrent to liberals and humanitarians.

It is sometimes asserted that the strengthening of the Soviet Union through the building of "socialism in one country" will lead to a development of Russian nationalism. This contention disregards the important fact that the Soviet government is not a Russian government; it is a government representing equally the various nationalities and ethnic groups within the union. It seeks not to promote a particular national or racial culture at the expense of others but to impregnate the masses with a common supranational culture freely expressed and developed by each nationality in its own language. In creating a large economic unit, which alone under modern conditions can assure the efficient combination of the resources of different geographic and climatic zones, and in avoiding at the same time any discrimination against or in favor of a particular racial element the Union of Soviet Socialist Republics sets an important example in the organization of vast territories inhabited by many nationalities at different stages of cultural development.

The Soviet revolution, which aims to elevate the cultural and economic status of the Russian masses, is likely to serve as a model for other semicolonial countries; their development will combine the features of national liberation and social emancipation. Under the "law of com-

bined development," to use Trotsky's phrase, they will profit simultaneously by the experience of both the French and the Russian Revolution. But to the western nations, which have benefited directly from the French Revolution and its seventeenth century forerunners in England, whose economies are industrialized and whose standards of living and culture are high, the Russian Revolution has thus far had little to offer. Communist parties organized after the pattern and under the guidance of the Communist party of the Soviet Union have been unable to attain a strong foothold in the countries of western Europe even in times of great economic stress or of crushing military defeat. This failure cannot be explained merely on grounds of incompetent leadership. The communist parties have not awakened to the fact that liberal nationalism and rationalistic individualism are an inalienable heritage of the past of western Europe. They have remained a sect essentially foreign to the environment in which they propose to function, and their doctrinaire terminology has carried no conviction. In capitalizing upon their ideological affiliation with the Soviet Union they have overstressed those aspects of the Russian Revolution which are the peculiar product of Russian social and economic history, such as the rapid advance of industrialization in agrarian Russia as compared with the economic crisis in the overindustrialized countries of Europe. On the other hand, they have passed lightly over those aspects of Soviet life which would be most likely to appeal to the western imagination: the creation of a new scale of social values under which man's worth is no longer measured by the size of his income; the new dignity of labor; the tendency toward the equalization of the standards of life for various population groups, including the leaders, who remain on a footing of comradeship with the masses; the free access of all to the cultural treasures of the nation.

The effects of the French Revolution could not clearly be appreciated until long after its apparent end. The effects of the Russian Revolution are operating upon a much wider area than those of the French, and the revolution itself is still in progress. It would be vain at present to attempt an appraisal of them. The Russian Revolution is the particular national expression of a common human hope. It will affect world history to the extent that it succeeds in attaining its avowed goal, the creation of a free society assuring the participation of every individual in its spiritual life and material culture and the enjoyment by him of a full share of their product.

HANS KOHN

See: REVOLUTION AND COUNTER-REVOLUTION; CIVIL WAR; TERRORISM; SOCIALISM; BOLSHEVISM; COMMUNIST PARTIES; SOVIET; GOSPLAN; NIHILISM; PAN-MOVEMENTS; ANTISEMITISM; MASSACRE; POLITICAL POLICE; WORLD WAR; GOVERNMENT, section on RUSSIA; LOCAL GOVERNMENT; AGRARIAN MOVEMENTS, section on EUROPEAN RUSSIA; LAND TENURE, section on RUSSIA; VILLAGE COMMUNITY; COOPERATION, section on RUSSIA; FOOD INDUSTRIES, section on FOOD DISTRIBUTION IN RUSSIA; FAMINE; INTRODUCTION II, section on RUSSIA; ATHEISM, section on MODERN ATHEISM; NATIONALISM, section on HISTORICAL DEVELOPMENT; REFUGEES; RECOGNITION, INTERNATIONAL; FAR EASTERN PROBLEM.

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RUTHENBERG, CHARLES EMIL (1882–1927), American Communist leader. Ruthenberg, who was born in Cleveland, Ohio, joined the Socialist party in 1909 and shortly thereafter became recording secretary of the Cleveland Central Committee. He led the fight against the reformist policy of the Socialist party and in 1917 was one of the founders of the left wing within the party which forced the adoption of the antiwar platform at the St. Louis convention. As the first leading Socialist to be sentenced for antiwar activity he served a year in the Ohio state penitentiary at Canton. It was in protest against this imprisonment of Ruthenberg that Debs made the speech denouncing the government of the United States for entering the World War which led to his own incarceration. While Ruthenberg was appealing his conviction for antiwar activity he ran for mayor of Cleveland on an antiwar platform and received 27,000 out of a total of 100,000 votes. He organized a series of mass demonstrations against the World War, the most significant of which was that in Cleveland on May 1, 1919. The success of the Bolshevik revolution in Russia and his own experiences in antiwar work led Ruthenberg to join with other Socialists to transform the left wing of the Socialist party into a revolutionary party and in September, 1919, to organize the Communist party affiliated with the Communist International. He was the first secretary of the party and, except for the three years from 1919 to 1922 which he spent in prison in New York state under conviction for criminal syndicalism, he was its leader until his death. In the fall of 1922 he was arrested with other leading Communists for participating in a secret party convention at Bridgman, Michigan; his conviction on charges of criminal syndicalism was under appeal when he died.

Ruthenberg brought to his task an exceptional ability for practical organizational work and keen political acumen. He was one of the first of the American Socialists to interpret the nature of American imperialism. He sought to root the Communist party in the trade unions, to win the Negroes for the revolutionary movement, to organize the agricultural workers and to develop a mass struggle against imperialist war. His program combined everyday demands for the improvement of the economic conditions of the workers with a constant emphasis on the need for a proletarian revolution in the United States.

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RUTHERFORD, SAMUEL (*c.* 1600–61), Scottish ecclesiastic and political theorist. As minister of the parish of Anwoth, Rutherford attracted attention by preaching against prelacy and Arminianism. For this defiance of the current High Church tendencies he was deposed in 1636 and banished to Aberdeen. Restored to influence by the events of the civil war, he took an active part as member of the Glasgow Assembly of 1638 and as a commissioner from Scotland to the Westminster Assembly in developing antiroyal public opinion. His position in the University of St. Andrews as professor of divinity and in 1651 as rector increased his power as propagandist. During the Commonwealth he led the group of protesters who favored Cromwell.

The zeal with which Rutherford defended presbyterianism against Erastians and advocates of episcopacy characterized his pamphlets against the absolutist claims of the royalists. In *Lex Rex*, while he admitted mixed monarchy to be the "sweetest of all governments," he main-

tained law to be above the king: *Salus populi, suprema lex*. The king's coronation oath bound him to rule justly, for his power was fiduciary. Sovereignty lay in the people, who retained a "natural power" to depose the unjust ruler. But if civil government had a natural origin, that of church government was supernatural, the power of the presbyters coming directly from God (*The Due Right of Presbyteries*). Nevertheless, pastor and magistrate must each admit the superiority of the other, each in his own sphere, by what Rutherford termed a "reciprocation of subordinations." Because the "power of the keys" was withheld from the ruler he could not be dethroned for heresy, yet a just king must, as father of the commonwealth, strive to promote godliness. At the Restoration Rutherford was regarded as such a violent opponent of the monarchy that his best known pamphlet, *Lex Rex*, was publicly burned in Edinburgh and he was summoned to appear before Parliament on a charge of high treason. He died before the trial could be held.

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Important works: *Lex Rex: The Law of the Prince* (London 1644), republished as *Preeminence of the Election of Kings* (London 1648); *The Due Right of Presbyteries* (London 1644); *Divine Right of Church Government and Excommunication* (London 1646); *Joshua Redivivus, or Mr. Rutherford's Letters* (n.p. 1664; ed. by A. A. Bonar, 2 vols., Edinburgh 1863; complete ed. by T. Smith, Edinburgh 1881).

Consult: Murray, Thomas, *Life of Samuel Rutherford* (Edinburgh 1828); Gooch, G. P., *English Democratic Ideas in the Seventeenth Century* (2nd ed. by H. J. Laski, Cambridge, Eng. 1927) p. 98–99, 277, and *Political Thought in England from Bacon to Halifax* (London 1914) p. 134–35.

RYAN, THOMAS FORTUNE (1851–1928), American financier and traction magnate. Ryan became a Wall Street broker in 1870 and for several years executed orders for Jay Gould and other large scale speculators. In 1884 he joined forces with P. A. B. Widener and William C. Whitney, the one identified with Morgan and the other with Standard Oil interests; with them he headed the notorious extralegal syndicate that for almost two decades controlled the traction and lighting systems of dozens of cities, using political power to obtain franchises and immunity. Ryan and his associates made most of their great wealth in merging, monopolizing and manipulating the traction systems of New York City, providing at the same time very poor service. They organized the first important holding company, the Metropolitan Traction Company, to exchange subsidiary traction companies for watered securities of their operating company; after forcing up the market they unloaded these on the public. In addition they frequently had interests in subsidiaries leased or sold to the operating company and in construction companies receiving exorbitant contracts from it. Ryan's interests became increasingly widespread. He was the directing power in the formation of the American tobacco trust (legally dissolved in 1911), which by 1901 controlled about 80 percent of the domestic tobacco business. To end international competition, in 1902 he helped form the British-American Tobacco Company, with a two-thirds interest for his American companies, to operate beyond the agreed jurisdictions of the English and American monopolies. His many other interests included railways and coal mines and a partnership with Leopold II and the Belgian government for exploiting Congo mines and rubber plantations. When Ryan retired in 1908, he dominated over thirty corporations and controlled public utilities valued approximately at $1,500,000,000. In order to facilitate his many promotions and syndicate operations Ryan organized or secured control of trust and insurance companies and banks. Some of these as well as certain of his traction undertakings were involved in scandals which followed exposures by government investigations. However, the most important corporation lawyers were employed to keep his speculations and promotions within the law. He was the invisible power in Tammany Hall, a large contributor to the national Democratic party and a leader of the opposition to William J. Bryan. When he died his estate was estimated at from $200,000,000 to $300,000,000.

GEORGE MARSHALL

Consult: Hendrick, B. J., "Great American Fortunes and Their Making; Street-Railway Financiers" in *McClure's Magazine*, vol. xxx (1907–08) 33–48, 236–50, 323–38, and *The Age of Big Business*, Chronicles of America series, vol. xxxix (New Haven 1919) ch. v; Russell, Charles Edward, "Where Did You Get It, Gentlemen?" in *Everybody's Magazine*, vol. xvii (1907) 201–11, 348–60, 503–11, 636–45, 832g–832p, and vol. xviii (1908) 118–27, 347–53; New York, State, Public Service Commission, 1st District, *Investigation of Interborough-Metropolitan Company and Brooklyn Rapid Transit Company*, 5 vols. (New York 1908); Seager, H. R., and Gulick, C. A., Jr., *Trust and Corporation Problems* (New York 1929) ch. x; New York, State, Committee to Investigate Affairs of Insurance Companies, *Report and Testimony*, 10 vols. (Albany 1905–06); Democratic National Convention, 1912, *Official Report of the Proceedings* (Chicago 1912) p. 129–38; New York *Times* (Nov. 24, 1928).

SABATIER, PAUL (1858–1928), French historian. Sabatier's *Vie de Saint François d'Assise* (Paris 1894, 47th rev. ed. 1926; tr. by L. S. Houghton, New York 1894) might well be called his life work. Shortly after the publication of the first edition he resigned his post as a Protestant pastor and removed to Assisi, the native town of St. Francis, where he prepared the successive editions and undertook a systematic study of the manuscript sources, which led to his editions of the *Speculum perfectionis* (Paris 1898), the *Fioretti* (Paris 1902) and its Latin original, the oldest rule of the Third Order, the *Legenda vetus* (Paris 1902) and various other documents pertaining to the early history of the movement. In 1898 he established a series of publications entitled *Collection d'études et de documents sur l'histoire religieuse et littéraire du moyen âge* (7 vols., Paris 1898–1909) and in 1901 *Opuscules de critique historique* (2 vols., Paris 1901–19). He also founded the Société Internationale des Études Franciscaines in 1902 and the British Society of Franciscan Studies in 1908. Outside the field of Franciscan history his best known work is perhaps his study of Catholic modernism, *Les modernistes* (Paris 1909; tr. by C. A. Miles, London 1908). From 1919 until 1927 he taught ecclesiastical history at Strasbourg.

The *Vie de Saint François* was undertaken under the inspiration of Renan and in general conception resembles the latter's *Vie de Jésus*. With an enthusiasm which despite his self-imposed labors among the sources not infrequently made him uncritical, Sabatier strove to resurrect in his own emotions and in his work the life of Francis, convinced in any case that objective history was a "utopia." In Francis he found a saint who belonged not exclusively to the church but to humanity, who in fact was an unconscious rebel against ecclesiastical discipline, although Sabatier later disclaimed the view that Francis was a forerunner of Protestantism. The book thus became a colorful but reasoned act of faith, occupying a unique place in Franciscan literature between the hagiographical *Fioretti* and the erudite biographies. The modern enthusiasm for Franciscanism among both laity and scholars is largely attributable to Sabatier's work. Not only through these indirect channels but through his own enormously popular book he played a part of great importance in turning attention to the spiritual and cultural revolution which was in process in the towns of the thirteenth century. By repeatedly emphasizing that Francis was the product of the restless, dynamic and incipiently individualistic spirit stirring among the urban masses he helped to break down the static conception of the Middle Ages and so to cast doubt upon the notion of a cataclysmic break between the mediaeval period and the Renaissance.

LOUIS HALPHEN

Consult: Maugain, G., "Paul Sabatier. Notes biographiques" in *Revue d'histoire franciscaine*, vol. v (1928) 1–22, with excellent bibliography; Little, A. G., *Paul Sabatier* (Manchester 1929).

SABOTAGE, in the parlance of the labor movement, refers to the strategy of obstruction of or interference with the processes of industry by employees in order to reduce the profits of the employer and so compel him to accede to their demands. It is one of the forms of direct action (*q.v.*), a means of exerting economic rather than political pressure. Sabotage may assume a variety of forms, ranging from the peaceful practises of restriction of output and "taking things easy" to the disabling of machinery and the dynamiting of plants. The leading advocates of sabotage, however, have opposed the permanent disabling of machinery and personal violence, and it is generally agreed that sabotage does not include acts directly involving danger to human life. Furthermore the use of the devices of sabotage is in theory not wanton or indiscriminate, their scope and incidence being consciously limited to the requirements involved in the realization of the scheduled demands.

The origin of the word is commonly traced to the act of a French workman in throwing his wooden shoe (*sabot*) into the machinery and stalling it in an effort to induce the employer to grant certain demands. Veblen relates it simply to the dragging clumsy movement which the wearing of wooden shoes entails. According to Pouget, the leading authority on sabotage, the word originally meant simply to work clumsily as if by *sabot* blows; it received "its syndical baptism" as the name of a recognized form of labor strategy at the 1897 congress of the Confédération Générale du Travail in Toulouse. Thereafter its systematic use in one form or another became an accepted part of the repertory of the syndicalist movement in France, Italy and Spain. Meanwhile in Anglo-Saxon countries, where the expressions "ca' canny" and "soldiering," roughly equivalent to peaceful sabotage, were already well understood and given frequent practical expression by both

organized and unorganized workers, the sophisticated use of this strategy found some application, especially among the more radical, left wing organizations. In England the dock workers in their strike of 1896 openly advocated the conscious use of ca' canny and for a time made the issue a very live one in trade union circles. In the United States the outstanding advocate of sabotage was the Industrial Workers of the World, which gave it much verbal and some practical application during the decade preceding the World War, even publishing in Los Angeles a journal called the *Wooden Shoe*.

The exponents of sabotage defend it as an inescapable concomitant of the struggle between labor and capital wherever production is conducted on the basis of private, laissez faire capitalism. Political action in a capitalist country, they argue, is necessarily sterile, because the political machinery is controlled by big business. The worker therefore must use economic pressure. The strike moreover is likely to be an ineffective method of exerting such pressure, because labor is unable to continue it long enough and because the usual oversupply of labor so often enables the employer even in the face of picketing to continue to operate and make profits by the use of scab labor. It is therefore necessary, they assert, to use tactics that will effectively reduce or interrupt the flow of profits. The workers should apply the tactics of sabotage to the conduct of the strike or substitute them for the conventional strike tactics. They should stop work but stay on the job at their machines so that the plant cannot be operated. They should remove key parts of the machinery when they walk out, like the Los Angeles street car motormen who suddenly left their cars in the streets, taking their control bars with them. Limitation of output, the syndicalists point out, is a universal accompaniment of capitalist production. When employers deliberately limit production or destroy part of their product to maintain the price or order their employees to slow down, as they not infrequently do, they are practising sabotage. This analogy has also been effectively pointed out by Thorstein Veblen. In any economy where the individual's profits often depend on the creation of an artificial scarcity, sabotage is likely to be as much a feature of the conduct of employers as of employees.

To syndicalists sabotage is much more than an opportunistic imitation of this price strategy of the employers; it is an integral part of a revolutionary philosophy, which rejects outright the ethics of predatory capitalism and substitutes a proletarian ethics in which property occupies a much less sacrosanct position. This revolutionary syndicalist philosophy, however, also embodies the idea that the *syndicat*, or union, must and shall take over, own and operate the industries. The inconsistency of the strategy of sabotage with this aspect of the theory has not gone unnoticed even among syndicalists. Georges Sorel, sometimes referred to as the philosopher of violence, opposed such tactics on the ground that workers who expected some day to own and use the machines were not wisely preparing themselves for the responsibility of such power by practising sabotage. In a partial attempt to meet such criticism advocates of sabotage have praised particularly those forms which injure the employer by protecting the consumer. Among these are "open-mouthed" sabotage, or telling the consumer the truth about the goods, and the practise of putting in better materials and workmanship than the employer had counted on.

Both the French syndicalist movement and the American I. W. W. comprised vigorous anarchistic elements. To the anarcho-syndicalist the idea of sabotage, even in its more violent and destructive forms, was more congenial than to the radical trade unionist, whose very dislike of laissez faire capitalism was in a measure and perhaps unconsciously the result of his distaste for its economic anarchy. The swing away from anarcho-syndicalism in France after the World War brought with it an almost complete abandonment of sabotage by the organized trade union movement. In the United States too the I. W. W. after the war modified to some extent its endorsement of sabotage.

The forms of sabotage that are perhaps adequately defined by the words ca' canny and soldiering were practised long before its elaboration into a social philosophy. Many unorganized workers persist in its use even though it has ceased to be a cardinal element in the tactical programs of organized groups. These facts suggest that there must be other causative factors at work than radical class struggle philosophies. These additional factors are found in the very common belief—sometimes reasoned, perhaps more often quite unconscious—on the part of workers that the amount of work is limited and that by restricting output or even destroying it they are stretching this limited amount of work to provide more employment for them-

selves. Thousands of workers, both organized and unorganized, continue to regulate their own efficiency and productivity in substantial accord with the implications of this crude form of the lump of labor theory. Such action is perhaps most feasible where day wages are paid, but it is practicable and often applied to piecework. Indeed straight piecework payment plans, especially where rates are crudely fixed upon the basis of past production experience, seem to encourage restrictive practises because of the workers' fear, too often justified by their experience, that a high productivity will precipitate a reduction in the piece rate.

In recent years growing realization by trade union leaders that wages come out of product and that one way to get higher wages is to produce more goods has tended to some extent to discourage restriction of output. In some industries, for example, in the manufacture of women's clothing in the United States, agreements provide that the organized workers shall guarantee high (quantity and quality) standards of production in consideration of the reciprocal guaranty by the employer of regular employment and abstention from rate cutting.

Another cause for the decline in the systematic use of sabotage arises from the fact that the position at the left in the labor and radical movements, occupied before the World War by the French syndicalists and the American I. W. W., has since the war been preempted by the communists. Although individual communists have continued to employ this blind type of protest, the communist movement itself has consistently opposed the use of sabotage. In part no doubt this attitude reflects its political-mindedness and its emphasis on indirect political action rather than on direct action. In part it arises from the communist emphasis on disciplined mass action and opposition to individual acts of "economic terror." Apparently also the communists hold that the strategy of sabotage is peculiarly the strategy of laissez faire capitalism and of capitalists. The Russian Communists have special reasons for this conviction. Their enemies abroad—the counter-revolutionists—resorted to sabotage on a colossal scale, or at any rate so the communists construed their activities. At home moreover first the anti-communist intellectuals and public officials and later the anti-communist kulaks sabotaged the revolution with the utmost vigor.

Orthodox socialists have generally opposed sabotage. The Socialist party of the United States was in fact so deeply incensed by the sabotage propaganda of the I. W. W. that its national convention in 1912 incorporated into the party constitution a clause expelling "any member who opposes political action or advocates crime, sabotage or other methods of violence as a weapon of the working class." Here again preoccupation with political to the exclusion of economic strategy is a conditioning factor. A more important determinant of their position, however, is the relatively conservative ideology of the socialists. They are too firmly constrained by what the syndicalist would call capitalist ethics or bourgeois ideology to look upon sabotage with anything but feelings of ethical disapproval.

Where sabotage results in the destruction of property, it is punishable under the common law as malicious mischief. In addition a few statutes in the United States provide definitely for the punishment of sabotage as such or of specific acts of sabotage. The most effective means of punishing sabotage in the United States, however, has been the criminal syndicalism laws, passed during and shortly after the war. Most of these statutes made the advocacy or practise of sabotage proof of criminal syndicalism and punishable as such.

PAUL F. BRISSENDEN

See: DIRECT ACTION; SYNDICALISM; INDUSTRIAL WORKERS OF THE WORLD; CRIMINAL SYNDICALISM.

Consult: Pouget, Émile, *Le sabotage* (Paris 1910), tr. by Arturo M. Giovannitti (Chicago 1913); Flynn, Elizabeth G., *Sabotage; the Conscious Withdrawal of the Workers' Industrial Efficiency* (Cleveland 1915); Smith, Walker C., *Sabotage; Its History, Philosophy and Function* (Spokane, Wash. 1913); Trautman, W. E., *Direct Action and Sabotage* (Pittsburgh 1912); Tridon, André, "Syndicalism and 'Sabotage' and How They Were Originated" in *Square Deal*, vol. x (1912) 407–14; Brissenden, Paul F., *The I. W. W., a Study in American Syndicalism* (2nd ed. New York 1920); Gambs, J. S., *The Decline of the I. W. W.*, Columbia University, Studies in History, Economics and Public Law, no. 361 (New York 1932); Mathewson, S. B., *Restriction of Output among Unorganized Workers* (New York 1931); Veblen, Thorstein, *The Engineers and the Price System* (New York 1921) ch. i.

SACRAMENT. *See* RELIGIOUS INSTITUTIONS, CHRISTIAN; MYSTERIES.

SACRED BOOKS have their characteristic functions primarily in a context of oral and practical sacred observance. But the term sacred book is not applied to every book whose functions lie in such a field; it is generally reserved for those that have the powers and values of the

sacred attributed to them inherently. Such books may undergo many changes in both their genesis and use; they have served as fetishes, as revelations, as foundations of law and as symbols of allegiance. The *Adigranth* of the Sikhs, the Swedenborgian, the Mormon and the Christian Science scriptures are examples of sacred books that have appeared in modern times. But the sacred books which have exerted the greatest influence upon existing civilizations were written between 1000 B.C. and 1000 A.D., although portions of their contents are much older. They are the Hebrew Bible; the Zoroastrian *Avesta*; the Christian New Testament; the Moslem Koran; the *Vedas*, *Brahmaṇas* and *Sutras* of the Brahmans and the *Upanishads*, *Epics*, *Puraṇas* and *Tantras* of Hinduism; the Jainist *Aṅgas*; the Buddhist *Tipitaka*; the Chinese Classics and the Taoist scriptures; and the Shinto records of Japan. Besides these, all of which are still used as sacred scriptures, there appeared in the same period other influential sacred books, especially those of Hellenistic religions and cults no longer extant: the Sibylline, Orphic, Hermetic and Gnostic books as well as the scriptures of Mithraism and of the Manichaeans. The Homeric poems and the sagas of north European peoples also at least approximated the status of sacred books.

These books had a vast background in earlier literatures and sacred writings, portions of which may still be found in the records of civilization on the Nile, in the eastern Mediterranean, in the Tigris-Euphrates valley and probably in the Indus valley as well. Undoubtedly the veneration felt by the Egyptians, Hebrews, Hindus, Chinese and other peoples for the art of writing and for the properties of the written character contributed to sacred books certain elements of their sacredness. But the more constant, direct and pervasive influences behind such books both before and after 1000 B.C. derived from oral and practical culture. In a general way all the principal types of material to be found in sacred books were preexistent in oral culture. Such types are: formulae of magic, sorcery, exorcism and healing; oracles and procedures of divination; songs of celebration and penitence; liturgy and ceremonial law; sacred community law; folk tales, myths, legends and history; prophecies; eschatological revelations and apocalypses; proverbial wisdom, teachings of sages, lives and gospels of saviors; apostolic advice and exhortation; discussions and elaborations of doctrine; and esoteric mystical systems.

But the content of sacred books is by no means strictly limited to these types. For example, the canonical literature of Buddhism, which professes to be a philosophical religion of universal enlightenment, bears in certain countries some resemblance to a general library: thus, the Japanese *Tipitaka* lists some 2236 items in 9006 volumes, including works on physical science, history, geography, archaeology, travels and philology as well as dictionaries. Many of these works are very seldom read, but they all constitute a venerated treasure of Buddhism, to honor or use any part of which may be an act of merit or even involve magical effects. While the Buddhist canon presents in some respects an extreme case, secular or profane matter is to be found in small or large degree in virtually all sacred literatures; and it is to their range and inclusiveness that sacred books owe much of their power to survive as books of life, irrespective of their specific cultic uses.

The explanation for this range and inclusiveness is not merely the pervasive relation which religion in the past bore to culture but also the variety of processes through which the books acquired their sacred properties. In some cases writings originally secular and with a content in whole or in part secular have later become sacred books. In other cases the books were sacred from the start, in that their content was thoroughly sacred for some group of people before it was written down. The utterances of ecstatic seers and prophets are sacred speech, and of such material consists much of the Old Testament prophetic literature and virtually the entire Koran, which purports to contain only the divine revelations recited by Mohammed. In all probability many of the "sayings of Jesus" and of his apostles in the New Testament originally circulated orally as inspired words. Ritual formulae and liturgical poetry have likewise very commonly had a sacred status in oral usage before being collected in books. Most of the sacrificial hymns, the chants and the magical formulae of the *Vedas* were probably transmitted orally for centuries as an exclusive sacred possession of certain Brahman families and castes. The *Brahmaṇas* and *Sutras*, expository treatises on the Vedic sacrifices and the priestly life, as well as the *Upanishads* and the early philosophical sutras all have a form which suggests oral transmission. Exclusive caste rights and secrecy of doctrine may have helped to maintain the oral form. But the teachings of Buddhism, which admitted all castes, were probably also

disseminated and preserved in their first centuries through oral repetition and amplification rather than by scriptures.

The highly dynamic era of the first millennium B.C. was characterized by rapid evolution in the sphere of religion. Hence although in many portions the sacred books produced during this period testify to the longevity and perdurance of sacred traditions, they were not merely repositories of bygone custom but also vehicles and reflections of the changes which were taking place. As modern historical criticism has established, the authors of the Old Testament and the Chinese Classics by selection, revision and addition frequently modified the traditional teachings so as to promulgate new ideas. Many sections when first written down represented merely individual or special points of view and were in no sense the charters of a common orthodoxy which they later became. Thus the Chinese Classics were compilations, redactions and interpretations of ancient material, both secular and religious, made chiefly by one school of scholars, the Confucian, who imputed to the ancient past their own ideas and ideals for the correction of life in the present. In the case of the Hebrews the strong theocratic tradition of a covenant between the people and their god gave historical narrative a distinctive religious tinge; but here again books attributed to remote antiquity were written and rewritten, freely revised and supplemented before they became a fixed collection of sacred scriptures. In India, while the Vedic texts were handed down unchanged, new sacred literature grew to enormous proportions, and the usage of the old was generally entirely transformed in its new contexts.

The rise of the Confucian, Jewish, Christian and Moslem orthodoxies in the first millennium A.D. fixed the chief canons or lists of sacred scripture that have lasted to the present day. Neither the Buddhists nor the Hindus established a closed canon which obtained comparably general recognition, although all orthodox Hindus recognize at least three *Vedas*. But various orders, sects and nations within both Buddhism and Hinduism as well as among the Jains have made canonical collections of scripture. These orthodoxies have tended not only to fix, but also as a rule to enhance the authority and importance of the sacred books. While the books themselves were a factor in producing the attitude of mind which thus elevated them, the formation of the orthodoxies was promoted fundamentally also by a variety of other circumstances, prominent among which was the disappearance of the customary social and political orders both in the Hellenistic world and in China and India. As older local units were dissolved by imperialism and the mingling of peoples, the orthodoxies sought to provide new bases of integration, and they prized their collections of sacred writings from the past as agencies through which they might preserve the essential meaning and inspiration of life throughout eternity. But since the old scriptures were obviously incapable of defining the character and content of the new orthodoxies, there arose new groups of teachers, who as a rule conveyed their doctrines in the form of commentaries on the sacred texts. Thus Orthodox Judaism acquired its norm from the rabbinical teachings in the Talmud rather than directly from the Bible, while the dogma of Catholic Christianity was established by the doctors of the church and the councils. Hinduism received new regulation from the commentaries made by the acharyas, such as Saṅkarā, Rāmānujā and others. And Moslemism, which from the outset was uniquely Koran centered, constructed its orthodoxy upon extensive supplementary collections of traditions (Hadith) concerning the custom of the prophet (sunna) and upon a system of jurisprudence (*fiqh*), which recognized consensus (*ijmā'*) as a further source of authority.

Such reinterpretations of the scriptures implied new types of religious leadership and learning distinct from those represented by the ecstatic prophet or sacrificial priest. The elevation of the sacred book was accompanied by the rise of a scholar class to prominence in the sphere of religion. This development promoted new phases of thought, education and government. In China a system of examinations in the Classics was introduced for ranking officials. In Judaism and Islam the study of religious law became a governing discipline, the sacred books being regarded as the ultimate foundations of law in general. Theologies of "The Word," or the Logos, were elaborated, and the idea grew that religion might be in some sense a logical matter, a development which led eventually to rationalism. A similar trend was subsequently to be followed by Calvinist Protestantism, in which the Word and the ministers elected to expound it became supreme. Where, on the other hand, priesthood and its functions retained a leading place, as in Hinduism and Catholicism, these tendencies were not absent

but were counterbalanced by opposite emphases.

As the history of Islam and of Protestant Europe abundantly illustrates, the elevation of a sacred book above all offices of society provides an excellent potential support for dissent from established regimes. The issues of conflict generally arise chiefly from practical circumstances, but the dissenters—whether from church or civil decree—appeal to their scriptures as a higher law. Since the appeal usually implies that both parties recognize the same sacred books, the dispute tends to focus on their correct exegesis. A different type of religious separatism, represented both by individual mysticism and by broader mystical movements, such as Zen Buddhism, Quakerism and Jewish Chassidism, rejects as too external not only established offices but also the rule of a book and, when it assumes organized form, places stress upon spontaneous leadership. Another special phenomenon, also associated as a rule with mysticism, is the rejection of all normal exegesis in favor of esoteric interpretations of scripture, such as may be found among the Kabbalists, the Swedenborgians and the theosophists.

Through the prestige and importance which they enjoyed during the growth of existing civilizations sacred books have exerted a powerful influence upon virtually all fields of culture. While in general they have served as a tremendous integrating factor, at the same time they have helped to generate a variety of cultural divisions and tensions. The original languages of sacred books are usually different from the living vernaculars, with the result that a sharp line of cleavage existed for centuries and in many parts of China, India, the Islamic and the Catholic world still exists between the illiterate masses and the literate clergy or the scholarly officialdom with access to the sacred literature. The statements of sacred books frequently conflict with findings of natural science, critical history, social science or philosophy. Art that conforms to the requirements of sacred scripture is distinguished from other art. Education that observes and communicates the sacred texts becomes differentiated from other types of education. These cleavages, while giving rise to new issues and new problems of accommodation in every age, are in one form or another as old as and in some respects older than the sacred books themselves and quite as universal. Yet there has never been a complete divergence between the use of the sacred book and other cultural usages. In mediaeval times the method of appealing to the authority of the sacred book and the rules for its interpretation were widely employed with other books as well. Today the ascendant canons of scientific inquiry and literary criticism recognized in secular learning are widely applied to determine the meaning of sacred books.

The rise of modern hermeneutics has played a very important part in the development of historical scholarship and critical method in the interpretation of texts. The Protestant reformers rejected the allegorical and emphasized the plain, historical meaning of the Scriptures. Flacius and others stressed the reading of individual passages in their context. At the climax of the attacks launched during the seventeenth and eighteenth centuries against the Christian philosophy of history men like Herder urged that sacred as well as secular literature be approached as an expression of human nature. Scholars of the nineteenth and twentieth centuries have emphasized further the necessity of investigating the whole cultural context of a document, not only in order to advance correct exegesis but in order to utilize the full potentialities of sacred books as historical sources. Seventeenth and eighteenth century China also produced a succession of outstanding historical critics, such as Tai Chen, Chang Hsueh-ch'eng and T'sui Shu, whose work was of fundamental importance in promoting truer historical views of the Classics and their times. Among the Hindus and Moslems such criticism appears less advanced.

There is no way of measuring the integrating effect of sacred books on culture, especially since it is impossible to separate their influence in this regard from other aspects of religion. But it would seem difficult to exaggerate the role of the Bible, the Koran, the Hindu Epics, and the Chinese Classics in producing some unified character in European, Islamic, Indian and Chinese cultures respectively. It is necessary only to recall the influence of these books on temple and folk art, for instance, and with the spread of literacy their importance as common readings of the people (*see* LITERACY AND ILLITERACY). The philosophic traditions which have had most pervasive influence on the thought of the various civilizations also owe many important traits to distinctive characteristics of the sacred literature in each case. Not only the civilizations in their entirety but many subgroups within them have been molded to a large extent by the sacred books. The family Bible has been a widespread symbol and often a

vehicle of family integrity. Among the chief public possessions of the traditional Jewish community were its scrolls and books. The formation of national languages and literatures, not only in Europe but also in India, owes much to the translation of sacred books. Luther's Bible, the King James Bible, the Hindu version of the *Rāmāyaṇa* by Tulasī-Dāsa (1532–1623), are notable cases. In still other circumstances, as with the dispersed Jews, the prolonged refusal to translate the sacred books from the original sacred tongue helped to conserve a common morale. Because of their historical associations and in some cases also because of their character as great books of life, the power of sacred books to symbolize a common cultural and social destiny is not strictly limited by cult and dogma. Thus in recent times the *Bhagavad-Gita* has been accepted as a symbol of a more virile India by Hindu nationalists, whose attitudes toward sacred observances diverge extremely from each other and from orthodox standards.

HORACE L. FRIESS

See: RELIGION; CHRISTIANITY; JUDAISM; ISLAM; BUDDHISM; BRAHMANISM AND HINDUISM; CONFUCIANISM; TAOISM; SHINTO; MYSTERIES; MYTH; FOLKLORE; DOGMA; FUNDAMENTALISM; MODERNISM; HIGHER CRITICISM; RECORDS, HISTORICAL; LAW; ISLAMIC LAW; WRITING; LITERACY AND ILLITERACY.

Consult: The most important collection of sacred texts in English is *Sacred Books of the East*, ed. by F. M. Müller, 50 vols. (Oxford 1879–1910). The *Chinese Classics* is edited and translated by James Legge, 5 vols. (2nd ed. Oxford 1893–95). See also articles in Hastings' *Encyclopaedia of Religion and Ethics*, 13 vols. (Edinburgh 1908–27), and in *Die Religion in Geschichte und Gegenwart*, 6 vols. (2nd ed. Tübingen 1927–32).

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SACRIFICE is usually defined as the slaughter of an animal or person or the surrender of a possession as an offering to a deity; the original meaning, to make sacred, may be applied to all kinds of ritual. The word has received its restricted connotation because in Christian ritual the slaughter of the victim is the core and the

essence; in other rituals it is merely an episode.

In Europe and the Near East there was apparent a tendency to emphasize sacrifice long before the appearance of Christianity. Among the Hebrews and in pagan Greece and Rome the ritual slaughter was already prominent, whereas in Brahmanism lustration and in Egypt the preservation of the body were especially featured. Although it is not equally important everywhere, sacrifice is universally present in ritual. In sacrifice the offering is identified with the deity; thus in the slaying of the animal the deity is slain. This episode of the dying god, discovered by W. Robertson Smith and discussed further by Frazer, is illustrated by the Koryak whale festival and by the Ainu bear ceremony. The ritualistic principle that the worshiper becomes identified with the deity in order to exercise the same control over nature as the deity is involved in sacrifice in that the worshiper is identified with the victim; Brahmanic theory declares: "The sacrifice is the victim at his own sacrifice." In the case of the horse sacrifice the victim is only the equivalent of the worshiper; thus the horse is slain, but not the worshiper. In some instances, however, the victim and the chief worshiper are actually one and the same, in which case the leader of the cult himself is slain. This slaying of the man-god appears to have been confined originally to those state rituals of which the king was the chief and was not found in household cults. Even the slaying of the king seems to have disappeared at an early period: the practise is known mainly from myths and from a few survivals in Africa. The slaying of the king when his vigor wanes or when crops fail, until recently not uncommon in Africa and on the islands of the Pacific, may be regarded as a relaxation of a more ancient practise of putting the king to death after a fixed number of years.

Communal feeling may intervene to prevent the sacrifice of a member of the community and a stranger may be substituted. The need of outside victims necessitates forays and probably has contributed greatly to the development of war. Fellow tribesmen who have broken the law may also be used as victims; some writers regard this as the origin of capital punishment.

In the family cults or where humanitarianism has prevailed against the rigor of the law, the sacrifice is carried out only symbolically and the worshiper merely acts as if he were dying. The Igbo king is actually laid in a grave and mourned as if dead, then told to arise; the fiction of his death is maintained so consistently that when he eventually dies in the flesh he is not mourned, because he is considered to have died previously. An alternative is to provide an animal victim. Numerous myths tell how an animal was substituted for a human victim; the legend of Iphigenia and the attempted sacrifice of Isaac are among the most famous. Such substitutions have without doubt taken place repeatedly in different parts of the world and have helped to do away with human sacrifice, but the conclusion that all animal sacrifice results from such a substitution is not yet warranted. Animal and human sacrifices are both the outcome of the same system of ideas, and animal sacrifice may gradually have ousted human sacrifice as a solution of the conflict between the claims of tribal welfare and humane feelings.

Ritual theory requires that a human victim be sacrificed so that the crops and the cattle may flourish, while family affection and tribal loyalty to a good chief constantly exert a counter force; the first requirement is therefore satisfied by the slaughter and by the fiction of dying, the second by the substitution of a foreigner for the king. Christianity has solved the conflict by a single sacrifice of the divine victim; the efficacy of this performance extends to all times, but the act must be repeated daily in symbols.

The victim may be slain in various ways; he may be strangled or clubbed or have his throat cut. In Vedic ritual strangling is reserved for sacrifices to the gods, since it is believed that the strangled victim does not die as he would were his blood shed, and the gods do not die; the victim sacrificed for the spirits of the dead suffers a more violent execution. Methods of criminal execution, such as beheading, hanging, stoning, crucifying, were probably originally methods of sacrifice.

The methods of disposing of the victim are the same as for the other dead. Burnt offerings correspond to cremation. Simple interment and exposure are also found; as an animal victim is usually consumed by the worshipers, only its bones are disposed of. Drowning the victim through sea burial, as in the case of Jonah, is unusual. Certain portions of the victim are usually assigned to officeholders, particularly to the priests. This may constitute a source of revenue to the temple, for in a much frequented temple there may be a surplus over what the staff can consume (*I Samuel* II: 12–16).

Psychologists have contended that sacrifice has its origin in the emotions, especially in their

pathological manifestations. On the other hand, it may well be held that the emotions counteract ritual theory and prevent its rigorous application. Sacrifice is a cold blooded pursuit of social welfare; but when this pursuit becomes so intense and exacting that it conflicts at too many points with the feelings of the individuals involved, an emotional reaction against it is inevitable. Sacrifice is not entirely antagonistic to the emotions of affection but can be converted into an outlet for the hypertrophy of love, whether this is congenital or caused by the damming up of normal outlets. Some men find supreme satisfaction in being sacrificed for the good of the community and may volunteer themselves, as in war. It has become the Christian ideal for a man "to lay down his life for his friends," an ideal already known to the pagan world, as is shown by the legend of Alcestis. The ecclesiastical conception of martyrdom as a sacrifice has made little progress in India, because the Indian condemns the taking of another's life, especially an animal's. It has dropped out of Buddhism entirely; but India does not condemn suicide, with the result that self-immolation plays a significant role.

The substitution of fictitious for real death has provided an outlet for the feelings without the fatal consequences of reality; the worshiper suffers with the deity in spirit only. This ideal is salutary if it serves as a stimulus for devotion to the family or to society; it is pernicious if it acts merely as a cathartic, leaving the worshiper to pursue, with a conscience unburdened of emotion, a policy of complete individualism.

A. M. HOCART

See: RELIGION; RITUAL; MAGIC; MYTH; ANCESTOR WORSHIP; TOTEMISM; TABU; HOLY PLACES; PRIESTHOOD.

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ŠAFAŘÍK, PAVEL JOSEF (1795–1861), Slovak philologist and archaeologist. Šafařík was the son of a pastor; during his studies at Jena he absorbed the ideas of the romantic philosophy and the nationalist doctrines of Herder and the *Burschenschaft* movement. He set out to write poetry but later devoted himself to the study of Slavic philology. His *Geschichte der slavischen Sprache und Literatur nach allen Mundarten* (Novisad 1826, 2nd ed. 1869), in which he discussed the origins, religion, morals, culture and languages of the Slavic peoples, advanced the thesis that the Slavs are a composite people with but one language, which is subdivided into several groups of dialects. In his most famous work on Slavonic antiquites, *Slovanské starožitnosti* (Prague 1836–37, 2nd ed., 3 vols., 1862–64; tr. into German as *Slavische Alterthümer*, 2 vols., Leipsic 1843–44), he attacked the prevailing view that the Slavic peoples reached Europe comparatively recently and maintained that they had been indigenous to Europe at least since the fifth century B.C. His third important work, *Slowanský národopis* (Prague 1842, 3rd ed. 1849), is a statistical study of Slavic peoples and languages. Although Šafařík's theories have since lost their scientific value, they were of tremendous significance in the development of Slavic national sentiment. His doctrine of the unity of Slav peoples gave a decided intellectual impetus to pan-Slavism, and his thesis of the antiquity of the Slavic peoples, accepted with enthusiasm by his contemporaries, served to create a feeling of self-esteem and national pride among the various Slavic groups.

EMANUEL RÁDL

Consult: Vlček, J., *Pavel Josef Šafařík* (Prague 1896); Fischel, A., *Der Panslawismus bis zum Weltkrieg* (Stuttgart 1919).

SAFETY MOVEMENT. The increasing physical hazards to workers as a result of the mechanization of industry and the necessity for their elimination became matters for general concern shortly after the middle of the nineteenth century. The movement appeared first in continental Europe, its origins being in part humanitarian and in part an outgrowth of class conflicts. As early as 1867 the Alsatian industrialist Dollfus organized an association for the prevention of accidents and founded what was the beginning of a safety museum. This example was followed in other European countries, so that by the end of the century there were some twenty-five such associations and museums in the principal manufacturing centers of the continent. The voluntary movement led by industrialists was paralleled by legislation relating directly or indirectly to accident prevention. The German social insurance laws of

the 1880's were the most advanced in that they not only made accident insurance compulsory but required members of associations to contribute to compensation funds. In Great Britain, with its common law traditions, the movement developed more slowly; but by 1897 the necessity for giving labor more safeguards than were possible under the common law resulted in the British workmen's compensation acts. Both on the continent and in Great Britain subsequent legislation has further extended and improved the conditions of accident prevention and compensation.

In the United States the safety movement developed later. Although factory legislation, labor departments and commissions and provision for the inspection of working conditions had been in existence in many states for a considerable period, these were too often rendered ineffective because of the indifference of politicians. Concern for safety, as a movement, did not become significant until about 1905. At that time American industry had the reputation of being the most reckless in the world. The safety movement once inaugurated immediately gained and retained a noteworthy momentum; its strength is indicated by the fact that within a quarter of a century compulsory accident insurance laws had been enacted in all but four states of the union.

The development of the American safety movement was greatly assisted by the operations of three different sets of forces. The first was the purely humanitarian reaction of industrialists and non-industrialists alike to the shocking situations in which an increasing number of victims of industrial accidents found themselves because of the inadequacies of the common law doctrines of liability. The result was the beginning of voluntary efforts on the part of many factory owners and managers toward the elimination of accidents. Second, accident elimination came to be viewed fairly widely as an aspect of good management. And, third, mandatory legislation appeared on statute books to compel unenlightened and indifferent employers to adopt measures which had been proved to be as much in the interests of industry as of labor.

In the United States the first voluntary efforts toward accident prevention on an organized basis appeared in a few large enterprises which at the turn of the century had already become conspicuous for their efficient operation. These companies established, as auxiliary to their operating organizations, staffs of specialists for research into and improvement of various phases of management, including working conditions; and it did not take long for investigations to result in recognition of the fact that accidents leading to the turnover and absence of workers and the idleness of machines constituted a real cost and that accident prevention was therefore logically an essential part of any waste elimination campaign. Studies of the Committee on Safety and Production of the American Engineering Council have since justified the conclusions that material reductions in accident rates can be obtained simultaneously with an increase in the production rate, and that maximum productivity is ordinarily secured only when the accident performance tends toward the irreducible minimum. Both the humanitarian and the efficiency attitudes toward accident prevention were so widely represented in the Association of Iron and Steel Electrical Engineers that, from its organization in 1907, accident prevention became an outstanding interest of the society. The result was the establishment, under its auspices, in 1912 of the National Safety Council, and it has largely been due to the activities of this body that the safety movement has since made such rapid progress in the United States. Another important influence has been the work of the American Standards Association.

Although initiated and developed by large and important business organizations, the voluntary phase of the safety movement affected only a limited proportion of the industrial workers of the United States. Simultaneously therefore progressive labor departments and commissions as well as social workers advocated legislation making accident prevention, and eventually accident compensation, compulsory for all industry. In this phase of the movement accident prevention and compensation were conceived of as something more than a matter of efficient management and as properly in the domain of public policy. In 1908 the federal government passed the first workmen's compensation act, which covered certain classes of federal employees; and in 1910 New York led the states with a limited and in 1914 with a general compensation law. The next five years witnessed a succession of such laws in other states. At first encountering considerable difficulty as a result of the constitutional and common law objections raised by many industrialists, advocates of this type of legislation eventually were successful—by constitutional amendments where necessary

—in securing compensation laws in forty-four states and three territories. These statutes, requiring as they did contributions to compensation funds, burdened industry with an additional overhead cost; and in view of the fact that such contributions were scaled in direct proportion to the individual employer's accidents, a direct link was established between accident reduction and lower costs of operation.

The entrance of government into the field of industrial safety has turned the attention of official bodies to the problems associated with prevention and compensation. Valuable work in research, publicity and the like has been done by organizations like the International Association of Industrial Accident Boards and Commissions, the United States Department of Labor and the International Labor Office. The last named has also concerned itself with standardization of practises on an international scale.

From the viewpoint of content the safety movement has progressed through five stages. At first experience seemed to indicate that accidents were caused by the inadequate safeguarding of machines and other physical conditions, and that prevention of accidents would be accomplished by provisions incorporated in equipment design and by guards for dangerous parts. Large sums were spent in making the necessary corrections in prime movers, transmission equipment and machines generally, in the improvement of illumination and the clearing of passage ways and in revisions of processes and procedures. Important as these efforts were, it was soon perceived that accidents were not reduced to the degree anticipated.

The second stage was based on the recognition, resulting from analysis of records, that the human factors of carelessness, ignorance, inexperience, inadequate skill and improper supervision entered into the majority of accidents; further advances therefore depended on the education of supervisors and workers in the conditions and principles of self-preservation. The upshot was that plants established committees, organized meetings of workers and their families, issued bulletins, offered prizes for good records and devised various other inducements to the adoption of habits of care. Marked reduction in the frequency and severity of accidents was indicated with the full development of this program, and the guarding of equipment and education in caution became the two most significant principles in advancing the safety movement.

The third stage consisted of the refinement, through better organization, of the safety function in labor management departments; the extension, improvement and engineering analysis of statistical records; an increased regard for the safety factor in process and job analyses; provisions for better supervision; the establishment of medical units; and the introduction of psychological studies. Advances in better statistical reporting are largely to be credited to the activities of the federal Bureau of Labor Statistics and the National Safety Council; but despite real improvements in this field it is generally admitted that data are not satisfactory in quantity or quality.

The fourth stage was characterized by a greater attention to the problem of safety on the part of major executives, elevation of the movement from second rank to first rank status and its inclusion among questions of general administrative policy. The cost of compulsory compensation has acted as a powerful force in this direction, bringing into an integrated whole the related problems of organization and management methods; the guarding of machinery; the selection and assignment of personnel, their training, hours of labor and rest periods; education in self-preservation; statistics and research; and industrial medicine and psychology. Thus since the turn of the century the prevailing attitude toward industrial accidents has progressed from the supposition that these were entirely a matter of individual responsibility and risk to recognition of the social and industrial advantages to be derived from assumption of the costs of accident elimination and of compensation for those accidents not eliminated.

The fifth and most recent stage has been the preparation of safety codes, especially the standard safety code program of the American Standards Association. Although many state labor departments and commissions have been given legislative authority to develop and administer safety codes in their accident prevention work, most public agencies are restricted in this effort by budgets which do not permit more than reasonable enforcement of general factory laws. Consequently the activities of the Bureau of Standards, the American Standards Association and the International Association of Industrial Accident Boards and Commissions in securing the adoption by various industries of safety codes have become a major factor in the safety movement. The fundamental principle in those states which have been most successful in safety

code development has been an appreciation of the fact that codes should really be created by industries themselves. This sound policy has been followed by better relations between public authorities and industry and by definite efforts on industry's part to police itself in accident prevention work.

In other fields than the industrial, accident elimination has been largely the concern of public bodies. All states and most local governments have passed statutes and ordinances for the purpose of promoting safety in theaters and other private places of assembly, in schools and other public buildings, on highways and sidewalks, on public carriers and at bathing beaches. Such legislation as a rule has been concerned with matters relating to the protection of structures and persons from fire, the removal of obstacles from sidewalks, care in the operation of movable apparatus and the like. The increasing use of the motor vehicle has caused preoccupation with the development of new safety techniques, although in a general sense the safety movement here has recapitulated the experiences in the industrial field. In the beginning emphasis was on physical and mechanical aspects of the problem, such as road construction, traffic lights and signal lights on vehicles. There was next developed educational propaganda to inculcate in operators and pedestrians concern for safety and carefulness. At the same time legislation and regulations have been designed to govern speed and other driving conditions and to provide for a vigorous policing of highways.

H. S. PERSON

See: ACCIDENTS; ACCIDENTS, INDUSTRIAL; INDUSTRIAL HAZARDS; EMPLOYERS' LIABILITY; WORKMEN'S COMPENSATION; COMPENSATION AND LIABILITY INSURANCE; MINING ACCIDENTS; MOTOR VEHICLE ACCIDENTS; RAILROAD ACCIDENTS; TRAFFIC REGULATION; PERSONNEL ADMINISTRATION; SCIENTIFIC MANAGEMENT.

Consult: Heinrich, H. W., *Industrial Accident Prevention* (New York 1931); American Engineering Council, *Safety and Production* (New York 1928); Williams, S. J., *The Manual of Industrial Safety* (Chicago 1927); DeBlois, L. A., *Industrial Safety Organization for Executive and Engineer* (New York 1926); American Academy of Political and Social Science, *Industrial Safety*, ed. by R. H. Lansburgh, Annals, vol. cxxiii, no. 212 (Philadelphia 1926); Tead, Ordway, and Metcalf, H. C., *Personnel Administration* (3rd ed. New York 1933); Hartmann, Konrad, *Allgemeine Unfallverhütung in gewerblichen Betrieben*, Weyl's Handbuch der Hygiene, vol. vii, Allgemeiner Teil, pt. 4 (Leipsic 1917); Feeg, Otto, *Unfallverhütung und Fabrikshygiene* (Leipsic 1912); *La sécurité dans l'industrie*, Églantine, Année 4, no. 4 (Brussels 1926); Industrial Safety Conference, Olympia, London, 1920, *Report of Proceedings* (London 1920); Great Britain, Industrial Health Research Board, *A Study of Personal Qualities in Accident Proneness and Proficiency*, by Eric Farmer and E. G. Chambers, Report, no. 55 (1929); International Labour Office, *Report on Prevention of Industrial Accidents* (Geneva 1929); Richards, C. R., *The Industrial Museum* (New York 1925); Industrial Safety Congress, London, 1928, *Industrial Safety Congress* (London 1928); National Safety Council, *Transactions*, published annually in Chicago since 1912; International Association of Industrial Accident Boards and Commissions, *Proceedings*, published annually in Washington since 1914; International Labour Office, *Industrial Safety Survey*, published bimonthly in Geneva since 1925; *Personnel Journal*, published annually in Baltimore since 1922.

SAGRA Y PÉRIZ, RAMÓN DIONISIO DE LA (1798–1871), Spanish economist and social reformer. Sagra studied at the University of Madrid. He was director of the botanical gardens and professor of botany at Havana from 1823 to 1835, during which period he began his extensive statistical survey of Cuba, *Historia física, política y natural de la Isla de Cuba* (13 vols., Paris 1842–61, published also in French). A visit to the United States in 1835 stimulated his interest in the social sciences, especially with a view to reform in Spain, and thereafter he devoted himself almost exclusively to studies in this field. The United States appeared to Sagra as a land of peace and well being; these attributes he ascribed to liberalism in government, a proper emphasis in education upon religion and morals, and the extensive growth of philanthropic institutions and industrial associations. Some of these principles he hoped to introduce into his native country. After his return to Spain Sagra was twice elected to the Cortes. He lectured at the Ateneo in Madrid and wrote more than thirty works in the social sciences, including *Lecciones de economía social* (Madrid 1840).

Sagra envisioned the development of a science of human felicity, *economía social*, which should serve as a guide for governments. Various European thinkers, including Villeneuve-Bargemon, Pecqueur and Proudhon, successively influenced his doctrines. About 1844 he adopted the rational socialism of Jean Hippolyte Colins, a "scientific mystic" like himself. His program, which had originally been based upon the principle of Christian love and which had emphasized educational and moral improvement, finally called for a complete reorganization of society along collectivist lines, including the abolition of interest and of private property in land. Sagra favored decentralization in political

administration and came to oppose democracy as rule by "passion" instead of by "truth." Universal disarmament without the social reorganization which alone can assure peace would, he believed, result in anarchy. Toward the end of his life he returned to the Catholic tradition. In recent years there has been a revival of interest in Sagra as a forerunner of the generation of 1898.

C. BERNALDO DE QUIRÓS

Consult: Núñez de Arenas, M., "Don Ramón de la Sagra, reformador social" in *Revue hispanique*, vol. lx (1924) 329–529, containing bibliography of Sagra's works; Martinez Ruiz, José, "Un ideólogo de 1850" in *Los valores literarios* (Madrid 1913) p. 281–90; Salillas, Rafael, *Inspiradores de Doña Concepción Arenal*, R. Academia de Jurisprudencia y Legislación, Publicaciones, no. 19 (Madrid 1920).

SAINTE-BEUVE, CHARLES AUGUSTIN (1804–69), French essayist and literary critic. Sainte-Beuve played an important part in championing the insurgent romantic school of 1830, particularly Victor Hugo. After numerous quarrels, however, he broke away completely from his former associates. In the celebrated series known as *Causeries du lundi* (15 vols., Paris 1857–62) and *Nouveaux lundis* (13 vols., Paris 1863–70; rev. ed. 1872–81) he presented a rich gallery of literary portraits, in the main French. Suspicious of a rigid critical "system," Sainte-Beuve focused his analytical powers on "the man in the work," "the man shown by the work," "the work equivalent to the man" and the various ramifications of such an approach. With little zest for following the flights of heroes, idealists or mystics he came to rest among those "moderate hills" where his own poetry had once felt at home. Although skeptical of the extreme environmentalist formulations of literary historians like Taine, he sought to correlate the writings of an individual author with the forces of heredity, environment, temperament, education and the like playing upon him. Sainte-Beuve's subtlety and insight enabled him to analyze the mixture of virtues and defects which are present in all literary greatness. Such criticism, when carried to its logical conclusions, resulted in a "natural history of minds" rather than in "constructions of a social character." The various kinds of spirits were classified according to their dominant characteristic. "Literature and literary production," wrote Sainte-Beuve, "as I take them, are not distinct, or severable, from the rest of the man and his entire make up. I am able to read with *gusto* any work, but I feel it difficult to judge it, apart from a knowledge of the man himself."

FERNAND BALDENSPERGER

Other works: *Port Royal*, 3 vols. (Paris 1840–48; new ed., 7 vols., 1867–71); *Chateaubriand et son groupe littéraire sous l'Empire*, 2 vols. (Paris 1860).

Consult: Michaut, G., *Sainte-Beuve* (Paris 1921); Voizard, F., *Sainte-Beuve, l'homme et l'oeuvre; étude médico-psychologique* (Paris 1911); Faguet, É., *Politiques et moralistes du dix-neuvième siècle*, 3 vols. (Paris 1891–99), vol. iii tr. by Dorothy Galton (London 1928) p. 165–204; Maurras, Charles, *Romantisme et révolution*, Oeuvres, vol. iii (Versailles 1928) p. 255–63; Dimier, Louis, *Les maîtres de la contre-révolution* (new ed. Paris 1917) p. 135–55; Babbitt, Irving, *The Masters of Modern French Criticism* (Boston 1912) chs. v–vi; Gromaire, G., "Sainte-Beuve politique et philosophe" in *Grande revue*, vol. ci (1919) 41–51.

SAINTHOOD. *See* RELIGION.

SAINT-PIERRE, ABBÉ CHARLES IRÉNÉE CASTEL DE (1658–1743), French political thinker, moralist and writer on economic subjects. In his passionate desire to promote the welfare of mankind Abbé de Saint-Pierre, a member of an old Norman family, became a prolific author of reform projects, which were sometimes naïve but always concrete and ingenious. Although a pupil of the Jesuits, he developed into a fierce antagonist of intolerance and a proponent of natural religion. In morals as in political matters he took the Cartesian principle of evidence as his methodological point of departure and derived therefrom a doctrine of utilitarianism curbed by the dictates of philanthropy and the golden mean and especially by the universal obligation to pursue virtue. But the problems which preoccupied him both in his principal writings and in the lively discussions at the Club de l'Entresol were political in nature. While he favored enlightened despotism, he proposed in his *Discours sur la polysynodie* (London 1718) that it be tempered by a complex system of councils; an important feature of the system was to be a political academy of forty experts, who should be appointed by the king upon nomination by the heads of the great corporations—magistracy, clergy and nobility—and who should in turn recommend candidates for the principal state offices, in addition to studying all political questions. This government, which he called "aristomonarchy," would both deny any political role to the masses and strictly limit the functions of the hereditary nobility, to whom the abbé was hostile. Some of his other schemes called for the inauguration of political, economic

and demographic statistics; the establishment of an official press; the reform of taxation by the institution of a tax graduated according to income or, as he proposed in another project, according to capital; the suppression of begging; the improvement of the judicial system; the building of roads; the creation of a system of public instruction; the vocational and professional training of children; the elimination of most of the inequalities between the sexes in matters of education; and certain advanced innovations in pedagogical method.

Saint-Pierre's celebrity rests chiefly on his *Projet pour rendre la paix perpetuelle en Europe* (3 vols., Utrecht 1713–17), wherein he claimed to be reviving an idea previously advanced by Henry IV as well as by the natural law jurists, notably Grotius. Here he suggested the foundation of a permanent international association, through which the relationships of states would be regulated not only by the law of nature but by positive international law. The states should renounce war, institute arbitration for the settlement of their differences and establish a common force to maintain peace and the alliance. Saint-Pierre limited his system to the European states as they were after the treaty of Utrecht (1713) and moreover, by proposing an alliance of governments or princes rather than of peoples, completely excluded the democratic element. Nevertheless, his project was taken up and developed by Rousseau and by Kant, the former of whom rewrote and revised it for popularization. It still deserves mention as one of the first forerunners of the League of Nations. His internationalism and many of his other ideas exerted great influence upon his friend the marquis d'Argenson.

RENÉ HUBERT

Works: *Ouvrajes de morale et de politique*, 16 vols. (Paris 1729–41).

Consult: Molinari, G. de, *L'abbé de Saint-Pierre* (Paris 1857); Siégler-Pascal, S., *Un contemporain égaré au XVIII siècle; les projets de l'abbé de Saint-Pierre (1658–1743)* (Paris 1900); Drouet, Joseph, *L'abbé de Saint-Pierre* (Paris 1912); Lavergne, L. de, "L'abbé de Saint-Pierre" in Académie des Sciences Morales et Politiques, *Séances et travaux*, vol. lxxxix (1869) 217–39, 365–91; Vaucher, P., in *The Social and Political Ideas of Some Great French Thinkers of the Age of Reason*, ed. by F. J. C. Hearnshaw (London 1930) p. 104–13; Martin, K., *French Liberal Thought in the Eighteenth Century; a Study of Political Ideas from Bayle to Condorcet* (London 1929); Compayré, G., *Histoire critique des doctrines de l'éducation*, 2 vols. (7th ed. Paris 1904) vol. ii, p. 8–21, abridged translation by W. H. Payne (Boston 1886) p. 280–82; Harsin, Paul, "L'abbé de Saint-Pierre, économiste" in *Revue d'histoire économique et sociale*, vol. xx (1932) 186–203; Paultre, Christian, *La "Taille tarifée" de l'abbé de Saint-Pierre* (Paris 1903); Andréadès, A., "Les idées financières de l'abbé de Saint-Pierre" in *Revue de science et de législative financières*, vol. x (1912) 621–63.

SAINT-SIMON, DUC DE, LOUIS DE ROUVROY (1675–1755), French political theorist and historian. Saint-Simon was a member of one of the oldest noble families in France. In 1702, having become convinced that the career of arms did not offer the prestige and position to which a person of his estate was entitled, he joined the retinue of the duke of Bourgogne, presumptive successor to Louis XIV. In the atmosphere of intrigue which permeated the ducal court Saint-Simon articulated, in a number of reform projects, the antipathy of the upper French peerage to the new type of centralization and absolutism perfected by Louis XIV and his essentially bourgeois ministers and agents. Although fanatically opposed to the pretensions of the third estate in any form and in much less degree to those of the so-called first estate, Saint-Simon advocated a reconvening of the Estates General and of the provincial estates on the theory that, if rigidly limited in their function to administering the national and provincial finances, they were a less undesirable type of administrative institution than the *fermier* bureaucracy dominated by the king and his ministers. Uncompromising spokesman of the second estate, which he extolled as the original and only legitimate group in French history for exercising political control, he protested repeatedly against the corruption of the nobility resulting from the king's policy of extending the peerage to ambitious representatives of the bourgeoisie. As a corrective to the excesses of centralized absolutism Saint-Simon recommended a return to the older feudal order, but in his pioneer attacks on the hitherto generally acclaimed monarchical system of Louis XIV he formulated many grievances which were exploited by more forward looking opponents of absolutism in the period preceding the French Revolution. Saint-Simon's political theory, like that of his contemporaries Boulainvilliers and Montesquieu, is significant as a manifestation of the process whereby in a variety of forms the second estate forwarded the anti-absolutistic offensive which was carried to successful completion by its inveterate enemy, the revolutionary middle class.

The death of the duke of Orléans in 1723 brought to an end Saint-Simon's minor activities in the regency, and for the rest of his life he

remained in rather bitter retirement. During this period he composed his famous *Mémoires*, which, by reason of the brilliancy of its writing and the keenness of its first hand observation and delineation of character, has won for its author a lasting acclaim out of all proportion to that accorded to his more strictly political writings. The same prejudices which motivated his reform projects are clearly discernible in his descriptions of contemporary court and political life, and critically minded scholars of the modern historical school have felt it necessary to offer numerous cautions regarding the value of the *Mémoires* as source material.

PAUL HARSIN

Works: *Projets de gouvernement du duc de Bourgogne*, ed. by P. Mesnard (Paris 1860); *Écrits inédits de Saint-Simon*, ed. by Prosper Faugère, 8 vols. (Paris 1880–93); *Mémoires de Saint-Simon*, ed. by A. de Boislisle, L. Lecestre, and J. de Boislisle, 41 vols. and 2 index vols. (Paris 1879–1930).

Consult: Sée, Henri, "Les idées politiques de Saint-Simon," and Langlois, Marcel, "Saint-Simon, historien" in *Revue historique*, vol. lxxiii (1900) 1–23, and vol. clviii (1928) 81–107; Boissier, G., *Saint-Simon* (Paris 1892); Cannan, E., *The Duke of Saint-Simon* (London 1885).

SAINT-SIMON AND SAINT-SIMONIANISM. Claude-Henri de Rouvroy, comte de Saint-Simon (1760–1825), French social philosopher, was the brilliantly original but sketchy precursor of many tendencies in modern thought, among them socialism, positivism, technocracy and internationalism. He once described his bizarre life history as "a series of downfalls." He was born in Paris and was a descendant of the proud Picard house which claimed Charlemagne as ancestor. A sublieutenant at seventeen, he went to the West Indies two years later on the staff of his relative Claude-Anne, Marquis de Saint-Simon. Fortune brought him with de Grasse's fleet to Yorktown, where he fought "for the cause of industrial liberty," and later to the naval defeat at the Saintes, where he was wounded and made prisoner.

Already the ambitious young nobleman yearned "to enter upon a scientific career useful to humanity." Released in Jamaica, he proposed to the viceroy of Mexico a plan for a Nicaraguan canal and on returning to Europe advanced a similar scheme to connect Madrid with the sea. Although a colonel at twenty-three he was not interested in wars without lofty social aims, and he left the army to reeducate himself by associating with savants and by worldly experiments, first seeking in varied commercial enterprises the wealth he deemed essential. During the revolution he renounced his titles with enthusiasm but avoided political activity as merely destructive. Instead, with the Saxon count von Redern, he speculated in confiscated church lands worth millions and was imprisoned for eleven months preceding the fall of Robespierre. Thanks to currency depreciation he emerged with a fortune, which he swiftly expended in keeping open house for scientists in preparation for his career as the combined Descartes, Bacon and Newton of the new social order which must, he felt, replace the anarchy resulting from eighteenth century individualism. The revolution had destroyed the old regime, but "mankind was not meant to live among ruins."

In 1798 occurred his epochal conversation with Burdin, which contained in germ the whole program of positivism, and which started Saint-Simon on a lifelong quest for a "physico-politics." Social reorganization must rest upon a restored intellectual unity: "it takes a system to replace a system." Tirelessly he insisted that a *nouveau pouvoir spirituel* based upon a synthesis of the positive sciences must be substituted for the discredited theology of feudalism, combining the content of the *encyclopédiste* doctrine of progress as presented by Condorcet with the orderly form demanded by theocrats, such as de Bonald and de Maistre, in an authoritative body of scientific dogmas which should regulate human conduct and provide for universal worldly well being. Saint-Simon's first version in 1803 called for a supranational cult of science based upon gravitation, to be administered despotically by savant priests, women as well as men being eligible. The next ten years, during which he was reduced to living on the charity of a former valet, were spent in vain endeavors to synthesize the sciences by generalizing Newton's laws.

Incapable of organizing the intellectual arm, Saint-Simon turned toward the immediate realization of the temporal power of the new society. This abandonment of theory for practise did much to alienate his secretary, Auguste Comte, in 1824, the latter going on to carry out, in his positive philosophy culminating in *sociologie*, substantially the program his master had outlined. As early as 1797 Saint-Simon had tried unofficially to assist in bringing about peace with England at the Conference of Lille; and in 1814 he and Augustin Thierry anticipated the *entente cordiale* by their untimely plea for a

politico-economic league of nations based upon British parliamentarism.

Disillusioned by the kaleidoscopic changes of the Restoration period, Saint-Simon turned from liberal politics to find in nascent industry the temporal basis of the new era, adopting in 1817 the motto: "Everything by industry; everything for industry." By industry he meant not simply machine tending, then relatively rare, but all "pacific works of positive utility." Although he defined a nation as "nothing but a great industrial society" and politics as "the science of production," he hoped, unlike Marx, to end the class struggle by securing voluntary obedience to a hierarchy of benevolent captains of industry, who were "to undertake the most rapid amelioration possible of the lot of the poorest and most numerous class." Always he held that society must be administered scientifically from above by a dictatorship of the competent, at first scientists and property owners, but finally technicians, business men and bankers. Just before his death his theory of economic incentives, until then an intellectualistic utilitarianism, gave way to the mystical fraternalism of the "new Christianity," purged of dualism and supernaturalism. Unlike the ethical or utopian socialists, Saint-Simon made incessant appeals to those in power for the adoption of his innumerable programs of reform.

Discouragement over lack of recognition had caused him to attempt suicide in 1823; and two years later only a handful of followers listened to his confident deathbed prophecy: "The future belongs to us." Yet these few ardent disciples launched in his name as messiah what shortly became a religious movement, which expanded and collapsed with equal swiftness, only to become indirectly influential many years later. First set forth in the *Producteur* and the *Organisateur* and widely disseminated in the *Globe*, the new faith received its dogmatic formulation in public lectures by Bazard, which rendered far more coherent Saint-Simon's final program, especially his philosophy of history. But many of the doctrines developed by the new sect, notably that of the "rehabilitation of the flesh," were mere caricatures of his ideas; and the joint high priesthood of Bazard and Enfantin was soon wrecked by a schism over the latter's extreme views on marriage, divorce and the equality of women. The final disbandment was hastened by a public trial in 1832, which exposed to ridicule the absurdities of the faithful under the domination of Enfantin's powerful personality. A group of Saint-Simonians went to Egypt, where they inspired the building of the Suez Canal; and individuals among them later became prominent in the founding of banks, railroads and industries in France.

Thanks to its attempted fusion of the *encyclopédiste* and theocratic traditions in terms of science and industry, the Saint-Simonian influence has been extremely pervasive: on the right through Rodbertus, Bismarck and Comte; and on the left through all the socialists save the contemporary Fourier. Cosmopolitan by nature, it has been felt in many lands: in Germany by the young Germany movement; in England by the utilitarians and positivists; and in Latin America by the radical intellectuals. More significant recently than the new Saint-Simonian movement in France, which in 1920 revived the *Producteur*, have been the careers of such unconscious Saint-Simonians as Ford, Rathenau and Loucheur, together with the increasing postwar development of capitalism in the direction of a scientific planned economy.

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See: SOCIALISM; TECHNOLOGY; OWEN AND OWENISM; FOURIER AND FOURIERISM; ENCYCLOPÉDISTES.

Works: *Oeuvres de Saint-Simon et d'Enfantin*, 47 vols. (1st–2nd ed. Paris 1865–78); *L'oeuvre d'Henri de Saint-Simon*, selections by C. Bouglé (Paris 1925); *Doctrine de Saint-Simon, Exposition, première année 1829*, ed. by C. Bouglé and É. Halévy (Paris 1924).

Consult: Charléty, S. C. G., *Histoire du Saint-Simonisme (1825–1864)* (new ed. Paris 1931), with extensive bibliography; Allemagne, H. R. d', *Les Saint-Simoniens, 1827–1837* (Paris 1930); Bouglé, C., "Le bilan du Saint-Simonisme" in University of Paris, *Annales*, vol. vi (1931) 446–63, 540–56; Leroy, Maxime, *La vie véritable du Comte Henri de Saint-Simon* (Paris 1925); Larrabee, H. A., "Un chapitre peu connu de la vie d'Henri de Saint-Simon" in *Révolution française*, vol. lxxxii (1929) 193–216; Jenks, L. H., "Henri de Saint-Simon" in *Essays in Intellectual History* (New York 1929) p. 221–40; Butler, E. M., *The Saint-Simonian Religion in Germany* (Cambridge, Eng. 1926); Bourbonnais, Marc, *Le néo Saint-Simonisme et la vie sociale d'aujourd'hui* (Paris 1923); Mason, E. S., "Saint Simonism and the Rationalization of Industry" in *Quarterly Journal of Economics*, vol. xlv (1930–31) 640–83; Bauer, Stephan, "Henri de Saint-Simon nach hundert Jahren" in *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung*, vol. xii (1926) 156–74; Rappaport, Jakob, "Zur Staat- und Gesellschaftslehre Saint Simons" in *Zeitschrift für öffentliches Recht*, vol. x (1931) 281–304; Bourgin, Georges, "Le dossier du Saint-Simonisme" in *Revue d'histoire économique et sociale*, vol. xix (1931) 369–74, with a review of recent literature on Saint-Simonianism.

SALARIES. *See* WAGES.

SALEILLES, RAYMOND (1855–1912), French jurist. Saleilles was professor of law at Dijon and later at Paris. He taught legal history, constitutional, penal and civil law and finally concentrated his attention upon comparative law. His knowledge of these many disciplines and his detailed and meticulous study of problems related to them made possible his methodological works and his extensive syntheses.

Because of the diversity of his interests and the abundance and quality of his scientific writings Saleilles exerted a decisive influence upon contemporary legal science. He is important especially, however, for his definitive limitation of the exegetic interpretation of law which remained dominant throughout the nineteenth century, and for his view that the law must be brought into closer contact with philosophic thought and contemporary social ideas. He sought to reconcile the evolution of law with the fixity of rules which conditions all security in legal life. Traditional institutions should be adapted, he held, to current needs, for "justice, which in principle remains immutable, must, in order to remain justice, yield to economic and social changes." Such adaptation is possible on two conditions. First, statutes must not be considered the only source of the law or even the final expression of ruling principles. Saleilles, who participated actively in the editing of *Le Code civil (1804–1904)*, *Livre du centenaire* (2 vols., Paris 1904), believed on the contrary that legal evolution is continuous, that it cannot be arrested even by codification and that it is realized by progressive interpretations, for which history and comparative law should be utilized. Secondly, the task of the interpreter should not be limited to divining the intention of the legislator whose term has already run its course, but should consist rather in adapting the permanent text to the changing necessities of the social milieu. Saleilles never arrived, however, at juridical impressionism, holding that in interpreting the law attention must be given to the text and the exigencies of formal logic. Many of these theories are developed in "Droit civil et droit comparé" (in *Revue internationale de l'enseignement*, vol. xli, 1911, p. 5–32).

Saleilles was a prolific author. His briefest treatises often express his ideas most vividly, as, for example, the *École historique et droit naturel* (Paris 1902), a discussion of the trend which culminated in the revival of the doctrines of natural law and their adaptation to the conditions of modern science. His *Étude sur la théorie générale de l'obligation d'après le premier projet de code civil pour l'Empire allemand* (Paris 1890, 2nd ed. 1901) explained the use of comparative law in the interpretation of the fundamental conceptions of national law, while *L'individualisation de la peine* (Paris 1898, 3rd ed. by G. Morin, 1927; tr. by R. S. Jastrow, Modern Criminal Science series, no. 4, Boston 1911) stressed the need for penal treatment based on the psychological and moral character of the individual. Saleilles' other important works include *De la déclaration de volonté* (Paris 1901), *Introduction à l'étude du droit civil allemand* (Paris 1904), *De la possession des meubles* (Paris 1907) and *De la personnalité juridique* (Paris 1910, 2nd ed. 1922); the last mentioned work traces the history of doctrines relating to legal personality and presents a synthesis of metaphysical and realistic theories.

ACHILLE MESTRE

Consult: *L'oeuvre juridique de Raymond Saleilles* (Paris 1914); Thaller, Edmond, *Raymond Saleilles* (Paris 1912); Jonesco, C., *L'oeuvre de Raymond Saleilles en droit civil comparé* (Paris 1919); Michoud, L., "Raymond Saleilles et le droit public" in *Revue du droit public et de la science politique en France et à l'étranger*, vol. xxix (1912) 369–78.

SALES. The sale, or transfer of goods and chattels from one person to another for a price, is the most common transaction of commerce. In legal usage the term sale has come to be applied only to the transfer of ownership in tangible, movable goods and, except as broadened by statute to include barter, for a money consideration. Historical reasons for the narrowing of the definition of sale are to be sought rather in a consideration of the character of the commodities excluded than in the nature of ordinary tangible goods. Real estate has never been fully converted into an ordinary commodity of the markets, nor has labor. Intangibles in early systems of law are non-transferable. Typically they tend to acquire the status of tangibles through the development of the law of assignment and negotiability or by their being given a symbolic body in the form of a token or certificate; and there is a tendency to assimilate the law of real estate to the simpler law of the sale of goods in all systems.

Various legal systems have extended the applicability of the law of sales to cases which seem more doubtful to the lawyer than to the layman. Thus the Roman law permitted the sale of future goods and of *res incorporalis*. Various modern codes embrace barter, or the exchange of goods

for goods, as in the American Uniform Sales Act, section 9 (2), the French Civil Code, section 1703, and the German Civil Code, section 515, but not in the English Sale of Goods Act; the sale of future goods, from which a contract for work and materials must still be distinguished (American act, sect. 5, English act, sect. 5); dealings in undivided interests in a thing or in an unseparated portion or quantity of fungible goods (American act, sect. 6). Fine distinctions still seem to exclude the uttering of food by a restaurateur [Merrill *v.* Hodson, 88 Conn. 314 (1914)], and special laws in some jurisdictions control, for obvious reasons, features of the sale of particular commodities, such as oil and wine, animals, farm machinery [as to the question of constitutionality see Advance-Rumely Thresher Co. *v.* Jackson, 287 U. S. 283 (1932)], automobiles, necessaries of life, secondhand goods, liquor, narcotics, weapons and securities; or special methods or conditions of sale, such as door to door canvassing, auctions or disposal of a person's entire stock of goods in bulk outside of the ordinary course of business to the detriment of creditors.

Early legal systems generally had no machinery for the enforcement of an executory contract of sale. Hence selling was of the type known as "real" rather than "consensual" and consisted of the immediate exchange of goods for a price. These systems were deeply concerned with the ceremonial aspect and its attendant publicity. In Roman law the symbolic weighing out of bronze in scales, the transaction *per aes et libram*, and in Anglo-Saxon law the necessity of transaction witnesses and of securing warranties on the basis of which a seller could be called in to defend if a buyer was accused of theft are typical of the principal ideas connected with the early stages of the law of sales. Among the more enduring vestiges of early concepts of the nature of the sale are the symbolic tally, or festuca, and the God's penny, which gives way to earnest money.

Gradually the contract inherent in a transaction of sale came to be recognized as an idea distinct from the transfer of title; eventually it became the all controlling feature of the law of sale, while the passing of title was reduced to a mere detail dependent on the intention of the parties as gleaned from the consensual contract as in the English, the American and the French law (English act, sect. 17; American act, sect 18; French Civil Code, sect. 1138) and, to some degree, even in the German law and others copying the Roman law, which continued, to the end, to connect the passing of title with the transfer of physical possession.

Although the law of sales has in modern times been assimilated to and incorporated in the general law of contract, there are still recognizable in it features which depend upon the law of possession and ownership. The isolation of possession from ownership is illustrated in the unpaid seller's lien, a right to withhold possession although title has passed. Even in those systems in which delivery of possession or an arrangement that the law deems equivalent is unnecessary to pass title, it is at least evidence of an intention to pass title. It is not at all unusual, however, for a person to hand over possession while withholding title, whether for credit security, for taxation or accounting considerations or for the purpose of giving the buyer an opportunity to express his approval.

It is important to determine the exact moment of the passing of title, because in modern law risk generally follows title; although in the Roman law, in which title did not pass until delivery, the risk of loss passed as soon as the contract of sale was fully completed. The question of what title passes presents a sharp contrast between the ancient Roman idea that a man cannot ordinarily sell a better title than he has—*nemo plus juris transferre potest quam ipse habet*—and the modern continental idea that possession is as good as title, which is based on the desirability of maintaining regular transactions, for business convenience, even at the expense of security of vested rights. Anglo-American law occupies an intermediate position: it recognizes a power on the part of the owner of a title voidable for fraud to pass a good title to an innocent purchaser for value without notice. In English law a good title may ordinarily be passed by sale in market overt. Furthermore modern law in general reads into a contract of sale comprehensive implied warranties of title or quiet possession. The modern French law has kept to the rule of the classical Roman law that the seller was not bound to transfer a good title to the purchaser but was bound to warrant his undisturbed possession. By the German law, however, the seller is bound to make the purchaser owner. In the English and American law too the disturbance of the purchaser's possession, actual or constructive, is a condition precedent to any right of action on his part.

In modern law the terms of a contract of sale may be determined to a large extent by the

agreement of the parties. In general the ordinary rules of contract are made to apply to the contract of sale, whether it contemplates an immediate transfer of title (sale) or a future transfer (a contract to sell). But sometimes there are special requirements, such as the formalities for the making or proving of an agreement of sale (the French notarial record or the writing of the Anglo-American Statute of Frauds). The English and American sales acts deviate from the ordinary rules of contract by reading a "reasonable" price into a contract of sale that would otherwise be held defective for uncertainty because of the absence of a stipulation as to price.

Of particular importance in the interpretation of the contract of sale is the extensive reading into it of implied warranties of quality coupled with a very liberal definition of an express warranty. The American sales act goes so far as to include any affirmation of fact or any promise by the seller relating to the goods "if the natural tendency of such affirmation or promise is to induce the buyer to purchase the goods and if the buyer purchases the goods relying thereon." The English sales act took from the Scottish law the notion of reading a condition into every warranty in an executory contract of sale; that is to say, the giving of an option to the buyer in case of breach of warranty to return the goods instead of keeping them and asking for damages or an allowance. The American statute follows the British law in this. Anglo-American law awards actual damages, including damages for personal injuries reasonably foreseeable. Continental law, following the Roman law, generally limits the amount of the recovery to the price of goods paid, with an exception in the case of malicious concealment of defects, an offense dealt with in Anglo-American law more effectively as fraud. Continental law further makes it possible to demand the furnishing of goods that comply with the terms of the warranty in accordance with its general procedural advantage of granting specific performance in an ordinary action at law.

Although the trend has thus been to the contractual view of the nature of a sale, the standardization of the contract itself has been effected to a considerable degree by legislation. In the dozens of sales handled daily by a clerk in a retail store, there is no time or opportunity for making stipulations contrary to the standardized statutory terms. The customer, on the other hand, lacks the necessary knowledge to initiate stipulations on his side. In effect therefore the standardized contract of sale becomes the operative contract in thousands of cases. Among the advantages of such standardization are of course speed, certainty, the breaking down of sales resistance and a tendency on the whole to fairness or at least to equal protection of all purchasers. These advantages are, however, acquired at the expense of rigidity and failure to make adjustments to the special needs of special cases. In all countries today the statutes standardizing the contract of sale for practical purposes assume that the buyer is a consumer dealing with a shopkeeper and draw their warranties accordingly, and furthermore that the shopkeeper is like his prototype of a past age who was very generally the grower or manufacturer of the goods. They presuppose chiefly "cash and carry" transactions and an open competitive market in which prices are determined under the regime of freedom of contract.

Current economic life departs so far from the simple picture reflected in the statutes that sales law in practise calls for liberal modification or adjustment, both by contract and by legislation. In the first place, there is the problem of transportation. Delivery to the carrier is reckoned delivery to the buyer, even if the carrier is the seller's agent for collection on delivery, unless this presumption of intent is effectively negatived. A difficult question of fact is raised when it is alleged that a trade usage exists which counteracts that intent, as in the case of city stores or the purchase of goods requiring setting up by the seller on the buyer's premises. The growth of nation wide markets has led to the incorporation of transportation charges in price lists by means of f.o.b. agreements or agreements for the payment of carriage by sellers to particular points, and in other ways. Where these stipulations are merely modes of calculating prices, as in the automobile industry or in the creation of a "basing point" for steel, oil or other commodities, they should not affect the question as to what constitutes delivery of possession or where it takes place. On the other hand, if the seller agrees to pay the cost of transportation to the buyer or to a particular place, there is not only a presumption that delivery is postponed until that place is reached, but the American sales act indulges in the further presumption that title is prevented from passing until delivery is consummated there. This rule has led recently to experimentation in order forms with such expressions as deliver at our factory instead of sell or ship. Transportation by water in inter-

national trade has led to the development of a species of transaction, not yet internationally standardized, in which documents rather than the goods represented are viewed by the business world as the subject of a sale. The so-called c.i.f. transactions, that is to say, the dealing in documents of title accompanied by arrangements for insurance and transportation charges as well as the cost of goods, make the whereabouts of the goods and even their destruction by accident of no consequence to the banker who advances money on the documents or to the merchant who buys them. To a smaller degree the dealing in tokens for goods, particularly negotiable warehouse receipts and bills of lading, has penetrated domestic banking and wholesale business.

The English and American sales acts, assuming a cash transaction, give the unpaid seller a lien on the goods or a right to retain them for the price while he is in possession of them, a limited right of resale, a limited right to rescind the sale (in the American acts only); and where the property in goods has not passed to the buyer, the unpaid seller has in addition to his other remedies a right of withholding delivery similar to and coextensive with his rights of lien if the property has passed to the buyer (English act, sect. 39; American act, sect. 53). The rights of the seller against the buyer may also include an action on the price and an action for damages for non-acceptance of the goods. The French law, which has not freed itself from the influence of the Roman law, allows rescission only by judicial sale when no specified time of performance is fixed in the contract. In practise the safeguarding of credit is accomplished by a great variety of legal devices written into the sales agreements of dealers who customarily extend credit. Some of these look to the goods; others look to additional personal security or the waiver of special rights and defenses on the part of the buyer. The statutes, however, have not gone so far as to read warranties or conditions with regard to a buyer's credit standing into his purchase agreement to correspond to those which are read into the seller's undertaking.

A particularly important right of the seller is his so-called right of stoppage *in transitu*, based on an anomalous doctrine of the law merchant of the Middle Ages which has survived in modern law in various forms. It is a right of the seller in case of insolvency of the buyer to stop the goods in transit after he has parted with possession of them. The right is recognized by both English and American law as well as by French and German law and presumably by the law of other continental countries.

The statutes pay no attention to the advent of the middleman. They still conceive of a warranty as existing only between a seller and the person purchasing from him directly. No such relation is established between the manufacturer or wholesaler and the purchaser from a retailer. Courts have attempted to overcome this defect by extending the law of negligence so as to make the manufacturer answerable to the consumer or in fact to the ultimate user of goods for negligence or other fault in the process of manufacture, particularly in the case of foods and dangerous instrumentalities [MacPherson *v.* Buick Motor Co., 217 N. Y. 382 (1916)]. In the absence of proof of fault or negligence, the manufacturer is not answerable to the person actually injured or otherwise suffering loss by reason of the defect of the goods. One must proceed against the seller, who is often of doubtful financial responsibility. Of course the seller in turn has a right of action against the manufacturer or dealer from whom he bought the goods, but the warranties in the first and second sales may not be coterminous. The dealer must prove in effect that the goods are non-merchantable. The buyer, on the other hand, complains because the goods are not as represented by the dealer or fit for the purpose for which he bought them and with regard to which he relied on the seller's skill or judgment.

Not only is the dealer-purchaser interested in a different type of warranty from that which concerns the consumer, but his seller's interest in his affairs and in the goods in the channels of trade places sales to persons other than consumers on an entirely different basis from those to consumers. A study of the types of agreements actually entered into between producers and distributors shows that the former are deeply interested in the manner of handling their goods, in the continuous availability of a supply of parts, in the servicing of their commodities in convenient localities and in the maintenance of the commercial reputation of their goods, especially if branded or otherwise identified. In spite of legal limitations in the United States, they are interested in the resale price to consumers. The consumer, on the other hand, has a touch-and-go relation with the dealer from whom he purchases. The reading into both types of transaction of the common law doctrines against restraints on alienation in precisely the same way illustrates a failure to

recognize the distinction. Business has been driven to assume curious relationships with dealers who might otherwise have been independent. The enactment of bulk sales laws in the United States represents a tardy and only partial recognition of the legitimate interest, under the credit system, of the producer or wholesaler in the goods on the shelf of the retail dealer.

The manufacturing purchaser represents still a third class, with reference to which many of the ordinary assumptions must be reversed. For example, a manufacturer is likely to know more about the type of goods he buys than the seller. The implied warranty growing out of the situation, in which reliance is placed on the seller's superior knowledge, is frequently inapplicable to him. He is quite likely to be concerned about freedom from patent infringement in the things that he buys in quantities for incorporation into his product, while the ordinary consumer is not concerned over the theoretical danger of an infringement suit for using a single object protected by a patent. The manufacturer's specifications and inspection provisions are generally more elaborate than those contained in the contracts of other types of purchasers.

The codes assume further a simple economic life which has no thought of covenants running with chattels or equitable servitudes on chattels, although commercial reasons for such restrictions are increasingly reflected not only in unsuccessful attempts to control resale prices but in territorial restrictions for dealers or restrictions on the form in which articles may be resold (involved, for example, in the repackaging of drugs, perfumery and the like), tying restrictions and restrictions on the use of the chattel itself (familiar to users of radio equipment).

The failure of the statutes to adjust themselves to new economic conditions has led to the widespread adoption of "fine print" sales and purchase forms by business houses and by institutional buyers and governmental agencies, which are in many instances constrained to adhere to exact rules in their purchasing methods. In order to facilitate individual small purchases, while at the same time endeavoring to cover the points essential in such a contract, some industries, such as those producing coal and fuel oil, have developed a practise of causing a general form to be signed which, in the absence of stipulations to the contrary, will be read into each contract made between them and their customers in the form of purchases. Many of the codes of fair competition approved under the National Industrial Recovery Act of 1933 have as their object the standardization of the contracts of sale entered into by particular industries with their customers.

An extreme instance of lag in the law of sales is found in the history of Roman law of *laesio enormis*, or the right of the seller to repudiate a sale for a grossly inadequate price while a buyer has no corresponding right. The rule is understandable if the buyer is regarded as normally a foreign merchant and the seller as a needy Roman citizen parting with his household goods. Yet the idea is still echoed in continental law. On the other hand, the realization in modern times that the seller is more often in a position of advantage as compared with the buyer has led to the development of the protection of the buyer by liberalized warranty laws; to the enactment of elaborate laws for redress, punishment and prevention of fraud, incompetence, irresponsibility and unfair practises in the market place; and in general to the decay of the doctrine of caveat emptor.

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See: CONTRACT; OWNERSHIP AND POSSESSION; AGENCY; CAVEAT EMPTOR; FRAUD; UNIFORM LEGISLATION.

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SALES TAX. The sales tax is a levy imposed upon the sales of commodities or services. The tax may be levied upon sales: in general, as in Germany; in general, except at retail, as in Belgium; in general, with other special taxes, as in France; of classified enterprises, as in Washington; of producers, as in Canada; or of retailers, as in Kentucky.

The sales tax was collected in ancient Athens, in Egypt by the Ptolemies and the Romans, in Rome by Augustus and later emperors and possibly elsewhere. Carried by the Romans into Spain and France, it survived Roman rule. The alcabala was introduced as a national tax in Spain in 1342, although it had been enforced for centuries in the local communities. It was abolished in 1845. Various sales taxes were known in France, such as that imposed upon the sales of provisions in 1314. Naples collected sales taxes in the fifteenth century and later. There was a lively discussion of the general excise in England and on the continent during the seventeenth and eighteenth centuries. England extended its excises in the nineteenth century, but Gladstone vigorously restricted them. The United States considered general sales taxes during and after the Civil War but chose numerous production and consumption taxes at various rates instead of a uniform system. France in 1871 adopted a stamp tax on payments as an alternative to a turnover tax. A Mexican consumption tax along Spanish lines was levied in 1856. A few states in the United States enacted limited sales taxes during the nineteenth century, and in 1904 the Philippines established a tax upon the commodity sales of merchants. In general, however, the nineteenth century as well as the early part of the twentieth was notable for an absence of sales taxes in spite of some discussion of their merits and weaknesses.

It was the financial emergency created by the World War which focused the attention of the fiscal authorities upon the sales tax as a new source of revenue. Germany and France introduced payments taxes in 1916 and in 1917 respectively; these were superseded by turnover taxes on the total receipts of business in Germany in 1918 and in France in 1920. The Italian and Belgian stamp taxes on transfers of commodities, the turnover taxes of Hungary, Soviet Russia, Austria, Poland, Czechoslovakia and other countries and the Canadian sales tax were adopted shortly after the war. Continued condemnation of the sales tax by economists has not halted the advance of the sales tax. Familiarity with excise taxes aided in breaking down the barriers to a broad system of sales taxes which might be collected in a stream of tiny payments without much conscious effort on the part of taxpayers. The new form of taxation spread rapidly over the world, until by 1933 some thirty nations had enacted sales taxes, including nearly every leading country. In only a few cases has the sales tax been abandoned.

The repeated rejections of the sales tax by the federal government in the United States has not deterred a considerable number of states from adopting this form of revenue. The Pennsylvania tax on wholesaling and retailing has been traced back to 1821; a supplementary retail levy was added in 1932. Virginia taxed the purchases of wholesalers in 1887 and Delaware taxed manufacturing and mercantile enterprise in 1906. West Virginia adopted its well known classified sales tax at various rates on different classes of enterprise in 1921, followed later by Georgia and Mississippi, the latter revising its law in 1932 with a general basic rate of 2 percent. In Georgia and Pennsylvania the sales tax has since lapsed. Connecticut has collected a tax on the gross income of unincorporated business since 1921. Kentucky enacted a tax on retailing in 1930, the rates increasing with the volume of sales. Louisiana in 1921, North Carolina in 1931 and New Mexico in 1933 levied license taxes varying in amount with the volume of sales of taxable business. Arizona, California, Illinois, Indiana, Michigan, New York, North Carolina, Oklahoma, South Dakota, Utah, Vermont and Washington enacted sales taxes in 1933, and Missouri early in 1934. In Oregon and North Dakota sales taxes were enacted in 1933 but were defeated by the electorate at referenda. In

Oregon the legislature again passed a sales tax in December, 1933, pending a referendum. Nearly all of the taxes adopted in 1933 are retail sales taxes. In several states the sales tax is of temporary nature and will lapse unless renewed by the legislature. Local turnover taxes are collected by St. Louis and Kansas City.

One of the first steps in sales taxation is the definition of taxable transactions. Some exemptions are always allowed; these usually include certain essential foods, farmers' sales, exports, especially taxed transactions, and government enterprise. They may cover sales under a stated sum, imports, fuels, periodicals and various services; personal service paid for by wages and salaries is commonly exempt.

Sales taxes may be imposed upon total receipts, with deductions for returns, allowances and possibly other items; upon the individual transaction; upon the privilege of conducting business, which is supposedly measured by sales; upon sales in general; or upon specified types of sale. Not only different jurisdictions but also the same jurisdiction may employ varying bases of taxation. Taxes may be collected from vendors in general or from a certain class or classes of vendors. Customarily the vendor rather than the vendee is liable for taxation, although both may be held responsible for proper payment of the tax.

The sales tax may be imposed at various stages of production and marketing. A tax upon sales in general enjoys the broadest possible base, yields great revenues at a low rate and is nominally uniform in application. This type of general sales taxation is commonly employed. But such a tax invites industrial integration, and its blanket application hides multitudinous inequalities. A manufacturers' sales tax is limited to a relatively small number of taxpayers whose sales may be large, yields large revenue if manufacturing is extensive and the rate is not too low and obviates open encouragement of integration. Manufacturers, however, usually protest against being singled out for taxation; the rate must be higher than that of the more general sales tax to return equivalent revenue; and interest charges must be added to cover the cost of carrying the tax until the consumer pays it. One variety of the manufacturers' or producers' sales tax has been developed effectively in Austria, where the total tax rate varies according to the number of taxable processes. The industrial products of Austria are classified into four hundred groups for the application of the tax rates. This plan of so-called lump sum taxation has been tried by several countries in central Europe. Flat rate manufacturers' sales taxes at an arbitrary rate are imposed in Canada, Turkey and Australia. France and Belgium have adopted a number of special flat rate producers' taxes on certain industries in lieu of general sales taxes. Retail sales taxes are imposed upon numerous retailers, thus augmenting taxable sales but creating administrative complications because of many small taxpayers, unless the smallest retailers are exempt. The retailing tax does not directly foster integration. Imposing the tax upon the last sale to the consumer reduces the interest charges for carrying the tax. Retail sales taxes are advocated frequently in the United States and are collected by half of the states imposing sales taxes; France and Italy have found them unproductive. The tax may be laid upon all sales except at retail, as in Belgium and Italy. This obviates the costly collection of small taxes from numerous retailers and provides a broader base than manufacturing alone but also encourages integration.

The sales tax rates are commonly 1 percent or 2 percent and range from a small fraction of 1 percent up to 6 percent or higher. Supplementary luxury taxes are collected at customary rates of 5 to 15 percent in foreign countries. Rates may vary with the volume of sales, with classes of taxpayers or with commodities and services. There was a marked increase in rates for the purpose of augmenting revenues following the depression which began in 1929. Export sales are usually exempted in order not to discourage foreign trade; imports may be exempted so that desirable raw materials or other products may be obtained without the addition of the tax. Sometimes the rates on sales of imported goods may be above those on domestic transactions in order to protect domestic enterprise from foreign competition. It is commonly thought that sales taxes on exports place the producing nation at a disadvantage as compared with other nations which either employ no sales tax or have lower rates. It is argued that exporters must compete with foreign vendors who may pay no sales taxes, and that in such a situation a sales tax cannot be shifted to foreign markets. The problem is especially acute when one state employs a sales tax while neighboring states do not. When a sales tax places domestic concerns at a disadvantage with respect to foreign concerns, it acts to foster foreign domination of markets. On the other hand, the fact that foreign competitors

may pay other taxes, as heavy or heavier than a sales tax, is often ignored. A sales tax is only one factor in this problem, and other factors may be more important in determining the direction of trade.

Experience with the sales tax in many nations since the war has proved it both productive and practicable under favorable circumstances. The yield varies with the scope and rates of the tax, business conditions and administrative efficiency. The sales tax has become a major source of revenue in a number of countries, yielding more than the income tax in a few instances and nearly as much in others. It frequently results in more revenue than customs or excises. It is, however, of merely minor importance in the United States.

In some countries attempts have been made to superimpose upon the general sales tax a system of supplementary luxury taxes. These are usually supported by public opinion but are difficult to collect because of the serious obstacles to satisfactory definition of luxuries for taxation. They have been relatively unimportant in yield as a rule, and opposition among the taxed interests has developed. In Germany and Danzig the experiment was tried and abandoned.

National sales taxes are collected commonly through centralized administrative machinery, although local officials may lend assistance. Collections may be used exclusively by national governments, as in Canada, or they may be shared by national and local governments, as in France and Germany. Local governments sometimes collect sales taxes for their own use, or national governments may permit a local supplementary tax. The state governments in the United States usually employ collections for state purposes, but they may be diverted partly to local governments.

The so-called sales tax, as a system of sales taxes, tends to be shifted to the consumer in the form of higher prices, although sellers may resort to lowering the quality or quantity of taxed articles at existing prices. As a business cost, sales taxes must be shifted to buyers or profits must be sacrificed or losses increased. The shifting of sales taxes can be considered only in the light of variable conditions affecting production costs and demand for each commodity or service. Various articles are related to one another in their production or consumption, and prices of articles not subject to the tax may be affected indirectly. The more mobile the investments in taxed fields and the more inelastic the demand for taxed articles, the easier are adjustment of supply and raising of prices. Consumers may pay sales taxes by sacrificing consumption of taxed articles, of other articles, or of savings.

Regardless of the place of imposition sales taxes react ultimately upon production, marketing and consumption. Although they affect individual prices in various ways, they have no noticeable influence on the price level, for values in general do not change. Moreover a government spends what it collects in taxes, and government spending tends to offset the loss of private spending.

If a sales tax is shifted to consumers, it is regressive in its effects in that it falls most heavily upon the poorest consumers. Farm and labor organizations in Canada, the United States and other countries have uncompromisingly denounced general sales taxes. The poorer classes spend a larger part of their incomes on necessaries and save a smaller part than the wealthier classes. Because gross expenditures are a crude basis of taxation, a sales tax is faulty in its distribution of tax burdens among consumers. It disregards the number of dependents of taxpayers, sources of income, savings from income and methods of spending. Those who believe that restricted consumer buying is a causal factor in economic depression argue that sales taxation aggravates depression and retards recovery by reducing consumers' purchasing power. As popularly stated this argument overlooks the fact that taxes taken from consumers are paid out by governments, whose demand is substituted for consumer demand.

The luxury taxes supplementary to sales taxes are not heavy enough to counterbalance the repercussions of sales taxes on the poorer classes. The richer classes enjoy the further advantage that services supplied by household servants are exempt from sales taxes. While the regressive effects of sales taxes might theoretically be balanced by progressive income and inheritance taxes, sales taxes are in practise commonly found in tax systems which are otherwise regressive in their final effects.

If sales taxes are not shifted, as is frequently the case, they remain with business as a charge on sales. Business interests have come to realize in many countries that a sales tax is not the burdenless tax the enthusiasts have pictured. If it is shifted, sales decline and readjustments in supply are necessary; if it is not shifted, it rests on the unequal base of total sales. Taxes on sales in general foster business integration by permit-

ting multiprocess concerns to pay smaller sales taxes than the single-process concerns; integrating effects have been noted in different countries by a number of economists. Single levies on producers or retailers, however, avoid direct stimulation of integration. From the administrative standpoint, national producers' taxes are preferable to retailers' taxes. The growing popularity of producers' taxes may be ascribed to their ease of administration and their non-integrating influence.

The sales tax has proved its productivity and practicability where conditions are favorable. Collection costs and administrative complications may be kept at a reasonable minimum. The sales tax has not proved, however, to be a desirable substitute for the income tax or selected excises, which are productive and more equitable. It should be counterbalanced by a progressive income tax wherever practicable. The proper role of the sales tax in the fiscal system appears to be that of an emergency revenue, to be resorted to only when normal revenues are inadequate.

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See: REVENUES, PUBLIC; TAXATION; TAX ADMINISTRATION; EXCISE; BUSINESS TAXES; ALCABALA; LUXURY.

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SALESMANSHIP. In ancient and mediaeval times selling was scarcely differentiated as a business function. The merchant mariner who carried his cargo, largely of luxury goods, from port to port and the itinerant trader who transported similar wares overland from fair to fair alike made sales and deliveries from the stocks at hand. There was no such thing as a specialized army of salesmen taking orders for future delivery. The guild system discouraged active salesmanship as disturbing to the economic status quo. But quite as important, periodical fairs and markets took care of the small surplus stocks produced; it was not until the advent of the factory system that large surpluses of manufactured goods in need of marketing appeared and continuous selling became necessary to the making of a profit upon the manufacturer's capital investment. Traveling salesmen began to be employed in Europe in the middle of the eighteenth century. By the 1860's England was estimated to have about 20,000 commercial travelers and Germany almost as many. A professional journal for salesmen appeared in England in 1856; two years later the first association of travelers was formed in France.

The methods and technique of salesmanship developed through a somewhat similar cycle in all western countries. In the United States the earliest specialized salesmen were peddlers, retail clerks, drummers and "traveling representatives." Prior to 1850 drummers were stationed at city hotels to welcome merchants and jobbers on their semi-annual buying trips. With the improvement of railroad and shipping facilities the drummers took to the road, and merchant customers found it safe and economical to order from a distance. Wholesalers came to depend for their sales less upon visits from buyers and more upon the selling efforts of traveling representatives, whose number increased from 7262 in 1870 to 92,919 in 1900. During almost this entire period manufacturers, distributors and salesmen worked in the relatively effortless atmosphere of a seller's market, in which demand was greater than output and selling was largely a matter of taking orders.

Before 1900 few American manufacturers had attempted seriously to obtain a national distribution for their products. After the turn of the century, however, national distribution became a dominating objective, national advertising developed on a tremendous scale, and in order to gather its fruits sales organizations were thoroughly revamped and sales management developed new techniques. Market research was entered upon in an effort to secure reliable data for the allocation of sales territories and the determination of the quotas of business to be obtained by individual salesmen. Attention was given to the selection and training of traveling

salesmen, whose number had increased to 223,732 by 1930. Attempts were made to decrease the turnover of salesmen, averaging normally about 85 percent a year according to one investigation covering 35 concerns and 20,000 salesmen. A wide variety of devices was developed to stimulate the efforts of the sales organization: annual conventions, district conferences, contests and rewards, bonus plans and quotas. "Missionary" salesmen were sent out to demonstrate new products and to distribute aids to dealers; and the whole system was checked as to results by elaborate sales research departments. To a large extent the jobber, hitherto an important link in the marketing chain, was pushed aside while the manufacturer attempted to deal directly with the retailer or consumer through his sales organization. Liberal credit policies and instalment payment plans extended the consumer market to unheard of proportions. The intense competition for sales was accompanied by high pressure methods of selling, skimming the market for the sake of huge immediate sales volume with neglect of satisfactory permanent relationships between manufacturer and dealer. Forcing of sales became widespread in the real estate, stock and bond and insurance fields, with resulting speculation and overdevelopment throughout the business system. These methods received an abrupt check after the stock market crash in 1929; as the business depression deepened many organizations came to realize that they had made a fetish of national distribution and now turned to regional distribution and selective selling; there began a more discriminating study of markets and of customers and their needs as the more profitable and attainable goals.

Although salesmanship includes the efforts of an army of retail clerks and house to house canvassers, it is in the work of the manufacturer's representative, selling to jobbers and retailers, that the more characteristic features of modern selling technique have developed. Formerly an individualist, traveling under nominal or very loose supervision, the manufacturer's representative has come to be only one instrument—although a very important one—in a carefully coordinated marketing organization, which makes use also of general and direct mail advertising, special demonstrations of the product, dealer helps or attractive credit policies. Since the salesman must integrate his efforts with the other elements in his company's market strategy, sales recruits are commonly given a preliminary orientation as to a company's history and policies, as well as training in the practical business of making a sales presentation. This is frequently reenforced by a sales manual, and by daily or weekly letters of instruction after the salesman goes into the field; analysis of his daily and weekly reports to the branch or central office is supplemented by occasional visits of inspection.

The technique of salesmanship has received a certain amount of attention from psychologists and a measure of systematic study in university schools of business. In 1930 approximately 19,500 students in the United States were enrolled in university courses in marketing, and 7200 in specific courses in salesmanship. Commercial education in the high schools has laid great emphasis on preparation for retail selling. The literature on salesmanship, which has come into existence almost entirely since 1900, is extremely empirical in scope; and the influence of university studies has been indirect, reaching salesmanship only through its application to marketing, advertising and sales management. Personal selling still uses the broad principles laid down by such pioneers as Arthur E. Sheldon, a book salesman and publisher who formulated a "science of salesmanship" and founded a correspondence school to teach its principles, and John H. Patterson, the first president of the National Cash Register Company, who in 1894 established the initial company training school for salesmen. Prior to these innovations salesmen had been trained through an apprenticeship system in the wholesale houses, handling merchandise and orders for years before venturing on the road. Sheldon and Patterson abridged this process by generalizing those psychological steps in persuasion which are involved in all selling: the familiar sequence of attracting attention, arousing interest, stimulating desire, overcoming objections and obtaining action. The "standard presentation," first developed by Patterson, is now generally used by sales organizations, each company working up its own form on the basis of its own salesmen's experience. From this viewpoint salesmanship becomes an exercise in the art of influencing human behavior toward a definite economic end. More broadly conceived salesmanship is a function of any business organization in its entirety. It may be doubted whether under modern conditions of production any business can achieve maximum success without salesminded executives. The older policy of capacity production, with the

sales organization required to dispose of the output, is giving place to production with reference to consumer requirements.

The methods and traditions of salesmanship have spread from business to other fields of activity. Not only insurance companies, banks, investment houses and public utilities but organized charities, political parties, schools and churches have attempted to make use of modern selling techniques and to mold them into instruments of mass persuasion. Salesmanship may even have a part in economic planning, where demand has fallen below normal standards and must be stimulated. If it be granted that human inertia is such that most men must be urged to act in their own interest, salesmanship has a valid and even a necessary part in social progress. It has made mass production workable, with consequent lowering of costs and raising of the material standard of living for vast populations. This achievement is offset only in part by its excesses: the overselling of products not really needed or to consumers who cannot afford them; the production of waste through arbitrary style changes; the emphasis upon sales volume at the expense of quality; and the occasional selling of fraudulent or socially undesirable goods. It must be recognized also that overlapping of sales effort results in a high cost of distribution. Reports for eleven of the largest life insurance companies in the United States for 1931 indicate that 51.1 percent of all expenses were selling expenses. How far the wastes of distribution can be reduced in an economic order based upon production for profit or whether any great reduction can be made without governmental regulation, are questions for the future. Methods of salesmanship, like those predominant in production, finance and the development of natural resources, have reflected the trend toward exploitation characteristic of the past century. Similarly, selling has more recently come to be based, at least to some extent, on the recognition that natural and human resources must be conserved, that consumers are too valuable to be exploited. It is possible to envisage a higher type of salesmanship in which selling would be viewed as the art of assisting rather than compelling people to buy—of showing consumers how best to satisfy their needs or desires through the purchase of goods or services with less emphasis upon persuasion and more upon the economics of consumption.

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See: ADVERTISING; MARKETING; WHOLESALING; RETAIL CREDIT; MIDDLEMAN; PROMOTION; DRIVES, MONEY RAISING; CONSUMPTION; CONSUMER PROTECTION; BUSINESS EDUCATION.

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SALISBURY, THIRD MARQUIS OF, ROBERT ARTHUR TALBOT GASCOYNE-CECIL (1830–1903), British statesman. Although he was the dominant figure in English parliamentary life during the period of conservative reaction which followed the overthrow of Gladstonian Liberalism in 1886, Salisbury was less directly concerned with problems of domestic politics than with the vigorous conduct of England's foreign policy. His work as secretary of state for foreign affairs (1878–80, 1885–86, 1887–92 and 1895–1900) formed the transition between the British policy of aloofness from Europe of the 1860's and 1870's and the entente diplomacy of the twentieth century; while in the colonial world his objectives were definition of claims and the protection of recognized British interests. With the outlook of a great aristocrat he regarded the conduct of foreign relations as vested in himself, subject to parliamentary ratification but not to popular control or interference. Although he blustered occasionally, he was reluctant to press British claims when not well founded, willing to barter concessions and ready to enforce upon his own countrymen the established rights of other nationals.

During his first term as foreign secretary (1878–80) he won the praise of Disraeli for his skilful handling of the involved near eastern negotiations which culminated in the Berlin

Conference in 1880. After 1885, when as Conservative prime minister Salisbury formed the first of his three cabinets (1885–86, 1886–92, 1895–1902), he turned his attention to the reconciliation of European interests in Africa: initiating the Brussels Conference of 1889–90, which outlawed the slave trade; exchanging Heligoland in the same year for German recognition of the British protectorate of Zanzibar; and purchasing French acquiescence by concessions in the Algerian hinterland and Madagascar. The friction resulting from the failure of his determined efforts to secure France's recognition of British control in Egypt and the Nile valley culminated in the conquest of the Sudan by Kitchener and the occupation of Fashoda by Major Marchand. African and other colonial questions largely determined Salisbury's relations with other European powers. His adhesion to the doctrine of splendid isolation was a method, rather than a policy, which permitted the balancing of European powers one against the other. French hostility led him to consider greater friendliness with Italy and Germany. Yet he did not respond to four invitations from Germany for an alliance, rationalizing his desire to retain freedom of action as distrust of Bismarck and William II.

FREDERICK DIETZ

Works: *Essays by the Late Marquess of Salisbury*, 2 vols. (New York 1905).

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SALMON, THOMAS WILLIAM (1876–1927), American psychiatrist. Salmon's accomplishments in the field of mental hygiene began in 1905 when as an officer of the United States Public Health Service he established a psychiatric service for immigrants on Ellis Island. There he raised the standards of the care of the mentally unfit and instituted measures for their exclusion from the country. As first director of the National Committee for Mental Hygiene (1912–21) he laid the scientific groundwork for the now world wide movement for the control and prevention of mental disorders and the promotion of mental health. He initiated the system of uniform statistical reporting of mental and nervous diseases now in use throughout the United States. During the World War he mobilized the psychiatric personnel for the United States army, planned the elimination of the mentally unfit from the draft army and, as chief consultant in psychiatry, organized and directed the psychiatric services which contributed to the control of war neuroses, the conservation of man power and the maintenance of fighting efficiency and morale among the American troops in France. He was the prime mover in the difficult task of creating a system of government hospitals for mentally disabled ex-service men. As professor in Columbia University he brought psychiatry into a closer relationship to general medicine by securing greater attention to the subject in medical school curricula and by improving clinical, research and teaching facilities. He conceived the plan for the establishment of the New York State Psychiatric Institute and Hospital at the Columbia Medical Center in New York City.

Salmon did much to advance the social applications of psychiatry. He developed the concept of mental hygiene as a useful instrument of social progress in all its phases and contributed to a clarification of the relationship between mental disorders and other problems of human behavior and maladjustment. The rapid multiplication of psychiatric clinics and other mental health services in connection with hospitals, schools, churches, prisons and other social agencies, and the growth of child guidance work and private psychiatric practise throughout the United States, were due, in great measure, to his initiative and efforts as well as to the mental hygiene movement, of which he was the guiding spirit.

PAUL O. KOMORA

Consult: Russell, William L., in *Mental Hygiene*, vol. xi (1927) 673–80; Glueck, Bernard, "Thomas W. Salmon and the Child Guidance Movement" in *Journal of Juvenile Research*, vol. xiii (1929) 79–89; "Symposium in Memory of Thomas W. Salmon" in New York Academy of Medicine, *Bulletin*, 2nd ser., vol. vii (1931) 549–88. For bibliography of Salmon's writings see *Mental Hygiene*, vol. xii (1928) 114–18.

SALT, used in either solid or dissolved form, is one of the most important food and chemical raw materials. As a food constituent the use of salt dates back beyond the dawn of history, and it has been involved in a significant series of social, economic and religious relationships. The upward trend in salt consumption seems certain to continue, although at a slower rate so far as food is concerned. The chemical-industrial requirements of salt, developed chiefly during the

past century, while today still second to food uses, seem likely to assume first place in the near future.

Common salt, or sodium chloride, is found in the form of rock salt as the mineral halite, but it occurs also and in even larger quantities dissolved in sea water, in the water of numerous desert lakes and in many natural brines issuing from underground sources. The need for salt as a food arises chiefly from the fact that the human body requires a notable percentage of mineral salts, predominantly sodium chloride. Meats supply a maximum of salt: raw or roasted meats supply far more than boiled meats, from which the salts are leached during the cooking. Vegetable foods rank far lower in salt content, the cereals lowest of all—barley, oats, wheat, maize and rice representing the order of decreasing salt content.

Although salt is at present considered an absolute necessity of human life, it came into common use only at a rather advanced stage of human existence as a result of changes in living and food conditions. Tribes living largely on meat or fish, raw or roasted, needed practically no additional salt in their diet. As the meat gave way to vegetables, additional salt became more and more necessary. Salt needs therefore increased with each move inland from the sea, with any decline in meat supply and rise in cereal consumption and with the development of massed sedentary communities. The growing use of salt was therefore bound up with the shifts from nomadic to agricultural and urban civilization. In most parts of Europe the cumulative effects of such changes in customs and habitats made an organized salt supply a necessity thousands of years ago; while in America the Iroquois had so little need for salt that the easily accessible Onondaga brines were never used by them prior to white occupation.

Salt early acquired a religious significance. It was used in many offerings to the gods, especially of cereals. Every meal with salt had a sacred character. Because of its properties as a preservative salt was considered a symbol of enduring compacts and was used to seal them. By virtue of its food value and religious significance a considerable part of ancient commerce consisted of salt, which was produced almost entirely by the evaporation of sea water. Salt provided the impetus for the development of many of the oldest trade routes. The salt trade languished in Europe during the early Middle Ages but revived after the thirteenth century.

The technique of salt making changed little except in detail from the dawn of history to the latter part of the nineteenth century. The primitive method, the evaporation of ocean water in enclosed basins by solar heat, was used along the North American coasts in the American Revolution and the Civil War and is still employed in California on a large scale. Two variants arose because of environment rather than choice. Far from the ocean it was found that salt was contained in natural brine springs or desert lake waters; and in more temperate regions, where solar heat was uncertain, the brines were evaporated in kettles or pans heated by direct fires. In Tennessee and probably elsewhere there have been discovered salt kettles of Indian fabrication. Even today pan and kettle evaporation is still practised in many parts of the United States as well as in other countries. The developments during the latter part of the nineteenth century involved the use of waste steam for heat, the creation of partial vacuums to reduce the evaporation temperature and the introduction of mechanical rakers to decrease the amount of human labor required to handle the raw material and its products. Since the 1890's the trend has been toward increasingly automatic processes of production.

Because of the widespread need for salt it has been a convenient source of government revenue in many countries and under widely differing conditions. The obvious advantages of salt taxes from the fiscal standpoint are that in most areas the sources of economic salt supply are few and can easily be controlled, while the needs of the consumer are pressing and constant. The social objections to salt taxes are, however, very serious. At first sight it might seem that a salt impost would bear equally upon rich and poor, on the theory that per capita consumption of this necessary must be approximately equal. Yet in reality such a tax falls differentially upon diverse races and classes, constituting a heavier burden upon the poorer individuals and groups. The poorer classes are in every case forced to rely on a bulky meatless diet, which requires a larger per capita use of salt to maintain health. Similarly a salt tax is a greater burden upon tropical races, living chiefly upon green foods and especially on rice, than upon those in more temperate regions where meat and grain are available. The French salt *gabelle*, which originated in the thirteenth century, was imposed in an effort to secure a broad base for taxation by a levy upon a universal necessary and in actual

operation bore most heavily upon the poor. The government forced each individual to buy a minimum of salt at fixed prices. The most hated and the most inequitable of taxes, the *gabelle* did much to awaken the passions which burst forth in the French Revolution. Like that in France, the salt tax in India has stimulated abuses, evasion and adulteration and has aroused political opposition, culminating sporadically in armed revolt. The Indian nationalists have used the salt tax as a weapon in their struggle against British imperialism. In China the salt tax has been used by foreign governments to insure the payment of principal and interest on loans made by their nationals to the Chinese government.

During the nineteenth century there was a steady increase in the world's output and consumption of salt. The major factors in this development were population growth and rising standards of living and the constantly greater requirements for salt to be used in chemical processes and in agricultural fertilizers. Although according to available statistics world output in 1929 amounted to nearly 30,000,000 metric tons of salt, the actual output, allowing for defects in the data, was probably 40,000,000.

WORLD'S OUTPUT OF SALT, 1929
(In metric tons)

CONTINENTS		PRINCIPAL COUNTRIES	
Europe	13,340,000	United States	7,750,000
North America	8,260,000	Germany	3,050,000
Asia	5,845,000	Soviet Union	2,800,000*
Africa	647,000	France	2,190,000
South America	337,000	United Kingdom	2,006,000
Australia	130,000	China	2,000,000†
		India	1,750,000
		Japan	809,000
		Italy	910,000
Total	28,559,000		23,265,000

* Figure for 1928; for 1929 not available.
† Estimated annual production.
Source: United States, Bureau of Mines, *Minerals Yearbook, 1932–33* (1933) p. 696–98.

Salt prices are open to easy misunderstanding, because of the fact that a very large and steadily increasing fraction of the total output, 45 percent in 1931, is never placed on the market as actual salt but is used by chemical companies in the form of brine. To these companies brine is merely one raw material, produced on their own properties and usually valued at mere cost of production. In recent years this chemically used fraction of the total United States salt output has been valued at around fifty cents per ton of included salt, while evaporated salt for open market has ranged around seven dollars per ton, and crushed rock salt around three dollars per ton. It is obvious that in view of such differences it is idle to say that the average value of American salt was $4.04 in 1922 and $2.93 in 1931. This makes an estimate of the value of salt output extraordinarily difficult.

Sources of commercial salt may be grouped as follows: oceans; salt lakes and inland seas, in which water has been concentrated because of high temperature and limited outlets; brine springs and wells, containing salt from underground deposits left by oceanic evaporation in geologic ages; rock salt deposits formed by natural evaporation of lake or ocean waters, underground in moist climates, often at the surface in arid regions. All of the possible sources are now being worked for supplies of commercial salt. The sequence in which they are arranged above represents in general the order in which man came to make use of the possible sources. To some extent this was fixed by habitat. Tribes living near the ocean learned the use of ocean salt, while desert tribes found salt lakes, salt springs or local rock salt surface deposits. In the New World settlers on the Atlantic coast from Brazil to Massachusetts evaporated ocean water. The first trans-Allegheny pioneers in the United States found and used salt licks and springs. In northern Mexico and in the interior of Louisiana and California both surface rock salt beds and salt lakes were found. The first undergound development of rock salt beds took place a century or more after other sources had been utilized.

In making salt the mineral raw material may be either a deposit of rock salt mined as such, a brine made by pumping water into a rock salt deposit or a natural brine, such as ocean or desert lake water. After the raw material is secured by mining, pumping or simple enclosure, the subsequent treatment depends on raw material, product desired and climate or habit. Mining and simple crushing are adapted only to rock salt deposits; brine making and subsequent evaporation are designed to secure purer salts from impure rock salt deposits; brine enclosure or pumping and subsequent evaporation are the methods used to derive salt from ocean, desert lake or salt spring waters; unevaporated brine is employed directly in the manufacture of alkali and the like. The methods which pertain exclusively to the salt industry are brine making and brine enclosure, which differ only in the manner in which the brine supply is secured. As

to the subsequent evaporation processes, the following variants may be found: evaporation by solar heat in tanks or pans, by furnace heat in kettles or pans, by steam heat in grainers or by steam heat in vacuum pans. Of these processes the first and second date back to prehistoric times. The third and fourth were developed in the later nineteenth century; both possess certain advantages as regards heat utilization and use of machinery at certain stages, and today those processes which show the minimum of man hours per ton are the grainer method with mechanical rakers and the vacuum process with automatic discharge of product.

The salt industry of the world is affected by several factors of widely different type and origin. On the one hand, salt can be made in many parts of the world, so that absolute concentration does not obtain as it does in the coal industries. On the other hand, climatic differences do effect a very marked localization in the production of cheap salt, and chemical and food demands impose a notable degree of localized production and large scale industrial organization. The manner and extent to which these different factors have operated can best be understood if conditions for two widely separated periods, for example, the early nineteenth century and the present time, are compared. In the closing decades of the eighteenth century and the opening decades of the nineteenth salt had apparently reached a certain static position as far as sources and uses were concerned. In addition to numerous scattered localities all over the world where salt was produced essentially for local consumption, there were four or five great rock salt mine regions in England and on the continent whose output exceeded local and even national needs. Moreover in the West Indies (notably Turks and Caicos Islands) and along the Mediterranean coast of Spain climatic conditions and easy transport by water had encouraged extensive production of salt by sea water evaporation. Most of the output of these salt fields was exported for use in the great fishery industries of the North Sea and the Newfoundland banks. During the Napoleonic wars the trade attracted particular attention because of the fact that war conditions had affected it adversely. The salt requirements of the fisheries and their chief sources of supply have changed little since that time.

At present, however, there are two additional and rapidly growing demands for salt: in the larger meat packing enterprises and in the alkali and heavy chemical industries. The first differs little from the earlier fishery salt trade except for the location of the new markets and the larger requirements. The chemical industry, however, has introduced new variants with regard to location of demand, tonnage needed, cheapness of supply and economy of form. Modern alkali industries are based on three primary raw materials: salt, sulphuric acid and lime; the plant is usually located close to the salt and limestone supplies and the acid is normally transported. The industry calls for substantial amounts of capital and highly skilled labor; furthermore it is dependent upon large power supplies, preferably electricity.

All of the new conditions suggest that it has now become possible to organize national salt industries along two different lines. On the one side, integrated chemical plants produce directly large amounts of salt, use it chiefly as brine and generally do not enter the commercial salt market. In such cases, which cover perhaps half the salt output of the leading industrial countries, labor and organization are conditioned by the structure of the great chemical industries. On the other side, this very absorption of the chemical plants in producing salt for their own needs has narrowed the areas available for salt exploitation for ordinary commercial needs and has facilitated concentration of the greater salt producing fields in a few hands. In the United States one monopolist company, after considerable litigation, seems to have reached a position of dominance. Most of the salt consumed by the people of the United States is sold under the trademarks of a small number of companies.

The salt trade of the world, internationally considered, is today, as it has been for some centuries, dependent upon certain differences in climate and religion aided by certain trade flows in entirely different staples. Broadly speaking, the Mediterranean and South American countries import northern (i.e. Newfoundland and Scandinavian) cod and other fish in large quantities, for purely religious reasons. The return trade flow is largely made up of sun evaporated salt from Spain and the West Indies. The fish originate in areas where rock salt does not exist or is not worked and are shipped to areas where sun making of sea salt is easy.

EDWIN C. ECKEL

See: MONOPOLIES, PUBLIC; EXCISE; NUTRITION; FISHERIES; NATURAL RESOURCES.

Consult: Houghton, F. T. S., "Salt-Ways" in Bir

mingham Archaeological Society, *Transactions*, vol. liv (1932) 1–17; Calvert, A. F., *A History of the Salt Union* (London 1913); Bauer, Clemens, "Venezianische Salzhandelspolitik bis zum Ende des 14. Jahrhunderts" in *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte*, vol. xxiii (1930) 273–323; Gréau, E., *Le sel en Lorraine* (Paris 1908); Delavaud, Louis, "Le commerce des vins et du sel en Norvège au moyen âge" in Institut Solvay, *Revue de l'Institut de Sociologie*, vol. ix (1929) 61–113; Hughes, Edward, "The English Monopoly of Salt in the Years 1563–71" in *English Historical Review*, vol. xl (1925) 334–50; Calvert, A. F., *Salt in Cheshire* (London 1915); Silva, C. R. de, "The Salt Trade of Ceylon, 1796–1833" in *Ceylon Literary Register*, 3rd ser., vol. i (1931) 529–38; Poraziński, A., *Das Salzmonopol im Königreich Polen* (Borna 1913); Majorana, Salvatore, "Il monopolio del sale" in *Rivista di politica economica*, vol. xx (1930) 944–59, and vol. xxi (1931) 26–39; Waldmeyer, E., *Die schweizerische Salz- und Sodaindustrie* (Weinfelden 1928); Amzalak, M. B., *A salicultura em Portugal* (Lisbon 1920); Ruata, E., "La industria de la sal en la república Argentina" in University of Buenos Aires, Facultad de Ciencias Económicas, *Investigaciones de seminario*, vol. iii (1923) 351–409; Baude, R., "La gabelle chinoise" in Société de Géographie Commerciale de Paris, *Bulletin* vol. xxxvi (1914) 398–403; Harrison, L. C., *The Salt Industry as a Factor in the History of the Middle West* (typewritten dissertation, Chicago 1919); Corp, C. I., "The Salt Industry of Central Kansas" in *Wisconsin Engineer*, vol. xx (1915–16) 154–65; India, *The Systems and Practice of Salt Administration in India* (3rd ed. Simla 1931).

SALT, SIR TITUS (1803–76), worsted manufacturer of Bradford and Saltaire, Yorkshire, England. Salt was the son of a cloth merchant and wool stapler, whose partner and successor he became. Finding manufacturers unwilling to handle Donskoi Russian wool, he began to manufacture it himself in a hired mill with specially adapted machinery. By 1836, when he introduced the manufacture of alpaca into England, he had four mills at work. His business throve greatly, and in 1848 he was elected mayor of Bradford. Soon afterward he decided to concentrate all his operations in a single establishment, which he set out to build himself as a complete town. Saltaire was opened in 1853 and became at once a show place for visitors from all parts of the world. For the rest of his life Salt steadily added to the new town, providing not only houses and public dining rooms, recreation rooms, baths and washhouses but also factory schools, almshouses and places of worship as well as a public park. After his death the various Saltaire properties, except the works, were placed by his heirs under the control of a trust which he had left money to endow. Salt was an active nonconformist, and in politics a liberal closely akin to John Bright. He was elected member of Parliament for Bradford in 1859; but he disliked parliamentary work and retired from his seat in 1861. He was made a baronet in 1869. Saltaire recalls in some respects New Lanark and foreshadows Bournville and other similar modern industrial establishments. But Salt, a man of no great culture or education, had no touch of Owen's idealistic socialism, although he was prepared to give generously, especially in the cause of religion. He was simply a successful manufacturer with liberal leanings and the business imagination needed to found Saltaire.

G. D. H. COLE

Consult: Balgarnie, R., *Sir Titus Salt* (London 1877); Holroyd, A., *Saltaire and Its Founder* (Saltaire 1871).

SALVIOLI, GIUSEPPE (1857–1928), Italian jurist and economic historian. Salvioli received his doctorate in law at Modena in 1878 and taught history of law at Camerino, at Palermo from 1884 to 1903 and finally at Naples from the latter date until his death. His first great work on legal history, the *Manuale di storia del diritto italiano*, appeared in 1890 (9th ed. Turin 1930). Its fundamental thesis was the continuity of Roman law in Italy, even in the centuries of German domination. But the special merit of the work, especially in its later editions, lay in the fact that it was not merely a legal history but also an excellent social history of the Italian people. Salvioli's first notable study in the field of economic history was *Stato e popolazione d'Italia prima e dopo le invasioni* (Palermo 1890), in which he explored one of the fields of mediaeval Italian history, at that time virtually neglected. Here he advanced a thesis parallel to that of his *Storia del diritto*—the continuity throughout the Middle Ages of the Roman economic institutions. His most famous book on economic history was *Le capitalisme dans le monde antique* (tr. from Italian ms. by A. Bonnet, Paris 1906; Italian ed. by G. Brindisi, Bari 1929), in which he denied the existence of a true capitalism in classic antiquity. Salvioli later returned to this conception, but although it can be termed more original than the dominant opinion, it encountered numerous objections and contradictions. On the other hand, his minor thesis of the widespread persistence of small holdings in Italy in the period of the Roman Empire and of the early Middle Ages, which he developed in his article "Sulla distribuzione della proprietà fondiaria in Italia al tempo dell' Impero romano" (in *Archivio giuridico*, vol. lxii, Modena 1899,

pts. ii–iii) and in other writings, is now generally accepted as the correct historical interpretation.

CORRADO BARBAGALLO

Other important works: *L'istruzione in Italia prima del mille* (Florence 1912); "Le decime" in *Digesto italiano*, vol. ix (Turin 1887–98) p. 500–603; "Il diritto monetario italiano dalla caduta dell' Impero romano ai nostri giorni" in *Enciclopedia giuridica italiana*, vol. x (Milan 1889) pt. iii; *Storia economica d'Italia nell'alto medio evo; le nostre origini* (Naples 1913); "La città antica e la sua economia a proposito delle grandi epoche della storia economica" in R. Accademia di Scienze Morali e Politiche, Naples, *Atti*, vol. xlix (1925) 195–226; *Storia della procedura civile e penale*, Storia del Diritto Italiano, ed. by P. del Giudice, vol. iii (Milan 1925).

Consult: Brindisi, G., *Giuseppe Salvioli* (Naples 1928); Onofrio, Paolo d', in *Rivista di diritto processuale civile*, vol. vi (1929) 212.

SAMARIN, YURY FEDOROVICH (1819–76), Russian Slavophile. Samarin was early imbued with the patriotic spirit of Pogodin's historical writings and was converted to Slavophilism and Hegelianism by K. Aksakov. Unable, however, to reconcile the philosophy of Hegel with Eastern Orthodoxy, he discarded the former and came under the lasting influence of Khomyakov, whose theological works he edited in 1867. In his dissertation, which except for the third part, published as *Stefan Yavorsky i Feofan Prokopovich kak propovedniki* (Stefan Yavorsky and Feofan Prokopovich as preachers, Moscow 1844), was suppressed by the church authorities, he developed Khomyakov's theory of the essence of the Orthodox church as the "synthesis of unity and freedom" and presented a highly dialectical interpretation of the contradictory positions of the two churchmen as representing the two complementary elements of Orthodoxy: that of unity in the nearly Catholic anti-Protestantism of Prokopovich and that of freedom in the nearly Protestant anti-Catholicism of Yavorsky. Samarin reverted to religious controversy in his brilliant essay *Iezuiti i ikh otnoshenie k Rossii* (Moscow 1866, 2nd ed. 1868; tr. by P. Boutourlin as *Les jésuites et leurs rapports avec la Russie*, Paris 1867) directed against the defense of the order presented by the Russian Jesuit Martinov.

After a brief and unsuccessful administrative career Samarin devoted himself to political and literary activity. As author of a number of studies on peasant emancipation, which were suppressed by the authorities, and as member of the committee in charge of drafting the reform project he participated in the movement for the liberation of the peasantry under Alexander II. Together with Cherkassky and Kolupanov he was an ardent defender of the *obshchina* (village community), an institution which occupied a foremost place in the program of the Slavophiles. In his political writings, notably *Pisma iz Rigi* (Letters from Riga, Moscow 1849) and *Okraini Rossii* (The borderlands of Russia, 5 pts., Berlin 1868–76), he rejected all separatist attempts, particularly those of the Germans in the Baltic provinces, and sponsored a highly illiberal although not undemocratic imperialist Russian policy based on the principle of federative organization of the empire. A member of the municipal and county councils of Moscow, Samarin elaborated a program of tax reform along the lines of Prussian fiscal reforms, which he reviewed in a masterful essay, "Finansoviya reformi v Prussii" (Financial reform in Prussia, in *Sbornik gosudarstvennikh znany*, ed. by V. P. Bezobrazov, 8 vols., St. Petersburg 1874–80, vol. vi, p. 257–326).

ALEXANDRE KOYRÉ

Works: *Sochineniya* (Collected works), 10 vols. (Moscow 1878–96).

Consult: Nolde, B. E., *Yury Samarin i ego vremya* (Samarin and his time) (Paris 1926); Vinogradoff, P., "A Prophetic Career" in *British Review*, vol. xii (1915) 3–14.

SAMPLING. *See* STATISTICS; PROBABILITY.

SAN MARTÍN, JOSÉ DE (1781?–1850), Spanish American revolutionist. Born in the province of Misiones, now part of the republic of Argentina, San Martín was educated in Spain for a military career and served in the Spanish army for nearly twenty years.

In 1812 he returned to South America and enrolled with the revolutionary forces of Buenos Aires. Two years later, while governor of the province of Cuyo, he began to recruit and drill an army for the invasion of Peru by way of Chile. When the Platine revolutionary congress met in 1816, San Martín, by means of stirring letters to one of its delegates, did much toward influencing that body to declare independence from Spain. At that time he expressed his conviction that a federal government for the La Plata provinces, with their regional rivalries, would not be strong enough to withstand Spanish intrigue and that only a constitutional monarchy could assure the safety of the new state. In 1818 San Martín crossed the Andes, obtained control of Chile and saw its independence

proclaimed. After refusing the dictatorship of that province, he entered Peru and in 1821 declared it an independent country.

San Martín became dictator of Peru, holding that representative government at that time would mean a loss of independence, since the Spanish still controlled a large part of the country. He favored European princes as heads of the new Latin American states and sent envoys to Europe to treat with various countries concerning possible candidates for Peru. Convinced that his troops were too weak to defeat the Spanish army in Peru, which had withdrawn eastward, he turned for aid to Bolívar, who, however, did not wish to release the number of troops desired by San Martín and also differed from the latter in advocating a republican form of government for independent Spanish America. Unwilling to hurt the revolutionary cause by an open quarrel with Bolívar, San Martín retired in 1822, leaving his rival to complete the work for independence.

MARY WILHELMINE WILLIAMS

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SANATORIA. *See* HOSPITALS AND SANATORIA.

SANCTION, INTERNATIONAL. Sanction was a term used in Roman law to signify a penalty visited upon a person who violated the law. It is not, however, a term of art in municipal or international law. Single states, usually the more powerful, have on occasion applied unilateral sanctions against weak states, with or without the use of armed force, to redress an alleged grievance. Such sanctions have included withdrawal of diplomatic officers, a demand to salute the flag, refusal of recognition, embargoes, so-called pacific blockades, intervention by landing troops or similar steps, naval demonstrations and reprisals of various kinds. This form of self-help aroused challenge, for it disturbed international relations and was undertaken by a party who was plaintiff, judge and sheriff in its own cause.

Until after the World War it had been generally recognized that any attempt to penalize a state was a precarious enterprise subject to difficulties not known to municipal law in dealing with individuals. In the moral exaltation at Versailles in 1919, however, theories of the League to Enforce Peace and postulates of a well ordered world of abnegating states resulted in a professed disinclination for unilateral sanctions and war. There was proposed instead a cooperative "enforcement" of peace and law by collective judgments and execution modeled upon the behavior of a state in its domestic relations with its own citizens. This idea was embodied primarily in article 16 of the League of Nations Covenant, which authorizes and contemplates collective economic and military sanctions against a state that resorts to war in disregard of its convenants peacefully to settle its disputes under articles 12, 13 or 15. Article 10 requires the member states to guarantee the territorial integrity of all the other members against aggression.

Few analogies have less substantial foundation or have led to more unfortunate results. International sanctions interest the layman more than they do the lawyer. When the former thinks of law he thinks of a policeman as its embodiment. He does not realize that without public opinion, which stands behind the policeman, law could not be enforced, as is shown by the history of the Eighteenth Amendment and the Volstead Act. Similarly custom, tradition, the sanction of public opinion and the realization that breach entails consequences, including the possible judgment of international tribunals, account for the fact that, in time of peace at least, international law is observed more uniformly than municipal law. Violations do not escape detection and redress as readily as in municipal law. The difficulty in international relations is not to enforce the observance of a rule of law, which is rarely necessary, but to persuade nations, where the law is uncertain or doubtful, to submit their dispute to conciliation or adjudication. Once these processes are invoked, the enforcement of the award or decision is not a serious problem. Moreover even in war the rules of international law are observed more commonly than is generally supposed; it is only when a powerful belligerent defies neutral opinion and is willing to run the risks of neutral intervention that law is seemingly violated with impunity; even then redress is often obtained after the war, as a sanction for the rule of law.

A major difficulty, not obviated by sanctions.

is that so many aspects of national activity having international repercussions escape legal control, as in the case of trade and tariff policy, economic, political and military competition and the harboring of resentments. Wars are caused mainly by political, historical and economic conflicts of interest, inflamed by passion or hysteria, but rarely by differences over purely legal questions.

While the recalcitrant individual in a community can be coerced by societal agents, a state, particularly a strong state, cannot be coerced by supposed societal agents or by other means without unhappy consequences. Only on paper is this possible; Dupuis, a famous Frenchman, speaking of the French plan for a League to Enforce Peace, remarked that it was "neat, complete, logical, chimerical, and impracticable." James Madison in 1787, although speaking of so coherent a group as the thirteen American states, said that "the practicability of making laws, with coercive sanctions, for the states or political bodies, has been exploded on all hands"; and Hamilton added, "To coerce the states would be one of the maddest projects ever devised. No state would suffer itself to be used as an instrument of coercing another." The supposed analogy between the individual within a single state, to which he is subordinate, and an independent state in the world of nations fails in fundamental respects. The individual cannot successfully resent or resist arrest or coercion; the state and its citizens can and do. Even against groups of individuals like trade unions the state is very chary of applying coercion.

Yet the 1919 League plan for "organizing peace" among the motley nations of the world was founded on coercive sanctions. Even the United States has never sought (except by war, the inevitable consequence) to coerce a state of the union. Against an independent state of the family of nations, outside coercion, even if considered justified, has profound political connotations. Concerted action in pursuit of abstract justice is unknown. Hence concerted action is likely to be primarily political in character, however high sounding the alleged justification. Collective coercion in support of a rule impartially applied by impartial judges is not likely to be realized and would not be credited if alleged. Concerted sanctions by Great Britain, Germany and Italy against Venezuela in 1902 were aimed to enforce a claim of right of the participating states; in other cases alliances of states have acted in concert to enforce their political claims or interests; under treaties of guaranty collective sanctions have very occasionally been employed, as in Greece; by the Locarno treaties Great Britain and Italy undertook certain vague commitments to enforce the immunity of the Franco-German and Belgian-German frontier against "unprovoked . . . aggression"; but never has a nation knowingly used force against another except in what it believed to be its own self-interest, in which case it necessarily assumed all the risks of such violent action. Armed sanctions not intended to result in war and not so resulting have been used only by strong against weak states.

There are publicists who admit the dangers of attempting to use force to secure the observance of international obligations. They rely, however, upon the economic sanctions of the League covenants. But the effectiveness of even such sanctions must be regarded as illusory. Economic boycotts and trade reprisals are likely to have the same effect as force. Only when invoked against weak states will such measures generally not lead to war.

Not only have the sanctions failed, but their very existence and occasional threat jeopardize the life of the League of Nations and international peace. They are based on certain fundamental postulates which are contrary to historical and human experience. The world charted in 1919 at Versailles was not founded on the equality of nations, but on the superiority of some and the subordination of others. A guaranty of that status quo was hardly conducive to friendly relations, even if temporary "peace" was "enforced." The member nations were privileged to resign from the League when they saw fit, on two years' notice. The decisions of European nations are usually dictated by self-interest and are likely to be political rather than legal in character. In the case of the Japanese invasion of Manchuria, before making a decision that Japan was the "aggressor" they found it advisable to consult their interests either as to the fact or as to the consequences. The Lytton Report and the Assembly Resolution of 1933 avoided stigmatizing Japan as an "aggressor," doubtless for this reason. Only a few nations will be in a position to employ sanctions, and against a strong nation like Japan sanctions virtually mean war; this explains Great Britain's caution and insistence on neutrality. Unless a nation's vital interests are involved, it is not likely to run the risk of war; a government which invites its

people into measures of boycott and possible blockade risks much. The assumption that collective action reduces the risk is not well founded, partly because wide collective action will generally be only a hypothesis and otherwise may mean a great war. The nation selected as the pariah will hardly regard the decision as anything but prejudiced or uninformed and will resent the collective action, by force if necessary. "Aggression" is a political more than a legal term; it cannot be defined in advance, for the question whether it is defensive and whether aggressive action is or is not justified depends altogether upon circumstances, as is recognized by private law. No nation can conscientiously make advance commitments in the abstract to use force or sanctions against another nation, unidentified. The more genuine the aggression, the greater the effort will be to cover it up by excuses. The "aggressor" will moreover seek to avoid the application of article 16 by refusing to admit that its action involves a state of war but will assert that forceful measures are peaceful, thus promoting international confusion and hypocrisy. Unilateral sanctions in support of a legal claim have not therefore been seriously impeded; a striking illustration is Mussolini's bombardment of Corfu. If challenged by the League machinery a state is apt to resign from the League. The proposal of a boycott by the United States against Japan on account of the Manchurian adventure had even less justification, for the United States was not a member of the League and war would doubtless have been an early consequence.

From every practical point of view therefore it would seem that sanctions against an "aggressor," when the latter is a strong power, are either impracticable or are likely to lead to war. Force is hardly an antidote against force. Collective force may occasionally be effective against small powers, but even then grave results are incurred. The fundamental notion that the League sanctions constituted a practical instrument of pacification was erroneous. It has probably postponed that reconciliation and appeasement and composition of differences which are the only trustworthy basis of peace. It has extended the life of the Treaty of Versailles and its analogues, until now vested interests make it more difficult to secure necessary changes.

An international police force encounters the same obstacles as collective sanctions. Had there been after 1919 a genuine growth of internationalism by mutual cooperation of all the major powers, such an experiment might have been tried and in minor matters might have had a bare chance of success, despite overwhelming obstacles. But with the perpetuation of the spirit and methods of war inherent in the Versailles policy nationalism was bound to increase, so that an international police force now seems a fantasy.

It would be an advantage if a limitation were imposed upon the use of force at the initiative of a single power or group of powers. Such an effort is exemplified in the second Hague convention of 1907 on the limitation of the use of force in the collection of contract claims, although the loopholes are considerable. But the obligatory submission of all legal disputes and, if possible, the submission to conciliation of non-legal issues would do much to render the use of force or sanctions unnecessary. For the rest an agreement to forego unilateral sanctions until an international commission, court or board rendered a favorable judgment and obedience was refused would be helpful. But in a world organized as at present, with political and commercial conflicts of interest becoming ever more acute, no infallible guaranty against the use of force seems possible.

EDWIN M. BORCHARD

See: INTERNATIONAL RELATIONS; INTERNATIONAL ORGANIZATION; INTERNATIONAL LAW; INTERNATIONAL LEGISLATION; INTERNATIONALISM; LEAGUE OF NATIONS; AGREEMENTS, INTERNATIONAL; GUARANTIES, INTERNATIONAL; ARBITRATION, INTERNATIONAL; PERMANENT COURT OF ARBITRATION; PERMANENT COURT OF INTERNATIONAL JUSTICE; OUTLAWRY OF WAR; WAR; AGGRESSION, INTERNATIONAL; INTERVENTION; RECOGNITION, INTERNATIONAL; MILITARY OCCUPATION; REPRISALS; EMBARGO; BOYCOTT.

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SANCTION, SOCIAL. In any community there are certain modes of behavior which are usual and which characterize that particular community. Such modes of behavior may be called usages. All social usages have behind them the authority of the society, but among them some are sanctioned and others are not. A sanction is a reaction on the part of a society or of a considerable number of its members to a mode of behavior which is thereby approved (positive sanctions) or disapproved (negative sanctions). Sanctions may further be distinguished according to whether they are diffuse or organized; the former are spontaneous expressions of approval or disapproval by members of the community acting as individuals, while the latter are social actions carried out according to some traditional and recognized procedure. It is a significant fact that in all human societies the negative sanctions are more definite than the positive. Social obligations may be defined as rules of behavior the failure to observe which entails a negative sanction of some sort. These are thus distinguished from non-obligatory social usages, as, for example, customary technical procedures.

The sanctions existing in a community constitute motives in the individual for the regulation of his conduct in conformity with usage. They are effective, first, through the desire of the individual to obtain the approbation and to avoid the disapprobation of his fellows, to win such rewards or to avoid such punishments as the community offers or threatens; and, second, through the fact that the individual learns to react to particular modes of behavior with judgments of approval and disapproval in the same way as do his fellows, and therefore measures his own behavior both in anticipation and in retrospect by standards which conform more or less closely to those prevalent in the community to which he belongs. What is called conscience is thus in the widest sense the reflex in the individual of the sanctions of the society.

It is convenient to begin a discussion of sanctions by a consideration of the diffuse negative sanctions, comprising reactions toward the particular or general behavior of a member of the community which constitute judgments of disapproval. In such reactions there are not only differences of degree—for disapproval is felt and expressed with different degrees of intensity—but also differences of kind. Such differences are difficult to define and classify. In the English language, for example, there are a large number of words which express disapproval of individual behavior; these vary from discourteous, unmannerly, unseemly and unworthy, through improper, discreditable, dishonorable and disreputable, to outrageous and infamous. Every society or culture has its own ways of judging behavior and these might conveniently be studied in the first instance through the vocabulary. But until comparative study of societies of different types has proceeded further no systematic classification of the kinds of diffuse negative sanction is possible. Provisionally the negative moral or ethical sanction may be defined as a reaction of reprobation by the community toward a person whose conduct is disapproved; moral obligations may thus be considered as rules of conduct which, if not observed, bring about a reaction of this kind. Another distinguishable sanction is that whereby the behavior of an individual is met with ridicule on the part of his fellows; this has been called the satirical sanction. The varieties of diffuse positive sanctions, being less definite than negative sanctions, are therefore still more difficult to classify.

From the diffuse sanctions already described there should be distinguished what may be called (by a wide extension of the term) religious sanctions; these have also been named supernatural sanctions and mystic sanctions, but both these terms have unsatisfactory connotations. The religious sanctions are constituted in any community by the existence of certain beliefs which are themselves obligatory; it is therefore only within a religious community that these sanctions exist. They take the form that certain deeds by an individual produce a modification in his religious condition, in either a desirable (good) or an undesirable (evil) direction. Certain acts are regarded as pleasing to gods or spirits or as establishing desirable relations with them, while others displease them or destroy in some way the desirable harmonious relations. The religious condition of the individual is in these instances conceived to be determined by his relation to personal spiritual beings. The change in the religious condition may elsewhere be regarded as the immediate effect of the act itself, not mediated by its effects on some personal god or spirit, a view common not only in many of the simpler societies, but also found in a special form in Buddhism and in other advanced Indian reli-

gions. Sin may be defined as any mode of behavior which falls under a negative religious sanction; there is no convenient term for the opposite of sin, that is, an action which produces religious merit or a desirable ritual condition.

The religious sanctions involve the belief that most unsatisfactory ritual or religious conditions (pollution, uncleanness, sinfulness) can be removed or neutralized by socially prescribed or recognized procedures, such as lustration, sacrifice, penance, confession and repentance. These expiatory rites are also considered to act either immediately, or mediately through their effects on gods or spirits, depending upon whether the sin is regarded as acting in the one way or the other.

While in modern western civilization a sin is usually regarded as necessarily a voluntary action or thought, in many simple societies an involuntary action may fall within the given definition of sin. Sickness—for example, leprosy among the Hebrews—is often regarded as similar to ritual or religious pollution and as therefore requiring expiation or ritual purification. A condition of ritual or religious impurity is normally considered as of immediate or ultimate danger to the individual; it may be believed that he will fall sick and perhaps die unless he can be purified. In some religions the religious sanction takes the form of a belief that an individual who sins in this life will suffer some form of retribution in an after life. In many instances an individual who is ritually unclean is looked upon as a source of danger not only to himself but also to those with whom he comes in contact or to the whole community. He may therefore be more or less excluded for a time or even permanently from participation in the social life of the community. Frequently if not always therefore an obligation rests upon the sinner, or unclean person, to undertake the necessary process of purification.

Thus the religious sanctions differ from the other diffuse sanctions by reason of the beliefs and conceptions indicated above, which cannot be defined or described in any simple way. Somewhat similar beliefs underlie magical practises and procedures in relation to luck, but whereas religious observances and the beliefs associated with them are obligatory within a given religious community, the former are comparable with technical procedures, customary but not obligatory.

Organized sanctions are to be regarded as special developments of the diffuse sanctions, frequently under the influence of the beliefs belonging to religion. Organized positive sanctions, or premial sanctions, are rarely developed to any great extent. Honors, decorations, titles and other rewards for merit, including monetary rewards such as special pensions, given to individuals by a community as a whole, are characteristic of modern societies. In preliterate societies a man who has slain an enemy may be given the right to distinguish himself by wearing some special decoration or in other ways.

Organized negative sanctions, important among which are the penal sanctions of criminal law, are definite recognized procedures directed against persons whose behavior is subject to social disapproval. There are many varieties of such procedures, the most important and widespread being the following: subjection to open expression of reprobation or derision, as, for example, through forcible public exposure by confinement in stocks; partial exclusion, permanent or temporary, from full participation in social life and its privileges, including permanent or temporary loss of civil or religious rights; specific loss of social rank, or degradation, the exact contrary of the positive sanction of promotion; infliction of loss of property by imposition of a fine or by forcible seizure or destruction; infliction of bodily pain; mutilation or branding in which pain is incidental to permanent exposure to reprobation; permanent exclusion from the community, as by exile; imprisonment; and punishment by death. These sanctions are legal sanctions when they are imposed by a constituted authority, political, military or ecclesiastic.

In any given society the various primary sanctions form a more or less systematic whole which constitutes the mechanism of social control. There is an intimate relation between the religious sanctions and the moral sanctions, which varies, however, in different societies, and cannot be stated in any brief formula. The primary legal sanctions of criminal law, in all societies except the highly secularized modern states, show a close connection with religious beliefs.

Besides these primary social sanctions and resting upon them there are certain sanctions which may be termed secondary; these are concerned with the actions of persons or groups in their effects upon other persons or groups. In modern civil law, for example, when an individual is ordered by a court to pay damages, the primary sanction behind the order is the power of the court to make forcible seizure of his property or to imprison or otherwise punish him for contempt of court if he fails to obey. Thus sec-

ondary sanctions consist of procedures carried out by a community, generally through its representatives, or by individuals with the approval of the community, when recognized rights have been infringed. They are based upon the general principle that any person who has suffered injury is entitled to satisfaction and that such satisfaction should be in some way proportioned to the extent of the injury.

One class of such procedures consists of acts of retaliation, by which is meant socially approved, controlled and limited acts of revenge. Thus in an Australian tribe when one man has committed an offense against another, the latter is permitted by public opinion, often definitely expressed by the older men, to throw a certain number of spears or boomerangs at the former or in some instances to spear him in the thigh. After he has been given such satisfaction he may no longer harbor ill feelings against the offender. In many preliterate societies the killing of an individual entitles the group to which he belongs to obtain satisfaction by killing the offender or some member of his group. In regulated vengeance the offending group must submit to this as an act of justice and must not attempt further retaliation. Those who have received such satisfaction are felt to have no further grounds for ill feeling.

Satisfaction for injury may be obtained also through the duel, a recognized and controlled combat between individuals, or through similar combats between two groups. Among Australian tribes dueling with spears, boomerangs, clubs and shields or stone knives, with the bystanders ready to interfere if they think things are going too far, is a frequently adopted alternative to one-sided retaliation. In these same tribes there are similar regulated combats between two groups, sometimes in the presence of other groups who see that there is fair play. It is often difficult to draw a dividing line between such group combats and warfare; in fact they may possibly be regarded as a special form of warfare characteristic of primitive rather than of civilized societies. Frequently therefore war may be regarded as a secondary social sanction similar to the duel. A political group maintains recognition of its rights by the threat of war if those rights should be infringed. Even in the simplest societies it is recognized that certain acts are right in war and others are wrong and that a declaration of war may be just in certain circumstances and in others unjust, so that the conduct of warfare is to some extent controlled by diffuse sanctions.

Indemnification is often found as an alternative to retaliation as a means of giving and receiving satisfaction. An indemnity is something of value given by a person or group to another person or group in order to remove or neutralize the effects of an infringement of rights. It may be distinguished from a propitiatory gift by the fact that it is obligatory (i.e. subject to a negative sanction, diffuse or organized) in the particular circumstances. A payment made in anticipation of an invasion of rights with the consent of the person or persons receiving it may be regarded as an indemnity. Thus in many societies taking a woman in marriage is regarded as an invasion of the rights of her family and kin, so that before they consent to part with her they must receive an indemnity or the promise of such. In these cases the process of indemnification bears some similarity to that of purchase, which is a transfer of rights of property for a consideration.

In many preliterate societies procedures of indemnification are carried out under the diffuse sanction of public opinion, which compels an individual to indemnify one whose rights he has infringed. In some societies there is a recognized right of an injured person to indemnify himself by forcible seizure of the property of the offender. When society becomes politically organized, procedures of retaliation and indemnification backed by diffuse sanctions give place to legal sanctions backed by the power of judicial authorities to inflict punishment. Thus arises civil law, by which a person who has suffered an infringement of rights may obtain reparation or restitution from the person responsible.

In a consideration of the functions of social sanctions it is not the effects of the sanction upon the person to whom they are applied that are most important but rather the general effects within the community applying the sanctions. For the application of any sanction is a direct affirmation of social sentiments by the community and thereby constitutes an important, possibly essential, mechanism for maintaining these sentiments. Organized negative sanctions in particular, and to a great extent the secondary sanctions, are expressions of a condition of social dysphoria brought about by some deed. The function of the sanction is to restore the social euphoria by giving definite collective expression to the sentiments which have been affected by the deed, as in the primary sanctions and to some extent in the secondary sanctions, or by removing a conflict within the community itself. The sanctions are thus of primary significance to

sociology in that they are reactions on the part of a community to events affecting its integration.

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See: COERCION; CONFORMITY; CULTURE; CUSTOM; MORALS; PUBLIC OPINION; RELIGION; RITUAL; MAGIC; TABU; GOVERNMENT; LAW; PUNISHMENT; FINES; DAMAGES; OSTRACISM; EXILE; DUELING; BLOOD VENGEANCE FEUD; FEUDS; WAR; PRESSURES, SOCIAL; SANCTION, INTERNATIONAL.

SANCTUARY. By the institution of sanctuary, which existed in many communities even prior to the development of the state, specific persons or localities may afford a special kind of legal safeguard to persons beyond the protection of ordinary law. Such asylum, which may be either permanent or for a limited period and either conditional or unconditional, arose out of the inadequacy of primitive legal systems based on retaliation. The sanctuaries varied in respect to number and to methods of administration and in the degree of protection afforded, according to the development of law and of particular religious conceptions related to tabu and depending upon whether sovereignty lay in the hands of secular or religious authority.

The system of sanctuaries had an unusually widespread development in Egypt, the land of compulsory and slave labor, of alien political domination and of economic oppression. Here too it was first encroached upon by state regulation. In the earliest times every shrine, including places dedicated to the gods, royal altars, pictures and statues of the ruler, or site used for the taking of oaths, was a protected region sought out by all the persecuted, by mistreated slaves, oppressed debtors and political offenders. This ordinary protection afforded by all shrines was called *hiketeia* and it had a religious basis in that protective powers were attributed to the divinity or to a powerful personality. Building upon the system of *hiketeia*, the Ptolemies by state legislation gave certain shrines the privilege of granting a special kind of protection called *asylia*. Although the shrines which enjoyed the power of *asylia* were not divested of their religious character, they were subjected to state control and protection for certain categories of persons was denied; among those barred were the *debitores publici*. The state tended to recognize only the *asylia* and thus attempted to control the sanctuary system.

Among the Hebrews the sanctuaries bore an individual stamp in that they were regularized by religious legislation as early as the Mosaic law. It was thus possible to escape from the reach of an avenging or persecuting power by seeking the protection of Yahweh through flight to his temple, especially to the altar. In the earliest period asylum was evidently guaranteed to all who might flee to the shrine, but by the time of the kingdom it was no longer an absolute right. A necessary consequence of the Hebrew conception of God as the embodiment of the highest justice was the limitation of the guaranty of protection to those who were innocent. *Exodus* XXI: 14 ruled that whosoever transgressed against his neighbor, killing him by cunning, should be removed from the altar and slain. *Deuteronomy* marked a new epoch in the administration of criminal justice: blood vengeance was divested of its private character and replaced by public punishment; the purchase of freedom from punishment by the murderer was no longer permitted; and a clear distinction was made between premeditated and unpremeditated crimes. All shrines were abolished except the temple at Jerusalem, where the entire cult was centralized, and the institution of sanctuary was completely transformed. Six cities were named as places of refuge, each being linked with a former religious sanctuary. These cities of refuge, however, were only for those who had killed without premeditation, so that protection of the innocent, like punishment of the guilty, became a public matter, a secular legal institution (*Deuteronomy* IV: 41–43 and XIX: 1–13; *Numbers* XXXV: 9–15) replacing the personal protection of Yahweh, localized at his shrine. It remained a principle of the Hebrew law of sanctuary that the guilty had no claim to the protection of any sanctuary.

The most extensive and most complete sanctuary system in the western world was developed in ancient Greece. Temples enjoyed the character of sanctuaries and under all circumstances could protect the oppressed and the persecuted, slaves, debtors, malefactors and criminals. Even deliberate murderers and those under sentence of death had a claim to protection and could dwell in the sanctuary grounds surrounding a temple, secure under the sheltering wing of the divinity, until death overtook them. Thus the guilty could evade punishment passed upon them and the once humane institution became a means of impeding prosecution and nullifying the law. The sanctuaries were converted into the resorts of murderous slaves, insolvent debtors and notorious criminals. Not until the time of the Roman Empire did the state effectively limit this monstrous development.

In the oldest period of Roman history sanctuaries had little or no importance. Since among the Romans private vengeance and blood feuds gave way very early to public criminal law, the sanctuary, a concomitant of the blood feud, was unnecessary. Only slaves were beyond the protection of the law, and the institution of sanctuary adapted from Greece and formulated in legislation was for their benefit. Nevertheless, the protection afforded them by such asylums was always limited; it never permitted freedom from punishment or prosecution but was rather a means of insuring a legal investigation before punishment. The sanctuary system developed at a rapid pace, however, beginning with the imperial period, when the protective power was extended to persons and objects connected with the cult of the emperor, so that statues, portraits and temples of the Caesars and flags and eagles of the military legions were invested with the properties of asylum.

Christianity effected a decisive transformation in the law of sanctuary. The message of Jesus meant the renunciation of vengeance and retaliation and commanded that Christians love not only their neighbors but even their enemies. From the very outset the church, through the intercession of its bishops, espoused the cause of all whose freedom, person or life was in danger and of all aliens and slaves. The bishops interceded before the courts and the emperor to defend the prosecuted, to obtain a modification of sentence passed upon the condemned and to free those imprisoned. This intercession was enjoined especially when the pursued sought refuge in a Christian church, which, like the heathen temples, enjoyed the character of asylum because of its holy peace. The protection which ecclesiastical places offered against violence was as a rule combined with the positive benefits of intercession before the law. As a result there arose the Christian type of sanctuary, deriving originally from the special holy truce of heathen civilization but with a new positive content which was Christian in spirit. The legal effect of flight to a church sanctuary was that as a result of the rule of *tradi non oportere* the right of the public authorities to take possession of the refugee was suspended. The latter was subjected to the unrestricted right of the bishop over him. The bishop would intercede for him in an effort to obtain a milder sentence or complete freedom from secular punishment and, in the event that he was guilty, would subject him to penitential discipline and thus to the spiritual punishment of the church. The right of sanctuary won legal recognition through state legislation in the fourth and fifth centuries. The attitude of the Roman emperors on this question was very inconstant, however, and the right was broadened and narrowed from time to time in accordance with considerations of state policy. The *Novellae* of Justinian clarifies the true nature of the Christian institution of sanctuary and clearly recognizes its abuses. By this code public debtors, tax officials and particular categories of criminals, including murderers, adulterers and those guilty of rape, were all denied the protection of sanctuaries.

The church demanded that the German tribes, after their conversion to Christianity, recognize the institution of sanctuary as it had developed upon Roman soil. But there had grown up among the Germans in heathen times a totally different set of principles with regard to this question. While temples were places of supreme peace, so that any outrage or desecration of them was regarded as a crime punishable by death, they were never places of asylum, and outlaws and guilty refugees were barred. During the migrations and in the Frankish period under the Merovingian kings a law of sanctuary was developed through the merging of the Roman and German concepts. According to the new law a criminal who sought refuge in a church was neither subject to the disposition of the bishop nor immune from secular punishment. He won protection only from private revenge and from court punishments of life or limb. Criminals subject to the death penalty might obtain a modification of sentence or its commutation to penitence or banishment, but in all cases they remained subject to the public legal system. The spiritual punishment of the church never displaced but merely supplemented secular punishment. The delivery of the refugee took place only upon a guaranty that he would not be subjected to capital punishment or brutal violence; this guaranty was exacted by the church in the form of an oath sworn on the Gospel. The rule of *tradere in potestate* had become that of *reddere in gratia.*

In the Carolingian period the state reorganized the sanctuary law. The refugee was no longer immune from regular prosecution by the law, remaining under the peace of the church only until he was haled before a court. The obligation to turn him over was absolute and not an exchange for a guaranty of partial protection. All condemned malefactors were excluded from

the right of sanctuary; should they seek it, they must be killed immediately even within the church. Thus Germanic ideas triumphed in the law of sanctuary, all guilty persons being excluded from the peace of the church and regarded as outlaws.

In subsequent centuries the law of ecclesiastical sanctuary was conditioned by the struggle between state and church which dominated the entire Middle Ages. Contractions and expansions of the privilege depended upon whether power lay in the spiritual or in the secular authority. For a time the church was able to use the law of sanctuary to advance its secular power. It extended the protective quality of sanctuary to all grounds connected with the church; these comprised episcopal dwellings and a specific area of surrounding territory, oratories for public divine services including those located in private residences, cloisters, abbeys, ecclesiastical hospitals and other religious institutions. Many of the latter enjoyed this privilege not so much through ecclesiastical right as through grant, either express or implied, from the prince or emperor.

In addition there were in mediaeval Europe the purely secular sanctuaries, the most important of which were the courtyards of the feudal lords. Each might be a refuge for a criminal in flight if the lord cared to grant him asylum. Such asylum was usually limited to six weeks and three days, although there were variations ranging from three days to a year and a day. During this period the lord tried to arrange a settlement of the case and if no agreement could be reached, the fugitive was generally released in a forest where he might escape from his pursuers. The immunity of the lord's courtyard from invasion by state authorities and private seekers of vengeance was sustained by the imperial courts and severe penalties were exacted for violations. In the later Middle Ages criminals who had committed premeditated homicide could not avail themselves of such refuge. Not only the lord's courtyard but the home of every freeman was supposed to be an asylum for himself or for anyone whom he wished to protect. This privilege, however, was soon severely restricted. The statutes of a number of mediaeval cities contain provision for limited sanctuary in private dwellings. In England beginning with the tenth century the chartered or secular sanctuaries attained an extensive development. In areas such as the counties palatine and in many of the abbeys which were free of the king's writ, refugees fleeing from private vengeance or the king's justice could pass the remainder of their lives. The ordinary church sanctuary constituted a much less serious menace to order in the kingdom, since from the twelfth century a felon could be harbored in a church for only forty days, within which period, if he desired safety, he had to confess his crime and abjure the realm.

With the strengthening of state authority and the rise of national states there began a struggle not only against the abuses of the sanctuary system but against the system itself. The Catholic church through its legislation, especially the bull *Cum alias* of Gregory XIV (1591) and the bull *Ex quo* of Benedict XIII (1725), limited the right of sanctuary by barring certain criminals, such as street robbers, assassins, political offenders and counterfeiters, but it insisted upon retaining the institution in principle (*Codex juris canonici*, can. 1160, 1179). Church buildings were declared inviolable and refugees were not to be removed from them except with the permission of the *Ordinarius*, or rector; deliberate and wanton abuse of this immunity was punishable by excommunication. In the areas where the Reformation triumphed the right of sanctuary in Catholic churches was of course abolished, but in many places the character of asylum was retained by the purely secular sanctuaries and by some of the sites of the secularized cloisters and monasteries; in the case of the latter, the privilege was supposed to have been based upon grant from some worldly authority and to attach to the land rather than to the incumbent.

The growth of centralized powers and the development of effective national systems of justice eventually led, however, to the complete abolition of the sanctuary system. In England Henry II had severely restricted the sanctuary privileges of the lay lords and there were subsequently continuous attempts to limit them in the case of ecclesiastical estates. The climax of the struggle came in the reign of Henry VIII, when the right of asylum was restricted to churches and churchyards and was not permitted for serious felonies. Refugees instead of abjuring the realm were to be restricted to one of eight designated towns. The last vestige of sanctuary in England disappeared in 1727. In France it was greatly curtailed in 1539 and during the French Revolution was entirely abolished. Article XV of the Austrian-Papal Concordat of 1855 recognized the material immunity of ecclesiastical buildings demanded by the church

in so far as it was consistent with public security and the ends of justice. Prussian law authorized the public authorities to remove refugees from sanctuaries and to imprison them. In an orderly state with a systematized legal procedure sanctuary is superfluous.

The concept of sanctuary persists today only in Switzerland. Because of its special status in international law as a neutralized state Switzerland guarantees sanctuary to foreigners fleeing prosecution for political crimes, provided they post bail or agree to abstain from all political activity. The sanctuary may be suspended at any time; cantonal authorities decide on the merits of individual cases, and final approval rests with the Federal Council.

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See: ASYLUM; OUTLAWRY; EXILE; HOLY PLACES; POLITICAL OFFENDERS; CRIMINAL LAW.

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SAND, GEORGE (1804–76), French novelist. A disciple of Rousseau, Aurore Dupin (Baronne Dudevant) in her determination to live as "a free being" fled from her quiet Berry countryside and her impossible husband to plunge into the artistic life of Paris of the 1830's. As an artist she claimed the right to complete and unrestricted freedom, the privilege of expressing her personality whether in her writings or in her notorious amours. Around 1836, however, her attitude began to change. Instead of straining to "thrust off the yoke of public opinion and human laws" she was led by a growing sense of the power of human solidarity to champion the cause of the working classes. In revolutionary periodicals, such as *Réforme* (1844) and *Cause du peuple* (1848), she threw in her lot with the forces of popular discontent and in the journal *Commune de Paris* (1849) pointed the way to a class revolution. But with the disillusioning collapse of the movement her role as active participant came to an end. Most of her later years were spent at Nohant in Berry among the peasants of the countryside. Here, absorbed in her responsibilities as guide and judge, she gave expression in her numerous novels, as well as in her practical activities, to popular lore, to the sense of human solidarity and charity uniting all classes and to the gospel of sympathy with every endeavor, however clumsy, which proceeds from mankind's better nature. She had, in the words of Renan, "the divine talent of giving wings to everything, of producing art out of ideas that with others remained rude and without form. She gave life to the aspirations of those who felt but knew not how to create."

While exerting a distinct influence on the feminist movement in France, George Sand's teachings met with stubborn suspicion abroad, particularly in England, by reason of her disrespect for the institution of marriage and her early fondness for male attire. Her influence on

Ibsen, even indirectly, has not been convincingly established. But there is no room for doubt as to her appeal, personal as well as spiritual, to Mazzini both before and after his visit in 1847 or as to her broader influence on the movement for Italian unification. Although her belief in human goodness was more than once shattered, George Sand's optimism was bolstered by a gradually maturing confidence that life and progress follow a process of *itus et reditus*.

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SANITARY TREATIES. *See* SANITATION.

SANITATION. The term sanitation is now used to cover the removal and disposal, usually by public authorities, of all waste matter whether liquid or solid. Liquid wastes, ordinarily called sewage, include rain and other surface waters, all domestic liquid wastes and the effluent from industrial establishments. The solid wastes consist of garbage, ashes, rubbish, street sweepings, leaves and snow.

Throughout the greater part of the history of civilized society but feeble attempts were made to remove filth; the most common method employed until quite recently for getting rid of inconvenient accumulations of rubbish and other waste was to throw them into the street. The housemaids of Edinburgh as late as the eighteenth century, according to Scott and Smollett, flung dirty water from upper windows with the warning cry of "gardyloo." There are numerous descriptions of the inconceivable filth of the streets of ancient and mediaeval cities. The Athenians had their *astynomoi*, who among other duties were responsible for cleaning and leveling the streets before religious processions; while in the Roman cities of the imperial period the *aediles* directed the cleaning, paving and improving of the streets within the city and for a mile outside. In American and English cities of the eighteenth century each householder had the duty of keeping clean the street before his premises, an obligation which was not very seriously performed.

It is true that so-called sewers, built about 700 B.C., have been excavated on the sites of Nineveh and Babylon and that Greek and Roman cities possessed similar constructions. All of these, however, like the most famous of ancient sewers, the Cloaca Maxima, which drained the site of the Roman Forum and is still in use after twenty-five centuries, were merely drains for the purpose of carrying off surface water. In fact until Sir John Harrington invented the water closet there was little use for the modern sanitary sewer.

Sewering really began in the eighteenth century when the natural water courses, or open ditches, of London and Paris were first covered over. In 1808 Paris had approximately fourteen and one half miles of such drains with some forty openings into the Seine; by 1832 the mileage had been increased to twenty-five. In the latter year a careful topographical survey was made the basis for an extensive sewer system which, by means of large intercepting sewers, eliminated all but three of the river outlets. The characteristic feature of these Paris sewers was their size, a cross section in the smallest of them being large enough for men to work standing up. This early example has been followed and extended in the modern sewer system of the French capital.

Down to the middle of the nineteenth century, however, sewers nowhere were the principal means of disposing of human excrement, which was ordinarily discharged into cesspools. These were cleaned and the residue removed usually by private contractors at the expense of the householder. As a rule the cesspools were not cleaned frequently or disinfected properly in populous places, so that they constituted a continuously increasing nuisance. In some communities it was the custom to place below the soil pipe a pail, which was emptied or exchanged for a clean pail at intervals. The dry vault, or privy, which still remains the characteristic provision for sanitation in farm areas and small villages in the United States and Europe, was common.

The experience of London illustrates the gradual escape from the nuisance such methods produced in crowded cities. The sanitary situa-

tion in London was seriously complicated by the peculiarities of its governmental organization. In the city proper, which in 1855 comprised less than one hundredth of the area and one twentieth of the population, there were commissioners of sewers appointed by the Common Council from its own members. In the surrounding parishes, which contained most of the population, only eight had commissioners of sewers and in these the authority was greatly restricted. As a result such sewers as there were did not form a single system but were extremely varied as to size and grade; many were poorly planned and constructed; while a great number were mere open ditches which were as bad as or worse than the cesspools they were replacing. There was no way of compelling owners to connect their houses with the sewers and the landlords in the tenement districts vigorously opposed all attempts at sanitary regulations. The sewage that was collected was emptied into the Thames in such a way that it was washed back by the tide and remained in the city instead of being carried off. This contaminated a large part of the water supply and contributed greatly to epidemics of typhus and cholera.

In 1847, although the connection of houses with the sewers was made compulsory, no provision was made for adequate enforcement. The cholera epidemic of 1848 forced the establishment of the Metropolitan Commission of Sewers, but because of the failure of the commission to clean the city it was replaced in November, 1848, by the General Board of Health. While the board was empowered to issue directions for the prevention of epidemic or contagious diseases, it met with so much resistance from the local officers in charge of enforcement that little was accomplished.

In 1848 Parliament had enacted a thoroughgoing sanitary code for English cities in general, excepting the London metropolitan area; seven years later similar provision was made for London. The new law set up a Metropolitan Board of Works, which was to be elected by the several vestries and district boards and was to have extensive powers over sewers, streets and the removal of refuse. The city and the twenty-three largest parishes were constituted districts, while the smaller parishes were grouped into thirteen additional districts; the vestries and boards in these districts were to have similar powers over sanitation matters within their local areas. By 1865 the Metropolitan Board of Works had completed a system of intercepting sewers, while the vestries and district boards had also constructed local units. Many of the open ditch sewers were either abandoned or filled in and work was begun to hasten the elimination of all cesspools.

In the United States conditions were not unlike those in England. Sewers of a sort existed in New York in 1800, but few sanitary sewers were built before 1850. In 1877 Philadelphia had 82,000 cesspools, Washington 56,000 and Chicago 30,000, although the last named also boasted of a sewer system. Even at the turn of the twentieth century Philadelphia and St. Louis had twice as much street mileage as sewer mileage, while Baltimore, New Orleans and Mobile relied mainly on open gutters for drainage.

The experience of London shows clearly the need for a unified plan for a whole metropolitan area. Some efforts have been made in this direction in the United States—the Metropolitan District of Boston is an example—but in most of the large cities of the United States there still remains the difficulty presented by historic boundaries dividing what should be a single administrative unit. Such boundaries must be eliminated before satisfactory sanitary conditions can prevail throughout the whole area.

The disposal of sewage is as important as its collection. The earliest practise was to empty sewage into some nearby body of water, although there is some evidence that the sewage of Athens, which was poured into the stream Eridanus, was used for irrigation. Such methods presented no difficulties when the sewage consisted largely of surface water, but with the introduction of water carriage for fecal matter the problem of disposal became more serious. Where sewers empty into a sufficiently large body of water, the consequent dilution renders the sewage innocuous; but where there is not enough water and particularly where the water is used for drinking purposes by neighboring towns, dangerous pollution may result. Irrigation is a satisfactory means of disposal only in those cases in which a sufficiently large amount of land is available and in semi-arid regions with sandy soil. Nevertheless, these two methods are still largely used both in the United States and in Europe.

The first attempt at the concentrated treatment of sewage was by a chemical precipitation of the solids, a plant for this purpose being erected at Worcester, Massachusetts, in 1890. Trickling filters were introduced to prepare the sewage for final land treatment. The sludge pro-

duced in this way was offensive and it was found necessary to add septic tanks for the purpose of treating it. The two-story, or Imhoff, tank, which was first used in the United States in 1911, followed; in this apparatus sedimentation took place in the top story, while the decomposition occurred in the lower. Baltimore in 1914 introduced the separate sludge digestion system, in which independent units were used rather than a two-story tank. These methods, of which the latter seems the more popular, are very widely used by the small and medium sized cities of the United States. The best form of treatment, however, is the activated sludge process, whereby the sewage is aërated in the presence of previously aërated sludge, causing the suspended solids to be oxidized or collected into a rapidly settling flock. This process affords a high degree of purification as well as a sludge of some value as a fertilizer. Another great advantage of the activated sludge process is that it requires a much smaller area and cubic content for the care of sewage. Thus in a city of 600,000 the following are the area and cubic content requirements for the three outstanding methods of sewage treatment:

Settling tanks, sludge beds, intermittent sand filters	800 acres	140,000,000 cubic feet
Imhoff tanks, sludge beds, trickling filters	60 acres	17,000,000 cubic feet
Activated sludge plant complete	10 acres	5,000,000 cubic feet

The organization for administering a sewer system is simple and relatively few men are required. Ordinarily the work is performed by a division of the department of public works or of streets and sewers; in large cities sometimes a separate department is set up. An engineer is usually in charge of the whole system, while in large cities assistants are employed at the treatment works and for purposes of maintenance and repair. A crew (or crews, depending on the size of the city) is maintained to clean catch basins, make frequent inspections of the sewers, remove obstructions, clean the tanks at the treatment works and the like. Growing cities often maintain office staffs to collect scientific data concerning sewage flow and similar matters and to design the necessary additions to the sewer system; where there is only occasional construction, it has been found cheaper to hire a consulting engineer.

The removal of solid wastes presents fewer engineering difficulties but more serious administrative problems. Ashes, rubbish and garbage may be collected separately or in any combination, the method to be used depending largely on the facilities for disposal. The ordinary practise has been to collect the garbage separately, the collection of ashes and rubbish being sometimes combined and sometimes separated. In some cities collectors are licensed by the city but paid by the householders directly; in others the city pays the contractor; and in still others the city contracts for collection at a certain price to be paid by the householders. While these contract methods have been widely used and in many cases are satisfactory, the best method is direct municipal collection for the following reasons: when properly administered it costs less than contract collection; it eliminates the burden on the householder of dealing with the contractor; and it is more likely to insure regular and complete collections. Whether the collection is made by contractors or directly by the municipality, it has been found desirable to maintain an independent inspection force to see that all ordinances and rules are enforced.

Garbage is ordinarily collected in tank wagons, sometimes in can rack wagons. The most desirable form of tank wagon is one which is easy to clean, is fitted with a cover and is not too high to prevent one man from emptying a can into it. The can rack wagon is so arranged that the ordinary garbage cans of the householder are placed on the wagon and hauled to the loading station, a clean can being left in place of each one removed. As a rule collections are made in the daytime in residential districts and at night in business districts. Noise is the chief objection to night collections in residential areas.

The disposal of garbage has long been a serious problem in large cities. At one time dumping into the sea or rivers was a common practise. River dumping is now generally prohibited by health authorities because of the dangers incident to the pollution of streams; and even sea dumping has been subjected to severe regulations because of the necessity for protecting bathing beaches from the garbage washed back by the tide. Boston and New York and other large seaboard cities, however, still employ this method. Another form of disposal has been to use garbage and refuse for filling low lands. When the garbage is spread in thin layers and promptly covered with ashes or earth to a sufficient depth, this method may be used with general satisfaction; on the other hand, when it is carelessly employed, as is too often the case, it results in a serious nuisance. Feeding to hogs is

still another method of garbage disposal; it involves, first, a complete separation of edible garbage from ashes, broken glass and the like and, second, a willingness on the part of householders to perform the separation. Unless the feeding is done on floors which are cleaned daily, the piggery will become offensive; also the hogs must be inoculated against hog cholera. The length of the haul to the piggery has a great deal to do with the possibility of profit from the enterprise, a factor which excludes most large cities from the use of this method. A number of smaller cities in the United States and Europe are able to find contractors who will take over garbage disposal on favorable terms, largely because of the possible profits in hog raising.

Still another form of garbage disposal which can yield a profit is that of reduction. Garbage ordinarily contains about 3 percent grease, which may be extracted and used commercially for cheap soaps and other purposes. Reduction secures this grease and at the same time renders the garbage innocuous. One method of reduction is that whereby the garbage is cooked and the liquid pressed out; the grease is skimmed when it has cooled. According to another method a solvent is made to flow through the garbage, which is then distilled to yield the grease. The tankage, or remainder, makes a moderately good fertilizer. The use of a solvent is a little more expensive than cooking but has the advantage of eliminating the objectionable odors of the latter method. Neither process can be employed successfully on a small scale, so that reduction is virtually confined to cities of over 100,000 inhabitants. When the price of grease is high and where there is a market for the tankage as fertilizer, reduction may yield a small profit; on the other hand, the return is uncertain, plant provision is costly and the operation itself is expensive.

There has been an increasing tendency for cities to turn to incineration as being on the whole the cheapest and least unpleasant means of garbage disposal. There are two types of incinerator. The low temperature incinerator, or crematory, is cheap to build but is inefficient and expensive to operate. It burns at about 800° F., which often results in incomplete combustion and a considerable odor. The high temperature incinerator, or destructor, burns at about 1200° F. and completely burns all the odorous gases. It requires less space, less fuel and less labor.

The collection of ashes and rubbish is similar to the collection of garbage, except that the seasonal variation is reversed, the heaviest load coming in the winter months. Since collections are less frequent and the bulk is greater, larger equipment may be used to advantage. If ashes and rubbish are collected separately, the ashes may be used for filling in low areas about the city. Rubbish and ashes together make a poor fill, and in view of the fact that there is little else that can be done with the mixture separate collections appear to be advisable. Rubbish may be burned in an incinerator and that part which does not burn can be used as fill. The sorting of rubbish for salable material often simplifies the problem of disposal. The salvaging equipment is cheap and there is a ready market for scrap metal, bottles and rags, the revenue from which pays the expense of sorting.

A great many factors enter into the selection of a method for cleaning streets. The amount of traffic, the amount of sweepings produced, the number of horse drawn vehicles, the character of the neighborhood, the type of pavement and seasonal fluctuations all play a part. There are four general methods of street cleaning now in use. First, there is the squeegee machine, an apparatus consisting of a roller with rubber flaps and designed to scour the street. It operates upon large areas of smooth, comparatively clean, pavement and must be preceded by a sprinkler or flusher to loosen the dirt. The device is highly efficient but costly and is rarely used in the United States. A second method is the use of the machine broom. The most primitive form of mechanical street cleaning equipment, it consists of a large rotary broom placed at an angle to the line of travel for the purpose of pushing the dirt to the side of the road. Machine brooms, however, are now as a rule equipped with a light sprinkling device in front and a pick up, or vacuum attachment, behind, so that they clean, pick up and remove dirt in one operation. A third method, flushing, is ordinarily the cheapest means of cleaning paved streets, at any rate in cities with adequate water supplies and satisfactory sewer systems. It is now usually done by a tank truck with a pressure motor. Flushing by hand with hoses is effective for small areas if skilfully done. Fourth, a certain amount of hand sweeping is always a necessary supplement to machine brooming or flushing. It is the only means of cleaning in heavy traffic, around parked cars and on certain types of rough pavement. The Paris system, in which gutters are flushed from jets in the curb and are then swept and washed by women with brooms, is as effec-

tive as any yet devised, although it cannot be used in the United States because of the higher cost of labor. Street sweepings, where they are not flushed into the sewers, are carried to the incinerator or to remote dumps. The material in sweepings is too unstable for filling low ground and has little value as a fertilizer, although attempts have been made to use it for this purpose.

The removal of snow is an important factor in northern cities, not so much as a sanitary measure but as an aid to traffic movement and to prevent injury to the pavements. The snow is ordinarily plowed to the side of the road and then collected and removed in trucks. The major consideration in snow removal is speed and to this end disposal places must be conveniently located. The easiest method of disposal is flushing into sewers, particularly in periods of rising temperature. Snow may also be dumped into rivers or other bodies of water or into any well drained area.

The administration of the collection of solid wastes and of street cleaning is usually entrusted to the same department of the city government. This is sometimes and quite improperly the department of health. While the motive behind these sanitary activities is largely the promotion of health, the means necessarily employed involve engineering problems which health department officials are seldom trained to meet. Garbage and refuse collection and disposal and street cleaning belong rather with the other public works functions or, if the city is of great size, in a department by themselves. The work falls naturally into three divisions: collection, street cleaning and disposal. Each has its own administrative problems, which include the recruiting and organization of numerous employees and their adjustment to costly and elaborate mechanical equipment. The division of the city into routes or districts for the various types of collection, for street cleaning and for the proper organization of the working force of each activity must be worked out by each city in terms of its own local conditions.

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See: PUBLIC HEALTH; WATER SUPPLY; COMMUNICABLE DISEASES, CONTROL OF; EPIDEMICS; DISASTERS AND DISASTER RELIEF; CITY; CITY AND TOWN PLANNING; METROPOLITAN AREAS; HOUSING; BUILDING REGULATIONS; INSPECTION; MEDICINE.

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SANTA CRUZ, ANDRÉS (1792–1865), Bolivian statesman. Santa Cruz, who was a mestizo, a descendant of upper class Spanish and Inca stock, was born in Bolivia. After fighting with the Spanish forces against the armies of the "patriots" he joined the latter and won distinction in the wars of independence. In 1826 Bolívar appointed him president of the Council of Government of Peru and in 1828 he became Peruvian minister to Chile. From 1829 to 1839 he served as president of Bolivia. During his administration a new constitution was promulgated, more democratic than the constitution given it by Bolívar in 1826. Public credit was restored, reforms were made in education and the *Códigos Santa Cruz* were drawn up. Santa Cruz also furthered the industrial and commercial interests of Bolivia.

His consuming passion was to carry out Bolívar's idea of a united Spanish America; his

numerous enemies declared that he desired to head an enlarged Inca empire. The factional struggles in Peru in 1835 gave him an opportunity to invade that country and led to the division of Peru into the independent states of South and North Peru. In 1836 Santa Cruz decreed the establishment of the Peru-Bolivian Confederation, composed of South Peru, North Peru and Bolivia, with himself as "supreme protector." Great Britain, France, the United States and some of the South American countries formally recognized the confederation. Santa Cruz was now at the zenith of his power. The mantle of leadership, so long worn by Bolívar, had fallen upon his shoulders. But Chile, Argentina, Ecuador and Brazil considered the confederation, or at least Santa Cruz, a menace to the peace and safety of Hispanic America. Chile and Argentina declared war against him, and in 1839 after his defeat he abdicated as supreme protector of the confederation and resigned as president of Bolivia. Between the years 1855 and 1865 Santa Cruz served as Bolivian minister to Great Britain, France, the Holy See, Spain and Belgium.

N. ANDREW N. CLEVEN

Consult: Santa-Cruz, Oscar de, *El General Andrés de Santa-Cruz Gran Mariscal de Zepita y el Gran Peru* (La Paz 1924); Iturricha, Agustín, *Historia de Bolivia bajo la administración del Mariscal Andrés Santa Cruz*, vol. i– (Sucre 1920–) vol. i, p. 761–933; Basadre, Jorge, *La iniciación de la república*, vols. i–ii (Lima 1929–30) vol. i, p. 371–451, and vol. ii; Ordóñez López, Manuel, and Crespo, L. S., *Bosquejo de la historia de Bolivia* (La Paz 1912) p. 215–44; Arguedas, Alcides, *Historia de Bolivia: los caudillos letrados* (Barcelona 1923), especially bk. ii; García Calderón, Francisco, *Les démocraties latines de l'Amérique* (Paris 1912), tr. by B. Miall as *Latin America: Its Rise and Progress* (London 1913) p. 122–26.

SARASWATI, SWAMI DAYANANDA (1824–83), Indian religious reformer. Educated in the strict orthodox tradition of the Brahmans, Dayananda was strongly influenced by his later studies under Swami Virjananda, who had rejected the popular form of Hinduism. Dayananda combined a profound knowledge and love of the ancient scriptures with the zeal of a critical reformer. He wandered through India preaching a return to the spirit of the original Vedic gospel away from the later distortions of Hinduism. His attacks on crude polytheism and on the caste system aroused the opposition of orthodox Brahmanism.

In 1875 he founded the Arya Samaj. In opposition to the eclectic and liberal-humanitarian Brahmo Samaj it sought to reawaken India through its past, to arouse the pride of the Hindus in their cultural heritage and to adhere strictly to the Sanskrit *Vedas*, which it held to be the sole source of all knowledge and of moral law. This doctrine strengthened Indian national sentiment and diminished the influence of the acknowledgment, by the older generation of Indian leaders, of the moral and intellectual superiority of Europe. The Arya Samaj moreover deeply influenced educational theory and social work in India. It taught self-help, demanded equal opportunities for all castes and equality for women, organized relief activities and supported charitable institutions. In the educational field it created the Dayananda Anglo-Vedic College and under the leadership of Lala Munshi Ram the gurukulas, educational institutions, which attempted to be completely independent of the government and to provide nationalist education through a combination of the ancient disciplines and traditions with the modern sciences. Dayananda was a forerunner of the new nationalism; by his teaching and his example he helped check the assimilation to European culture of India's educated youth and opened the way to a revaluation of India's thought and destiny.

HANS KOHN

Consult: Lajpat Rai, *The Arya Samaj; an Account of Its Origin, Doctrines and Activities* (London 1915); Kohn, Hans, *Geschichte der nationalen Bewegung im Orient* (Berlin 1928), tr. by M. M. Green (London 1929) p. 61–68; Farquhar, J. N., *Modern Religious Movements in India* (New York 1915) p. 101–29; Bannerjea, D. N., *India's Nation Builders* (London 1919) ch. iv.

SARMIENTO, DOMINGO FAUSTINO (1811–88), Argentine statesman, publicist, sociologist and educator. Sarmiento supplemented his scant formal education by wide reading and study. In his youth he was associated with Echeverria, Alberdi and other liberals and became involved in revolutionary activities on the side of the Unitarians, or Centralists, as opposed to the Federalists. In 1839 he fled for the second time to Chile, where he edited *Mercurio* and *Nacional*, whose columns became discussion centers for political and religious liberalism. He also established and directed the first normal school in Chile. From 1845 to 1847 he traveled in Europe, north Africa and the United States, coming into contact with the leading intellectuals of the period. He was particularly impressed by the educational system and political

organization of the United States. His admiration for the latter caused him to modify his Centralist doctrines, and upon his return to Chile he advocated in his new journal, *Crónica*, a government for Argentina similar to that of the United States.

Throughout his exile Sarmiento had been a leading figure in the opposition to Rosas, who was ruling in Argentina, and in 1851 he helped Urquiza to overthrow him. From 1855 he held office in the government of Buenos Aires and later in the federal administration. He served as minister to Chile and the United States and from 1868 to 1874 was president of his country. In this capacity he initiated the public school system and brought professors from the United States to direct normal schools for the training of native teachers, for he believed that only through education could the masses be raised to an appreciation of responsible self-government. He also devoted himself to agricultural colonization of the pampas and encouraged railroad building into the interior. His two successors in the presidency continued his policies, and thus Argentina became under his leadership and influence the most advanced of the South American republics with the best system of railroads in Latin America. Sarmiento continued his leadership in politics, journalism and education until his death.

Sarmiento, like Alberdi, was one of the greatest social theorists of Spanish America. His *Facundo; civilización i bœrbarie* (Santiago, Chile 1845, new ed. Madrid 1924; tr. by M. P. Mann as *Life in the Argentine Republic*, New York 1868), which won him international recognition, was a sociological analysis, with an anthropogeographic slant, of South America. The history of the Argentine and of South America in general was, he believed, dominated by the struggle between the cities and the pampas, which represented distinct phases of social evolution. The cities had been able to absorb European culture and were characterized by a spirit of progress, while the plain, cut off from the civilization of Europe, retained a barbaric and savage point of view. The *caudillos*, such as Facundo and Rosas, were an expression of the spirit of the plain. A number of years later Sarmiento, influenced by the ideas of Herbert Spencer, offered a new interpretation of South America basing it upon the conflict of the various races. European immigration would, he held, aid in race regeneration while mass education would help to raise the lower levels. The *Conflicto y harmonías de las razas en América* (2 vols., Buenos Aires 1883) is not as original a work as his earlier book, and it failed to differentiate clearly between race as a biological fact and the results of psychosocial environment. Nevertheless, it influenced Argentinian social thought for half a century. Sarmiento's other writings deal chiefly with causes for which he struggled as a journalist and public official. His collected works have been published under the title *Obras completas* (52 vols., Buenos Aires 1885–1903).

L. L. BERNARD

Consult: Blanco-Fombona, R., *Grandes escritores de América, siglo XIX* (Madrid 1917) ch. ii; Guerra, J. G., *Sarmiento; su vida i sus obras* (Santiago, Chile 1901); Ingenieros, José, *Sociología argentina* (7th ed. Buenos Aires 1924) p. 371–426, and *La evolución de las ideas argentinas*, 2 vols. (Buenos Aires 1918–20) vol. ii, p. 722–34.

SARPI, PAOLO (1552–1623), Venetian statesman and historian. Sarpi was a member of the Order of the Serviti, and although he wore the cleric's garb until his death he was very critical of the papacy and the church. As theologian and adviser of the Venetian Republic he was the principal advocate of the policy of resistance in the contest between Venice and Pope Paul V for jurisdiction over two priests, guilty of common crimes, whom the pope sought to extradite in order to turn them over to the ecclesiastical tribunals. In spite of the papal interdict against the republic in 1606 and the risk to his personal safety Sarpi succeeded in defending the rights of the state against papal attack. He wrote an account of the affair in the *Istoria dell'interdetto di Venezia* (1624), in which he advocated a policy of rigorous jurisdiction over everything pertaining to the temporal interests of the church, anticipating in some respects the doctrine of the separation of the two powers.

Sarpi's most important historical work is the *Istoria del Concilio tridentino*, in which the vicissitudes of the Council of Trent are treated with accurate knowledge of the complex theological questions and policies behind the scenes. Sarpi traced the gradual process of transformation through which the council, originally sought by the Protestants to bring about the reformation of the church, supported by Emperor Charles V as a means of healing the schism in his states and accepted by the bishops as a means of restoring the autonomy of their apostolic ministry, finally became the organ of the Catholic Counter-Reformation, which made the schism irreparable and ended by consecrating the abso-

lute power of the Roman pontificate and reducing the bishops to greater servitude. Such a change, Sarpi held, would not have been possible unless the papacy had followed a Machiavellian policy, which, by taking advantage of changing political events and monopolizing the majority of the votes of the council through threats, favors and the admission of persons in sympathy with it, succeeded in winning all its points. By utilizing abundant diplomatic material Sarpi was able to present a precise and thoroughgoing examination, which aroused the ire of the papists.

Sarpi ranks with Machiavelli and Guicciardini as one of the great historical writers of the sixteenth century. He excels in the art of presentation, in psychological analysis and in conveying to the reader the sense of immediate contact with the personalities and events described. His scientific objectivity has, however, been seriously questioned. He shows decided partiality to the Protestant cause, and some writers have gone so far as to claim that he had been converted secretly to Protestantism; others have held that he falsified documents and was biased in his selection of materials.

GUIDO DE RUGGIERO

Works: *Opere*, 8 vols. (Helmstadt [Verona] 1761–68).

Consult: Bianchi-Giovini, Aurelio, *Biografia di Frà Paolo Sarpi*, 2 vols. (2nd ed. Zurich 1846–47); Fiorentino, Francesco, "Paolo Sarpi" in his *Scritti varii* (Naples 1876) p. 76–100; Robertson, Alexander, *Fra Paolo Sarpi, the Greatest of the Venetians* (2nd ed. London 1894); Balan, P., *Fra Paolo Sarpi* (Venice 1887); Rein, G., *Paolo Sarpi und die Protestanten* (Helsingfors 1904); Ateneo Veneto, *Paolo Sarpi e i suoi tempi* (Città di Castello 1923); Ranke, L. von, *Die römischen Päpste in den letzten vier Jahrhunderten*, 3 vols. (8th ed. Leipsic 1885), tr. by E. Foster and G. R. Dennis, 3 vols. (London 1908) vol. iii, p. 46–79; Ehses, Stephan, "Hat Paolo Sarpi für seine Geschichte des Konzils von Trient aus Quellen geschöpft, die jetzt nicht mehr fliessen?," and "Nochmals Paolo Sarpi als Geschichtsquelle" in *Historisches Jahrbuch*, vol. xxvi (1905) 299–313, and vol. xxvii (1906) 67–74.

SARS, JOHAN ERNST WELHAVEN (1835–1917), Norwegian historian. Sars was the first to propound and develop a general theory of the inner continuity of the different and often contrasting periods of the history of Norway. He was influenced by the philosophies of Auguste Comte and Herbert Spencer as well as by the examples and ideas of Guizot, de Tocqueville and Buckle. His early researches were devoted to the history of Norway during the "Danish" period, while his theory of Norwegian history was developed fully in his *Udsigt over den norske historie* (View of Norwegian history, 4 vols., Christiania 1873–91). Sars attributed the rise, decline and resurgence of the Norwegian nation to the original existence of a strong aristocracy which contributed to the development of a high civilization during the viking age, but which also prevented the growth of a new aristocracy able to assume the political and intellectual leadership of the nation in the centuries following. In this absence of an effective nobility Sars found the reason for the loss of political independence and intellectual activity which befell the Norwegian nation at the end of the Middle Ages, and in addition the reason for the rise of a democracy able at last to lift the nation to political freedom and creative intellectual life. In developing this theory he formulated historical laws of general importance; at the same time he was a brilliant essayist, particularly clever in his character portrayals. Through his writings he became an intellectual leader of his nation, impressing upon the young generations the idea of national independence. He took a personal part in the fight for political and intellectual freedom, and it was by special appropriation of the Storting that in 1874 he was appointed to the chair of history at the University of Christiania.

HALVDAN KOHT

Works: *Samlede vaerker*, 4 vols. (Christiania 1913).

Consult: Koht, Halvdan, in *Nordmaend i det 19de aarhundrede*, ed. by Gerhard Gran, 3 vols. (Christiania 1914) vol. iii, p. 69–98, and in his *Norsk vilje* (Oslo 1933) p. 24–39.

SARTORIUS VON WALTHERSHAUSEN, FREIHERR GEORG (1765–1828), German economist. In 1797 Sartorius became professor extraordinary of philosophy, and five years later full professor, at Göttingen, where he had earlier been a student of theology and history. After 1814 he widened his field of teaching to include constitutional and administrative law, political science, modern history and economics. The continuity of his professorial career was interrupted only by two transient excursions into public life, once as political expert at the Congress of Vienna, where he was sent by the grand duke of Weimar upon the recommendation of Goethe, and again as member of the Hanoverian Estates (1815–17).

Sartorius' indisputable contribution to economic science consists in the fact that he was one of the first German professors to grasp the

significance of Adam Smith's system. At a time when German academic and political life was still dominated by the cameralist tradition, he enthusiastically undertook the propagation of the Smithian doctrine, using the lecture hall as his principal forum. His selections from the *Wealth of Nations*, published as early as 1796 "for use in academic lectures," revealed a capacity to present the principles and implications of laissez faire in a manner suited to the tastes and needs of German students. As indicated by the titles of his *Von den Elementen des National-Reichtums und von der Staatswirthschaft, nach Adam Smith* (Göttingen 1806) and *Abhandlungen, die Elemente des National-Reichthums und die Staatswirthschaft betreffend* (Göttingen 1806), he separated the treatment of national wealth from that of economic policy as carried out by governments; and by this useful innovation he brought about the subdivision of economic science into *Volkswirtschaftslehre* and *Volkswirtschaftspolitik*, a distinction which is still recognized in the curricula of German universities. The *Abhandlungen*, his most original work, constituted a critique and in certain respects an emendation of Smith's ideas, undertaken with the objective of correcting some of the weaknesses which had recently been emphasized with particular trenchancy by Lauderdale. In opposition to the labor theory Sartorius offered a doctrine of value based on the consumption of goods. He attacked the view that a complete harmony exists between the general welfare and individual interests and from this premise deduced the necessity of state intervention to restrict free competition, especially in the sphere of foreign trade. Extremely interesting from the point of view of the theory of crisis is his paper on saving, in which he inquired as to whether there are limits to the profitable investment of capital.

Sartorius also wrote a number of works dealing with institutional and particularly economic history. These include titles so diversified as *Versuch einer Geschichte des deutschen Bauernkriegs* (Berlin 1795), *Essai sur l'état civil et politique des peuples d'Italie sous le gouvernement des Goths* (Paris 1811) and *Geschichte des hanseatischen Bundes* (3 vols., Göttingen 1802–08; new ed. by J. M. Lappenberg with title *Urkundliche Geschichte des Ursprunges der deutschen Hansa*, 2 vols., Hamburg 1830), the last being probably the most noteworthy. It cannot be said, however, that any of these works bears a direct relation to his economic doctrine, nor did they exercise any influence upon the historical school of economists.

KARL PRIBRAM

Works: *Handbuch der Staatswirtschaft* (Göttingen 1796); "Abhandlung über die Frage, welches sind die Ursachen, warum die meisten Voelker . . . Gold und Silber zu Repraesentations-Zeichen des Werths oder Reichtums erwaehlt haben?" in Teyler's Stichting, *Verhandelingen*, vol. xi (1801) 225–87; *Einladungsblätter zu Vorlesungen über die Politik* (Göttingen 1793); "De occupatione et divisione agrorum romanorum per barbaros germanicae stirpis" in Gesellschaft der Wissenschaften zu Göttingen, *Commentationes recentiores*, vol. ii (1811–13) 1–32, vol. iii (1814–15) 195–234, and vol. v (1819–22) 31–68; "De variis mercibus ab urbibus Germaniae septentrionalis seu Hanseaticus per secula XIII–XVI ex Russia" in Gesellschaft der Wissenschaften zu Göttingen, *Commentationes recentiores*, vol. vi (1823–27) 212–32.

Consult: Sartorius, Caroline, *Zum Andenken an Georg Sartorius* (Göttingen 1830); Saalfeld, Friedrich, *Geschichte der Universität Göttingen* (Hanover 1820); Roscher, Wilhelm, "Die Ein- und Durchführung des Adam Smith'schen Systems in Deutschland" in Sächsische Gesellschaft der Wissenschaft, Leipsic, *Berichte über die Verhandlungen, Philologisch-historische Classe*, vol. xix (1867) 35–38, and *Geschichte der Nationalökonomik in Deutschland* (Munich 1874) p. 615–19; Kautz, J., *Theorie und Geschichte der National-Ökonomik*, 2 vols. (Vienna 1858–60) vol. ii, p. 620–21; Bergmann, E. von, *Die Wirtschaftskrisen; Geschichte der nationalökonomischen Krisentheorieen* (Stuttgart 1895) p. 118–20; Hasek, C. W., *The Introduction of Adam Smith's Doctrines into Germany*, Columbia University, Studies in History, Economics and Public Law, no. 261 (New York 1925).

SAVIGNY, FRIEDRICH CARL VON (1779–1861), German jurist. Coming of an ancient and noble Lorraine family and very wealthy in his own right, Savigny was probably the first member of the ruling classes of his time to enter upon an academic career, thus enhancing greatly the social position and influence of the German professor, which until then had been rather modest. With unparalleled success he taught Roman law first in Marburg, then in Landshut and finally in Berlin (1810–42). He helped to organize the new Berlin University as a place of scientific research according to the principles of German idealistic philosophy, and he was elected its first rector. It was unfortunate, however, that he accepted, at the entreaty of his royal pupil, William IV, and in contradiction to his own sociologico-legal theories, the post of Prussian minister for the revision of legislation.

Savigny's theories were first expressed in his celebrated pamphlet *Vom Beruf unserer Zeit für Gesetzgebung und Rechtswissenschaft* (Tübingen

1814, 3rd ed. Heidelberg 1840; tr. from 2nd ed. by A. Hayward, London 1831) and in the introductory article to his newly founded *Zeitschrift für geschichtliche Rechtswissenschaft* (1815–50). Here he denied the "vocation" not only of his but of any age for legislation proper on the ground that every nation's law, like its language, customs and songs, is an emanation of the *Volksgeist*. It will thus naturally correspond to the needs of a nation as long as it is not subjected to arbitrary interference by legislation. This exaltation of customary law was inspired not only by the philosophy and historical *Weltanschauung* of the romantics, especially by Schelling and Savigny's great disciple Jacob Grimm, but also by Montesquieu and Burke. In order to explain away the obvious fact of the reception of Roman law in Germany Savigny invented the fiction that in higher stages of civilization courts of law and learned jurists act as "representatives" of the *Volksgeist*. In practise Savigny's doctrine was directed on the one hand against the popular demand for a civil code on the pattern of the Prussian, the French and the Austrian codifications and on the other hand against the "revolutionary" doctrine of natural law, to which it opposed the historical study of positive law, holding that such study was necessary and sufficient to make possible not only the scientific comprehension but the "organic" progress of the law. Thus Savigny founded the older, or romantic, branch of the German historical school of jurisprudence, which dominated the German universities until the middle of the nineteenth century and for a long period influenced Anglo-Saxon, French and Italian legal science.

Savigny himself contributed a great work to legal history, his *Geschichte des römischen Rechts im Mittelalter* (6 vols., Heidelberg 1815–31; 2nd ed., 7 vols., 1834–51). This monumental study, never approximated before or since, is one of the foundations of his sociological theory and at the same time provides its most important application. In the first two volumes, covering the period from the sixth to the eleventh century, he attempts to prove that in Italy the Roman organization of the courts of law and the municipal constitutions had survived the Germanic invasion; and he does in fact succeed in showing that the Roman codes had been constantly administered as customary law, although they lacked scientific treatment. In the last four volumes, which still constitute the standard work on the subject, he traces to the end of the Middle Ages the history of the universities and the newborn science of Roman law, whose teachers now represented the Roman *Volksgeist*. Savigny's minor historical writings, mostly on the subject of ancient Roman law, were collected in his *Vermischte Schriften* (5 vols., Berlin 1850).

The third group of his writings consists of dogmatic treatises on modern Roman law, including his first work and his last: *Das Recht des Besitzes* (Giessen 1803; 7th ed. by A. F. Rudorff, Vienna 1865), published when he was twenty-four years of age, and *System des heutigen römischen Rechts* (general part, 8 vols., Berlin 1840–49; and the general part of the law of obligations, 2 vols., Berlin 1851–53). Together the parts do not form a real system but a collection of monographs; yet every one of Savigny's theories has rightly or wrongly displaced the older views and led to new departures in jurisprudence. This is especially true of the study on possession, of the first book of the *System*, which contains the best formulation of the traditional methodology of the system of the Pandects; of the theory of error in the third volume; and most of all of the eighth volume, in which Savigny expounded his famous theory of private international law. It is the first modern systematization of this important branch of law, based upon the idea of the international community of law, and has had great influence on English and American jurisprudence.

The evaluation of Savigny's work has not been uniform. At first he was considered in Germany and elsewhere as the greatest of German jurists, and certainly he was the most influential. His mastery as a legal historian has never been and never can be questioned. But opposition to his dogmatic and philosophical doctrines has also been strong from the beginning (Gönner, Thibaut, Feuerbach and the Hegelians), and after his death the younger historical school became more and more critical. In more recent times Savigny has been attacked for his archaistic endeavors to put ancient Roman law in the place of *usus modernus Pandectarum*, which was the valid form of Roman law in his time; for the divergence between legal theory and practise and between the Romanists and the Germanists; for his formalistic methods, which neglected the social needs and led to a legal conceptualism so efficiently combated by Jhering; and, finally, for his conservative opposition to legislation and conscious progress. The rise of National Socialism in Germany, however, favors the doc-

trine of the *Volksgeist*, which of course had a powerful influence on the evolution of the nationalistic spirit among the influential classes of the professors of law, the civil servants and judges. The doctrine is even now being transformed into a theory of the "racial" origin and character of the law so that it may be used as an instrument for the extirpation of Roman law from German life.

HERMANN KANTOROWICZ

Consult: Stintzing, R. von, and Landsberg, Emil, *Geschichte der deutschen Rechtswissenschaft*, 3 vols. (Munich 1880–1910) vol. iii, pt. ii, p. 186–253, and Notes p. 94–110, and older literature there cited; Kantorowicz, Hermann U., *Was ist uns Savigny?* (Berlin 1912); Manigk, A., *Savigny und der Modernismus im Recht* (Berlin 1914); Solari, G., "Sulla dottrina del possesso del Savigny" in *Scritti giuridici dedicati ed offerti a Giampietro Chironi*, 3 vols. (Turin 1915) vol. i, p. 555–80; Gutzwiller, Max, *Der Einfluss Savignys auf die Entwicklung des Internationalprivatrechts* (Freiburg i. Br. 1923); Stoll, Adolf, *Friedrich Karl von Savigny*, vols. i–ii (Berlin 1927–29); Felgenträger, Wilhelm, *Friedrich Carl von Savignys Einfluss auf die Übereignungslehre*, University of Göttingen, Rechts- und staatswissenschaftliche Fakultät, Abhandlungen, vol. iii (Leipsic 1927); Zwilgmeyer, Franz, *Die Rechtslehre Savignys*, Leipziger rechtswissenschaftliche Studien, vol. xxxvii (Leipsic 1929).

SAVILE, GEORGE. *See* HALIFAX, FIRST MARQUIS OF.

SAVIN, ALEXANDR NIKOLAEVICH (1873–1923), Russian historian. Savin studied under Paul Vinogradoff at the University of Moscow, where he was appointed *Privatdozent* in 1903 and professor of history in 1907. When in 1921 the Institute for Historical Research was created in Moscow he was elected its first vice director.

Savin's researches elucidated many intricate problems in the social history of England. He analyzed the remnants of bondage in the sixteenth century, and by comparing the position of the villeins and the copyholders in several manors of the sixteenth century with that prevailing in the thirteenth and fourteenth centuries he established a direct connection between mediaeval villein tenure and copyhold. His detailed analysis of the legal status of copyhold in the sixteenth century and of its protection by the courts of common law and of equity has thrown much light on the obscure problem of the disappearance of the English peasantry. Most valuable are his statistical studies in the economic conditions of English monasteries before their dissolution and his researches in the history of the alienation of the monastic lands by the crown, in which he established the fact that the officials of the crown and not the nobles, merchants or manufacturers were the chief incumbents of the secularized land. In a series of brief monographs dealing with histories of individual manors Savin initiated the study of the almost unexplored field of English agrarian development in the seventeenth century and traced the process of acquisition of freeholds and copyholds by gentry and nobility and the consequent penetration of the landed aristocracy among the English tenant class.

E. A. KOSMINSKY

Important works: *Angliyskaya derevnya v epokhu Tudorov* (The English village in the time of the Tudors) (Moscow 1903); *Angliyskaya sekulyarizatsia* (Secularization in England) (Moscow 1907); "English Monasteries on the Eve of the Dissolution" in *Oxford Studies in Social and Legal History*, ed. by Paul Vinogradoff, vols. i–ix (Oxford 1909–27) vol. i, pt. i.

Consult: Kosminsky, E. A., "Russian Work on English Economic History" in *Economic History Review*, vol. i (1927–28) 208–33; Petrushevsky, D. M., Kosminsky, E. A., and others, in Institut Istorii, Moscow, *Trudi*, vol. i (1926) 7–59.

SAVING. The original meaning of saving is keeping or preserving something for future use. The term has gradually been extended, however, to cover a number of different but related activities. Once a postponement of consumption is decided upon, it is found profitable not to keep the actual consumers' goods but to produce them by methods which will make them available at a later date when delayed consumption is to take place; for by such methods a greater output is usually obtained from a given quantity of resources. A temporary transformation of the resources into new forms is here involved, a fact which affects the meaning of the term saving and makes it difficult to determine whether a particular decision to postpone a possible act of consumption constitutes new saving or the maintenance of old saving. Even more important, the resulting increase in the quantity of consumers' goods will induce a repetition of the process, so that ultimately the amount saved will be treated more as a source of permanent revenue, or capital, than as a reserve for future consumption.

The real distinction between saving and investing thus becomes apparent. It is applicable in an isolated individual economy and is even more important in a money economy. Here it is still possible to keep *in natura* the goods to be required in the future; but since the income of

the potential saver consists in the first instance of money, the practical choice lies between holding this money and investing it in order to get a return. Savings which are neither invested nor kept *in natura* but take the form of money hoards assume a special significance and have figured prominently in all discussions on saving. The possibility of hoarding likewise constitutes one of the reasons for distinguishing between saving (and also capital) from the point of view of the individual and saving in the social sense. The latter is really a separate phenomenon—the increase of wealth or the formation of capital—of which individual saving is merely the most important cause.

Saving, however, can be usefully discussed only in conjunction with much that properly belongs to the wider concept of capital formation. To begin with, saving cannot be defined without reference to some concept of the process of reproduction of capital. It is difficult moreover to draw the line between that source of the new capital supply which can be described as saving proper and that which cannot; nor is there an established usage as regards terminology.

Probably the most convenient classification of the sources of new capital supply is that proposed by Wilhelm Röpke. In the rather loose terminology which has become customary, he may be said to distinguish between saving *in natura* and money saving and, within the latter group, individual saving, corporate saving, collective saving and compulsory monetary saving, better known as forced saving. Of these only individual voluntary saving is generally meant by the more familiar use of the term. Corporate saving refers of course to the reinvestment of the undistributed profits of corporations and differs from the former in that the voluntary character of the decision to save on the part of those who might otherwise consume these profits is here somewhat doubtful. The contrast between collective saving, or the investment of funds raised by taxation, and what is ordinarily understood by saving is even more marked. The peculiar characteristic of compulsory monetary saving is really the fact that the money for investment is not provided by any kind of saving but is created for that purpose; the use of the word saving in this connection can be explained only by the misleading practise of treating it as equivalent to formation of capital.

While saving proper is one of the sources of new capital, saving in the sense of withdrawing from consumption some portion of the proceeds of old investments is involved also in the maintenance of existing capital. It has become customary, however, to consider as saving proper only saving out of net income, after allowance has been made for the maintenance of capital, a usage which has sometimes led to the dangerous confusion of the supply of new free capital with the total free capital available for investment. It is extremely difficult to draw a clear line of demarcation between the two, for this would require, particularly under conditions of technical progress, a satisfactory definition of what is meant by maintaining capital intact. This limitation applies to saving for an individual and still more to saving in the social sense. In the latter case the gross total of individual savings has to be reduced not only by the amount of old savings which have been deliberately used up for consumption but also by the involuntary capital losses which have taken place. It is only net saving in this sense which constitutes the supply of new free capital.

In a historical treatment of saving attention must be paid not only to the distinction between saving and the creation of capital, or the increase of wealth, but also to that between saving and the concentration of wealth among individuals. As to the first, it should be noted at the outset that the regular investment of savings is a comparatively recent development. Except for the public storage of grain and similar precautions against famine the keeping of consumers' goods *in natura* has never been very considerable. The hoarding of precious metals, however, has been regarded as the normal form of saving throughout most of history and is still customary among most people of non-European stock. The growth of hoarding was not due to the introduction of money; on the contrary, the fact that the precious metals were a particularly suitable "store of value" made them generally acceptable as a medium of exchange. Until the industrial revolution money hoarding remained the normal form of saving in all cases where the saver himself was not in a position to use additional productive equipment. In other words, throughout antiquity, the Middle Ages and for a long time thereafter the investment of savings did not as a rule involve a separation of saver and investor; and where individual savings were not employed by their owner as productive capital, either because they were too small or for other reasons, he normally had no alternative but to hoard them. Even entrepreneurs, seeking to provide

for a time when they should have ceased to use the capital goods which yielded a return, often accumulated hoards; as late as the eighteenth century some well to do Englishmen retired from business with chests of gold coins from which they intended to live for the rest of their lives.

Until the industrial revolution new capital came mainly from the reinvestment of profits by entrepreneurs. Long distance trade was the most important source of the accumulation of capital in the sense of new productive equipment. The other sources generally mentioned in this connection, particularly landed property, had probably more to do with the concentration of wealth than with the creation of capital. The most important early instrumentalities of profitable investment for the non-entrepreneurs, which offered a permanent source of income to new classes of savers and thus encouraged the development of the saving habit—government loans, annuities and mortgages—represented investments only from the point of view of the individual; their proceeds were normally used for consumption purposes and did not result in the formation of new capital. It is probable that even in the earlier stages of modern manufacture —in England of the second half of the eighteenth and the first quarter of the nineteenth century— relatively little of the capital required came from outside savings, although the growth of banking institutions had provided an agency for their collection. It was only with the development of the modern capital market during the railway booms of the 1820's and 1830's and with the simultaneous and subsequent growth of banking and other investing institutions that the modern relation between the individual small saver and the entrepreneur-investor was established. In the second quarter of the century the desire to collect and fructify not only current savings but also old accumulated hoards of money became one of the leading ideas of economic policy and the main cause of repeated waves of credit expansion. In the period preceding the World War hoarding of coin, except as a temporary phenomenon during depression, had disappeared from modern industrial societies.

The above statement is true at least of the hoarding of hand to hand money. It was generally assumed that since people tend to bring any sum saved to a bank or similar institution, all savings would soon be invested. But in so far as people already hold their normal balances for current expenditure in the form of bank deposits, saving may simply mean that they will leave these deposits unused or at best that they will transfer them from a checking (current) to a savings (deposit) account. As both A. C. Pigou and D. H. Robertson have pointed out, saving in this case will not necessarily result in additional investments by the banks; only if the form of deposits is changed and if, as in the United States, reserves held against time (savings) deposits are smaller than those against demand deposits, will at least a part of the new savings be used for new investments. Unless the banks create additional credits for investment purposes to the same extent that the holders of deposits have ceased to use them for current expenditure, the effect of such saving is essentially the same as that of hoarding and has all the undesirable deflationary consequences attaching to the latter.

The effects usually imputed to saving are, however, imputed not to savings which are hoarded but to those which are invested. Such investment means, if the capital created by it is to remain intact, that a quantity of intermediate products, corresponding to the amount of factors invested, will be permanently withheld from consumption and that with the help of this additional capital the output of consumers' goods will be augmented but their cost per unit decreased. In a situation where all factors are already employed when the new investment is being made, i.e. the mean investment period lengthened, fewer consumers' goods must be produced during the transition period and less can therefore be consumed. Because of the decreased expenditure on consumers' goods, the prices of consumers' goods will tend to fall; thereby the necessary curtailment of the output of consumers' goods is brought about and the factors of production required for an increased output of capital goods are set free. Even where saving leads not to an increase in the average period of investment (i.e. an increase of capital per head) but only to the provision of equipment for factors previously not employed, those factors which were already employed and which provided the savings out of their income must reduce their consumption in order to remunerate the new factors until the product of the latter is ready. While in this case only consumption per head—and not total consumption—must be reduced, in a case where saving leads only to the investment for longer periods of factors already employed, the absolute rate of consumption will have to be reduced temporarily in order to spread the existing output over a longer period,

after which the product of the factors now being invested will become available.

The second effect of new investment, the reduction of cost per unit, is important because it shows that the increase in output at a later stage is due not to the fact that the product of a greater quantity of factors then comes on the market but to the fact that, with the help of the additional capital, the original factors produce more than before. The income of all these factors is therefore still equal to the cost of production of the current output and sufficient to take it off the market at remunerative prices. Serious disturbances, however, may follow large and unforeseen fluctuations in the rate of saving and, in consequence of the relative increase in the demand for consumers' goods, an increase of investment in excess of saving proper by means of additional credits.

Because of a misunderstanding of the process through which the temporary reduction of consumption brings about a permanent increase in current output (or a reduction of cost per unit), saving has since early times been persistently blamed for causing trade depressions. "Underconsumption" or "oversaving" explanations of trade slumps were at the basis of many of the earlier discussions of unproductive expenditure and of luxury consumption. Since Malthus and Lauderdale these theories have always had some following, particularly among socialist thinkers, and have gained wide popularity during depressions. In recent years they have been reflected mainly in the notion of "maintaining purchasing power" of consumers and in this form have been strongly supported by groups advocating stabilization of the price level of consumers' goods. It is becoming increasingly clear, however, that these theories are false and that there are only the three special cases—hoarding, violent fluctuations in the rate of saving and forced saving through credit expansion—in which excessive saving may be said to cause depression. Apart from these cases it is doubtful whether there is any sense in which the rate of saving may be absolutely too high or too low. A "general glut" in consequence of too ample a supply of means for investment cannot occur so long as there are still unused opportunities for investment which offer a positive rate of interest. And even if the demand for capital in the form of new productive equipment were not very elastic, the demand for durable consumer goods is practically inexhaustible. What is commonly meant by overinvestment is not an excess of investment relative to the demand for the ultimate product, but an excessive launching of new undertakings which need for their completion more capital than is available; in other words, "overinvestment" implies not too much saving but too little. Nor can it be said that oversaving may reduce the value of the product of the investment below the point where it justifies the sacrifice involved in the act of saving. This thesis, frequently advanced, offers a curious contrast to the equally current proposition that "underestimation of future wants" prevents an increase of saving to the point where the rate of interest would fall to zero. Both views imply the existence of a normal scale of preference between present and future goods, by which the actual preferences of the individuals can be gauged. There is, however, no other basis for the determination of the relative utilities to an individual at different moments of time but his actual preference, shown at the moment when he decides either to consume or to postpone consumption.

While there is no "just balance between saving and consumption" in the usual sense and while saving at any stable rate can be absorbed without real difficulty, it is very likely that in a dynamic economy—a society with a growing population, advancing technology and a modern banking system—saving at a continuously high rate is an important safeguard of stability. This will not only facilitate the absorption of additional population, and minimize the friction connected with technical progress and shifts of demand, but will probably also tend to mitigate disturbances arising from fluctuations in credit. In the absence of a sufficient supply of new capital any unusually profitable opening for investment will tend to attract capital from other uses and so to enforce extensive readjustments; the introduction of labor saving inventions may lead also to a lowering of wages. With a rapid increase in the capital supply, such readjustments can be effected much more smoothly or obviated altogether. Similarly, the greater the investment based on voluntary saving, the smaller will be the relative variation in the total rate of investment caused by a given rate of credit expansion. Even the inherent instability of capital created by forced saving might be counteracted if sufficient voluntary savings became available to provide a real basis for this capital.

What the actual volume of saving is depends upon willingness and capacity to save. The factors which affect an individual's willingness

to save are the regularity and certainty of his income, the security of the investment opportunities available to him and the possibility of investing in his own business. It is worth mentioning here that the systems of social insurance which guarantee incomes and provide for some portion of the payments out of current revenue instead of from accumulated reserves are undoubtedly a very potent force decreasing the aggregate supply of savings. In the short run the willingness to save varies very little. It is not much affected by changes in the rate of interest: while a rise in the rate of interest offers some people an increased incentive to save, others who wish to accumulate a definite amount need to save less than before. On the other hand, the capacity to save of the different sections of the population, and thereby the aggregate supply of savings, may be very considerably influenced by changes in the rate of interest. In general people with a given attitude toward saving will save a higher percentage of a larger income than of a smaller one; a transfer of income from low to high income groups, such as may be brought about by changes in the interest rate, is therefore likely to increase the supply of savings. A rise in aggregate incomes will of course have the same effect.

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See: ACCUMULATION; HOARDING; THRIFT; FORTUNES, PRIVATE; INVESTMENT; SAVINGS BANKS; BANKING, COMMERCIAL; INTEREST; PRICES, section on THE PRICE SYSTEM; BUSINESS CYCLES.

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SAVINGS BANKS. The outstanding type of conservative investing institution, the savings bank gathers savings from various channels and applies them to the needs of industry and government. Thus it is at once an agency to promote thrift and an organization to mobilize savings for capital investment. It acts as the intermediary through which its depositors take part, by proxy, as it were, in a process of indirect rather than direct investment.

The savings bank developed out of benevolent organizations formed to promote thrift among wage earners and thus to improve their welfare. It followed the French Revolution and the accompanying social upheaval as well as the inception of the industrial revolution and the formation of a permanent wage earning class. The earliest savings banks were formed in Germany in the latter part of the eighteenth

century, in most instances under princely patronage. In England the church sponsored the establishment of savings institutions at the turn of the century. The first real mutual savings bank, self-sustaining and catering to a wide public, was founded in Scotland in 1810. The idea was rapidly taken up, and by 1817 abuses and fraudulent operations had made it necessary for Parliament to regulate such "trustee" savings banks. The banks spread to the British colonies and enjoyed a most remarkable growth in the United States. In 1816 New York City made the first proposal regarding the organization of a savings bank, Philadelphia was the first to put it into operation and Boston the first to incorporate savings banks. In the following years savings banks were established in most of the important towns in the New England and North Atlantic states. In France, where legislative provision for the establishment of a national savings bank was enacted in 1793, the first savings bank was established in 1818. Savings banks were organized in Austria in 1819, in Denmark in 1820, in Norway in 1822 and in the course of the century spread to practically all civilized countries.

With the passage of time the savings bank has tended to lose the aspect of benevolent thrift promotion which characterized its early development and to become instead merely one of a number of agencies supplying capital. It has also encroached gradually upon the activities of commercial banking; thus in 1909 the savings banks in Germany were given permission to receive checking accounts. The tendency became particularly pronounced during the inflationary developments after the World War, which for a time completely undermined the ordinary functions of savings banks and forced the latter, particularly in Germany and Austria, to extend their activities to include a number of banking services catering to the credit needs of the small trader and the professional and salaried man. On the other hand, institutions such as commercial banks, building and loan societies, investment trusts and insurance companies have absorbed the savings of the public to an increasing extent, thus reducing considerably the significance of the savings bank as a depository; while the rise of specialized mortgage institutions has tended to restrict the role of savings banks in the supply of mortgage credit—one of their primary functions. Moreover to an ever greater extent the investor has preferred to make his own direct investments rather than to rely upon indirect investment by a savings bank or other institution.

Public banks operated by the government must be distinguished as regards ownership, from private banks operated by individuals. Public banks, whether they are postal savings banks (*q.v.*), state banks or municipal banks, are far more important abroad than in the United States. Apparently they were instituted in many countries as a means of providing a check upon existing private institutions. Postal savings banks have spread particularly in Italy and France, while municipal savings banks are most common in Germany, France and Austria. In 1916 Great Britain enacted legislation authorizing the founding of municipal savings banks, and the first such institution was set up in Birmingham in 1919. Where long established, they have made a substantial place for themselves; but where they are of comparatively recent origin, they have tended to play a minor role. The deposits in the British system, established in 1861, are double those of the trustee savings banks. The postal savings system of the United States was a haven for small savers for about two decades after its establishment in 1910. Disturbed banking conditions following the depression which set in in 1929 caused its deposits to mount tenfold, but the permanency of this change is often doubted.

There are several classes of private banks. The mutual savings bank possesses two distinctive features: it is a quasi-mutual institution and it is non-profit making in character. It merely aggregates the funds entrusted to it by depositors and invests them, together with any earnings not distributed to these depositors. The assets belong to the depositors, who receive the entire earnings after payment of expenses and gradual creation of a guaranty fund or surplus designed to protect the depositors against loss through shrinkage in assets. But the depositors have no share in the management, which devolves upon a self-perpetuating board of trustees selected by the organizers. The trustees represent a group of substantial citizens with a sense of civic responsibility who are willing to undertake the task in the interest of the community. Conditions favorable to the formation of mutual savings banks existed during the nineteenth century in England and Scotland and in the northeastern United States. In 1932 there were 594 mutual savings banks, with deposits amounting to $10,000,000,000, in 17 states of the United States; of these 379 banks, with

$3,300,000,000 deposits, were in the 6 New England states and 195, with deposits aggregating $6,300,000,000, in the 5 eastern states. With changing conditions mutual savings banks are no longer being established in substantial numbers even in these states.

The guaranty savings bank receives special deposits which are junior to general deposits; such banks exist only in New Hampshire. In certain sections of the United States there are a few stock savings banks, which like mutual savings banks receive only savings deposits. They are, however, operated for the benefit of a body of stockholders, who receive all the earnings remaining after expenses and a stipulated rate of interest to the depositors have been paid. In general stock savings banks are indistinguishable from commercial banks and trust companies. Not only do the latter operate savings or thrift departments in non-mutual savings bank states, but since the World War they have given the mutual banks strong competition in their home states. A similar situation prevails in England, where the joint stock banks have multiplied the facilities for savings accounts. These commercial institutions also receive a considerable volume of time deposits representing temporary surplus funds of individuals and business undertakings, held pending use, rather than true savings.

Since savings banks were originally designed to accommodate persons of moderate means, the size of accounts has been restricted in some countries. In the mutual savings banks of New York state the maximum is $7500, raised from $5000 in 1926 and from $3000 in 1920. In savings departments of commercial banks, however, any limit set is imposed by the bank. The deposit is almost universally evidenced by a pass book, and the bank reserves the right to require specified notice of withdrawal, generally 30 or 60 days, on the theory that the nature of the funds does not require absolute day to day liquidity. In practise the deposit is ordinarily payable on demand. No general notice was required by mutual savings banks after 1907, but in 1933 banking supervisors temporarily limited withdrawals. British trustee savings banks have two classes of deposits: the ordinary deposit, which is invested with the National Debt Commissioners, who guarantee a fixed rate of interest and the repayment of the principal; and the special investment deposit. which is open to depositors having a minimum of £50 to their credit in the ordinary department and which is not guaranteed by the government, although the latter prescribes the type of security in which such funds may be invested. On November 20, 1932, half of the £155,000,000 cash due depositors was in special investment departments, yielding a higher return than that in the general, or ordinary, department. In addition the trustee savings banks like the postal savings banks offer facilities for the direct purchase of securities by depositors. Another important savings institution in England and Scotland is the National Savings Committee, through which savers can place their funds in savings certificates, which in turn are invested in government obligations.

With the passage of time the savings appeal has changed. Formerly saving for old age was stressed, and the virtue of thrift as a character building form of self-restraint or discipline was urged. Since the war saving has been represented to be a means to an end attainable in the not too distant future. This is special purpose saving, related more closely to the family's financial program. Instead of serving merely to accumulate an indefinite sum for old age, saving is aimed at definite sums for particular purchases or at the piling up of a cash reserve.

In addition there are systems of industrial saving whereby an employer arranges for periodic deposits, at times when wages are paid, from workers who desire to participate. The plans are termed either voluntary or compulsory; under the latter plan the amount set by the worker is deducted from the pay envelope by the employer. School savings, designed to train children in the saving habit, were established in France as early as 1834 and were fostered in the United States after 1885. Many systems are used; the stamp system is simple but too mechanical, while the pass book system involves extra work for the teacher.

Finally, there has been developed extensive advisory service, covering in particular family budgets and investments; it seeks to aid the depositor in planning his financial affairs wisely and, when he outgrows the savings bank, to guide him. Mutual savings banks also provide safe deposit vaults, and in Massachusetts in 1908 such banks began to furnish life insurance and annuities under state supervision. In that state 20 banks have insurance departments and 100 others act as receiving stations for them.

Since savings banks are designed to serve persons of limited means, most countries attempt to regulate their investment policies. In some countries the bulk of savings deposits is

located in government securities. In the United States in about half of the 19 states which provide for mutual savings banks the investments are closely restricted by law to the more conservative and seasoned securities. In order to qualify issues must meet specified tests, while diversification is sought by restriction of the maximum percentage of assets which may be placed in particular forms and in the securities of one issuer. The state of New York, which is among the more conservative in its requirements, may be considered for purposes of illustration. On December 31, 1932, its savings banks showed total assets (at estimated market value, as set arbitrarily for some classes by the superintendent) of $5,897,089,000, distributed as follows: real estate mortgages claimed 59.8 percent with an allowable maximum of 70 percent; other bonds including United States bonds, municipal, railroad, public utility, land bank and Port of New York Authority bonds constituted 31.4 percent; cash accounted for 4 percent and promissory notes for 0.1 percent. The distribution of assets indicates that the mutual savings bank is in considerable measure a local real estate financing organization. It is an important source of urban mortgage money. In addition it provides substantial sums for railroad and, to a lesser extent, public utility finance, although it avoids general manufacture and merchandising as too hazardous. It supplies government financing in considerable degree but only as a means of achieving liquidity. In the field of personal finance, however, its activities are negligible. It may accept promissory notes representing advances to building and loan associations or secured by marketable eligible collateral or savings bank pass books. A few states also admit other classes of investments, in particular mortgage loans on property outside the state, foreign bonds and bank stock. The distribution of assets indicates at once the strength and the weakness—the service and the limitations—of the savings bank, to the depositor as an investing institution and to the community as a financing institution. First, the savings bank cannot achieve full diversification in its investment portfolio. It is limited to fixed income bearing securities, and any factors which affect such securities adversely, such as rising interest rates, will impair their value; the depositor is protected against this contingency only by the surplus, built up by the withholding of part of the earnings. In the second place, if savings banks are limited to a relatively small number of investments, the market prices of these legal investments are raised relatively to other good but non-legal securities. In the third place, the restrictions tend to lag behind changing investment conditions; they reflect past figures rather than present conditions and future prospects. Twice in a decade adverse railroad conditions have made it necessary for the New York legislature temporarily to suspend the requirements as to rail earnings. Meanwhile, as in the case of commercial banks and insurance companies, bondholdings show substantial depreciation below book value—10 percent at the arbitrary valuations in the above statement.

The general canons underlying savings bank investment have long been recognized as safety, liquidity and yield. The first is basic and is ordinarily sought through the restrictions previously mentioned, while liquidity is distinctly subordinate. The New York law does not require mutual savings banks to keep a minimum cash reserve but does limit them to a maximum available fund (consisting of cash on hand and deposits with other banks), which remains uninvested. Since 1929 in fact investment problems have shifted with amazing rapidity. At one time savings banks had to search for profitable investment outlets, as a result of rapid growth of assets in the face of declining security markets and unsatisfactory real estate conditions. In 1933, however, liquidity was a prime consideration, since pressure from depositors had increased while bond prices had been depressed and real estate had continued largely "frozen."

In the United States legislative protection of deposits in savings departments of commercial banks has been the exception rather than the rule. National banks are merely required to record savings accounts in separate ledgers, and to group open time accounts and time certificates of deposit so that these may readily be distinguishable from other classes of accounts if carried in the same ledger with checking accounts; there is no complete departmentalization. Savings funds are mingled with the general assets of the bank and are invested in the same manner as demand deposits—in regular loan operations, bond purchases and real estate loans. The bond list is not specified or limited to savings bank legals. About half the states follow the National Bank Act in granting no special protection to savings depositors in state banks and trust companies.

After 1907 and again after 1920 heavy bank failures brought forth protests against the posi-

tion of the savings depositor in the commercial bank. It was claimed that the savings depositor was entitled to more favorable treatment than the demand depositor, since the former's deposit was more important to him and his ability to select a sound bank and keep in touch with its affairs was slight. As a result a postal savings system was instituted, and in certain states guaranty of bank deposits or special protection for savings depositors was established.

The mutual savings bank states, on the whole, have taken the most elaborate protective measures. But even in these states no uniformity exists. California makes the most drastic requirements: the bank must be completely departmentalized, while assets must be segregated in each department, which must have its own separate capital and surplus. The principal protective devices involve: keeping of separate records; segregation of assets, so that funds received from savings depositors constitute a trust fund to be used to pay them—this prevents withdrawal by demand depositors in event of a "run" but weakens the bank's general ability to meet heavy withdrawals; prescription of investments, to supplement segregation by insuring the continued soundness of the savings assets; efforts to insure continued sufficiency of savings assets by granting a lien on the general assets to make good any impairment of the former, holding of separate capital and/or surplus in the savings department or restriction of interdepartmental relations; and auxiliary devices, such as limitation of amount of deposits in relation to capital and surplus or restriction of rate of interest paid. Many bankers believe that adequate management can insure well run institutions which will protect all depositors equally. They hold that the safety of the banking system would best be promoted through supervision and education of bankers rather than through special protective devices. The serious bank failures in the United States after 1929 finally resulted in 1933 in the creation of the Federal Deposit Insurance Corporation, whose guaranty of demand as well as of time deposits has apparently stilled the clamor for special protection for savings deposits. At the same time it has created entirely new problems, particularly with respect to the relation of savings banks to the banking system.

A statistical setting for savings banking cannot easily be provided. The savings deposit has become inextricably bound up with the time deposit. Some time deposits represent pure savings, but others do not. Despite their form the latter are, at least in spirit, akin to demand deposits. American banks wished to take advantage of the 3 percent reserve against time deposits which Federal Reserve member banks were permitted to keep, while depositors on their part wished to receive the higher interest that such deposits bore. Thus during the 1920's there occurred a wholesale shifting of deposits from the demand to the time category. In the period of depression which began in 1929 many individuals desiring safety and yield resorted to the savings bank, expecting to withdraw their funds as soon as investment conditions improved. It is impossible exactly to break down the time deposit figures into pure savings and other deposits. The steady growth in total time deposits and in their relative importance in American banking is shown in Table 1.

TABLE I

SAVINGS AND TOTAL BANK DEPOSITS IN THE UNITED STATES, 1913–32
(In $1,000,000)

YEAR	SAVINGS DEPOSITS*	TOTAL INDIVIDUAL DEPOSITS	PERCENTAGE OF SAVINGS TO INDIVIDUAL DEPOSITS
1913	8,548	18,122	47
1920	15,189	32,361	47
1921	16,501	34,233	48
1922	17,579	36,336	48
1923	19,727	40,491	49
1924	21,189	41,064	51
1925	23,134	45,464	51
1926	24,696	47,472	52
1927	26,091	49,106	53
1928	28,413	51,199	56
1929	28,218	50,789	56
1930	28,479	50,543	56
1931	28,207	47,864	59
1932	24,281	39,306	62

*Includes deposits in savings accounts, time certificates of deposit and postal savings, but excludes time deposits on open accounts.

Source: American Bankers Association, Savings Division, *Savings Deposits and Depositors for the Years 1927 and 1932* (New York 1932) p. 4.

The growth in time deposits is by no means as remarkable as at first appears, when prices or growth in national income, especially after 1925, are considered. The banks had to face many competitors for the individual's dollars. Prominent among them were the instalment system, intensive salesmanship, real estate development, employee and customer stock ownership plans, the stock market, life insurance companies and building and loan associations. While no accurate statistical measurement can be made, it appears that the banks did not take the lead during the boom period. Adversity since 1929

has caused the pendulum to swing the other way.

Among the several classes of banks receiving savings deposits there has been considerable shift and relative displacement as shown in Table II. Evidently other classes of institutions

TABLE II

DISTRIBUTION OF SAVINGS DEPOSITS AMONG THE BANKS IN THE UNITED STATES, 1911–32
(In $1,000,000)

YEAR	MUTUAL SAVINGS BANKS	STATE BANKS, PRIVATE BANKS, AND TRUST COMPANIES	NATIONAL BANKS
1911	3,459	3,024	1,480
1915	3,945	3,541	1,321
1920	5,058	6,667	3,463
1925	7,152	10,172	5,810
1928	8,668	11,695	8,050
1929	8,904	11,426	7,888
1930	9,206	11,176	8,097
1931	10,034	10,128	8,045
1932	10,040	7,283	6,958

Source: American Bankers Association, Savings Division, *Savings Deposits and Depositors for the Years 1927 and 1932* (New York 1932) p. 12.

enjoyed far more rapid growth after 1915 than did the mutual savings banks. In fact between 1920 and 1930 the mutuals held less than one third the total time deposits, in contrast to somewhat less than one half in 1915. But after 1930 there was a radical change. Whereas the mutual savings banks continued their slow growth, other institutions, in particular those chartered by the state, showed a considerable drop in their time deposits. Undoubtedly this reflects the heavy bank failures and their effect upon public confidence in different classes of banks. As a result the mutuals again attained a relative position approximating that of pre-war days; but other state chartered institutions declined relatively to the national banks.

A problem which has come to the fore with particular urgency since 1929 is that of organizing savings banks into a system and of determining its relation to the commercial banking system. Membership of American mutual savings banks in the Federal Reserve system, often proposed, was finally permitted by the Banking Act of 1933. Previously the banks had had indirect access through rediscount with their depository banks, which were themselves members, and through sale of United States government obligations to the Reserve Banks in the open market. In March, 1932, Massachusetts incorporated a Mutual Savings Central Fund for a five-year period, which received funds from savings banks and lent to them. In July, 1933, New York created two institutions: the Savings Banks Trust Company was to become a member of the Federal Reserve system, and thus indirectly give New York savings banks access to the Reserve Banks; while the Institutional Securities Corporation was to deal in mortgages with savings banks. Emergency in nature, both relied heavily upon the Reconstruction Finance Corporation for funds to supplement savings bank contributions. Neither can be regarded as definitive in its present form.

In 1934 the outlook for savings banking is confused. Depression has tended to reduce bank receipts, if not to accelerate withdrawals, although recently a deposit rise has been noted. Moreover lack of monetary stability militates against the use of the savings bank. The threat of inflation encourages spending or direct investment in commodities or equities rather than in fixed money claims. The effect of instability upon savings banking was brought out in marked degree in Germany, where deposits fell from 19,700,000,000 marks in 1913 to 3,100,000,000 in 1926. As yet moreover while regulation of savings bank competitors, such as building and loan associations, has progressed, no clear cut program has emerged to determine the several fields of service of the various classes of institutions. Despite their long history savings banks have not yet attained a definite position and their operation is still far from perfect.

W. H. STEINER

See: BANKING, COMMERCIAL; POSTAL SAVINGS BANKS; BANK DEPOSITS; BANK DEPOSITS, GUARANTY OF; SAVING; INVESTMENT; FINANCIAL ORGANIZATION.

Consult: Hamilton, J. H., *Savings and Savings Institutions* (New York 1902); Seidel, M., and Pfitzner, J., *Das Sparkassenwesen*, Wiener Staatswissenschaftliche Studien, vol. xiii, pt. iii (Vienna 1916); Kilborne, R. D., *Principles of Money and Banking* (3rd ed. New York 1932) ch. xxxii; Moulton, H. G., *The Financial Organization of Society* (3rd ed. Chicago 1930) ch. xviii; Steiner, W. H., *Money and Banking* (New York 1933); Spelsberg, P., *Das Spar- und Sparkassenwesen in Grossbritannien* (Emsdetten 1929); Eason, Charles, *The Trustee Savings Banks of Great Britain and Ireland from 1817 to 1928* (Dublin 1929); Dettmer, O., *Die Sparkassen als Glieder der Sparorganisation der deutschen Wirtschaft* (Bückeburg 1931); Magnien, Léonce, *Les caisses d'épargne ordinaires en France, 1914–1924* (Paris 1926); Schmidt, Walther, *Das Sparkassenwesen in Österreich* (Vienna 1930); Lehman, Ernst, *Das Sparkassenwesen der Schweiz seit Ausbruch des Weltkrieges* (Berne 1926); Nissen, Ferdinand, *Die bankmässige Betätigung der Sparkassen*, Bankwissenschaftliche Forschungen, vol. iii (Stuttgart 1926); Carson, W. J., *Savings and Employee Savings Plans in Philadelphia*, University of Pennsylvania, Wharton School of Finance and Commerce, Research Studies,

vol. xvii (Philadelphia 1932); Keyes, E. W., *A History of Savings Banks in the United States from Their Inception in 1816 down to 1874*, 2 vols. (New York 1876–78); Laurent, H., *Les caisses d'épargne et de prévoyance depuis leur origine jusqu'à nos jours*, 2 vols. (Pithiviers 1892); Kniffin, W. H., *The Savings Bank and Its Practical Work* (4th ed. New York 1928); Sutcliffe, W. G., and Bond, L. A., *Savings Banks and Savings Department Management* (New York 1930).

SAVONAROLA, GIROLAMO (1452–98), Italian Dominican friar and preacher. Savonarola, a native of Ferrara, was driven by the political confusion and pagan immorality of Renaissance Italy to renounce the world. At first he was content to devote himself to theological studies, in which he became deeply versed; but his consuming passion for religious and moral reform eventually impelled him to become a preacher. Success did not attend his efforts until he was transferred to Florence, then the center of the new pagan culture. Although attached to the convent of St. Mark's, of which the Medici were the founders and patrons, he refused to have any dealings with Lorenzo. His business was to call the people to repentance; and such was the fervor of his plea that his followers grew into a multitude. When after the death of Lorenzo, Charles VIII of France invaded Italy in 1494 and the Medici were expelled by a popular uprising, Savonarola became automatically the most influential, because the most trusted, person in the city.

Sitting on no government commission and giving his counsels exclusively from the pulpit, the friar so completely swayed the people that all his political proposals were enacted into law. His three leading political principles, the general reconciliation of all citizens, the largest possible measure of popular sovereignty and equitable taxation falling in the main on the owners of real property, were incorporated into the new constitution, which Machiavelli and Guicciardini afterwards declared to have been the best Florence ever had. But Savonarola's major objective had always been religious and moral regeneration, without which, he realized, political reform would prove a house built upon sand. By preachment and example, if not by legislation, he achieved remarkable results also in this field. As if by magic the colorful Florence of the Renaissance was converted into a drab puritanical commonwealth foreshadowing in many ways John Calvin's Geneva. Savonarola won his greatest success with the children. Organized as a Christian militia, they replaced the lascivious carnival of Lorenzo's time with the religious bonfires to which the faithful brought their "vanities." Although a strong undercurrent of opposition to these rigors developed, the fall of the reformer was due rather to the complicated Italian political situation and more particularly to the clash between Florence and the papacy. When Pope Alexander VI failed in his attempt to bribe Savonarola and thereby to break the resistance of Florence, he resolved to destroy him. The dauntless friar openly defied the pope and was excommunicated. The people now deserted him and he could be brought to trial as a heretic, hanged and burned.

FERDINAND SCHEVILL

Important works: *Prediche italiane ai Fiorentini*, ed. by Francesco Cognasso, 3 vols. (vols. i–ii Perugia 1930; vol. iii, ed. by R. Palmarocchi, Florence 1933); *Le lettere*, ed. by R. Ridolfi (Florence 1933).

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SAX, EMIL (1845–1927), Austrian economist. Sax' main contribution lies in the fact that he extended the marginal theory of value to the field of public finance and transportation. In his *Grundlegung der theoretischen Staatswirthschaft* (Vienna 1887) he elaborated a theory of public economy to complement the ordinary theory of individual economy and attempted to prove that the same laws of value regulate the economic phenomena in both branches. This book represents one of the outstanding contributions to the economic theory of the period and exerted a stimulating influence on the theory of taxation, especially in Italy. Sax' followers have, however, in general criticized his social psychology and his view that members of a community should distribute the expenditure of their income between their collective and individual wants in accordance with their respective degrees of intensity. Disappointed over the slight recognition of his views in Austria and Germany and the difficulties he encountered in his academic career, Sax early resigned from his professorship at the University of Prague and retired to his country house in Italy, where he spent the rest of his life. After a silence of two decades he resumed his literary activity and

published among other works *Der Kapitalzins* (Berlin 1916), a highly controversial and difficult treatise on the theory of interest, and a completely revised and enlarged edition of *Die Verkehrsmittel in Volks- und Staatswirthschaft* (2 vols., Vienna 1878–79; 2nd ed., 3 vols., Berlin 1918–22), a book which is regarded as the standard work in the field of transportation and is perhaps the best achievement of Sax' versatile genius.

ERIK LINDAHL

Consult: Beckerath, E. von, "Ein Nachruf auf Emil Sax" in *Zeitschrift für Nationalökonomie*, vol. i (1929–30) 345–55; Wicksell, Knut, in his *Finanztheoretische Untersuchungen* (Jena 1896) p. 87–96; Seligman, E. R. A., *Progressive Taxation in Theory and Practice* (2nd ed. Princeton 1908) p. 223–28.

SAY, JEAN-BAPTISTE (1767–1832), French economist. Say found himself involved in both the English industrial revolution and the French political revolution. Too independent long to serve Napoleon, although in 1814 he was sent by the government to study economic conditions in England, he was by turns industrialist and professor. In 1819 the chair of industrial economy was founded for him at the Conservatoire des Arts et Métiers, and in 1830 he was made professor of political economy at the Collège de France.

In large measure Say's work consisted in a vulgarization of *The Wealth of Nations*. The disorderly presentation of the English work was replaced by a logical exposition, of which the tripartite division—production, distribution, consumption—introduced by Say in 1814 in the second edition of his *Traité* remained the traditional treatment throughout the nineteenth century.

In addition, however, Say made an important original contribution to economic science. This is contained in the famous *loi des débouchés*, or law of markets, according to which money is only an intermediary which drops out in such a way that not only are "products exchanged for products" but, further, products are exchanged for services, those "immaterial products" which Smith did not recognize. Thus the law of markets implies the law of economic equilibrium. Between the sale of products and the sale of services there stands the new person unknown to Smith, the entrepreneur, whose profit is to be distinguished from salary, interest and rent.

Say's optimistic productivism was not shaken by the economic crises of the early nineteenth century. He held that all overproduction could be only partial. Either certain products are too abundant in one place only because in another men have not produced enough to purchase them or, if products pile up everywhere, it is because of artificial hindrances to their exchange. An economic crisis is therefore in large part a social and political crisis. Were customs barriers, which obstruct the exchange of products for products, and privileges, which hinder the exchange of products for services, wiped out, subsequent crises would by this one stroke be reduced materially.

Would they then be radically suppressed? It is at this point that Say's theory seems insufficient to contemporary political economy. For Say, who viewed society as a biologic organism, the only problem was that of doing away with artificial political and social arrangements and returning to *laissez faire, laissez passer*. The tendency today is to go a step further: since crises seem to be due less to natural causes than to a false direction of economic effort, the remedy must be sought less in *vis medicatrix naturae* than in the substitution of new for obsolete institutions. Free exchange may remain the ideal but it must be attained by different means. And this general truth—identical ends, new means—furnishes the key to present relations with that classical economics of which Say provided one of the happiest expressions.

ERNEST TEILHAC

Principal works: *Traité d'économie politique*, 2 vols. (Paris 1803; 7th ed. by A. Clement, Paris 1861), tr. from 4th ed. by C. R. Prinsep, 2 vols. (Boston 1821); *Cours complet d'économie politique pratique*, 6 vols. (Paris 1828–29; 3rd ed. by H. E. Say, 2 vols., 1852); *Oeuvres diverses*, Collection des principaux économistes, vol. xii (Paris 1848).

Consult: Teilhac, Ernest, *L'oeuvre économique de Jean-Baptiste Say* (Paris 1927); Allix, Edgard, "J.-B. Say et les origines de l'industrialisme" in *Revue d'économie politique*, vol. xxiv (1910) 303–13, 341–63, and "La méthode et la conception de l'économie politique dans l'oeuvre de J.-B. Say" in *Revue d'histoire économique et sociale*, vol. iv (1911) 321–60; Liesse, André, "Un professeur d'économie politique sous la Restauration: J. B. Say, au Conservatoire des Arts et Métiers" in *Journal des économistes*, 5th ser., vol. xlvi (1901) 3–22, 161–74.

SAY, LÉON (1826–96), French political leader and economist. Grandson of Jean-Baptiste Say and well known in his own time as a writer on economic subjects, Léon Say was nevertheless more important as a political figure than as an economist. Before 1871 he opposed the empire. From 1871 to 1883 he went over to the government and devoted his energies to consolidating

the new republic. First appointed minister of finance by Thiers in 1872, he held this office under different ministries until 1879 and again in 1882; his greatest achievement during this period was the liquidation of the payment of the war indemnity to Germany long before the prescribed time. His general policy was directed toward a decrease in public expenditures and the removal of barriers to internal commerce. He fought in vain for the abolition of the *octrois*. After 1883 he returned to the opposition and conducted an unsuccessful campaign at once against protectionism, which triumphed in 1892, and against socialism, which was striving for an increase in public expenditures. His quite uninspired economic doctrines derived from a mediocre liberalism, the golden mean between monarchy and socialism.

ERNEST TEILHAC

Principal works: *Dictionnaire des finances*, 2 vols. (Paris 1889–94); *Nouveau dictionnaire d'économie politique*, 3 vols. (Paris 1890–97), in collaboration with Joseph Chailley; *Les finances de la France sous la troisième République*, ed. by A. Liesse, 4 vols. (Paris 1898–1901).

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SAYYID AHMAD KHAN, SIR (1817–98), Indian Moslem reformer and educator. Sayyid Ahmad Khan received the traditional Moslem education and for many years served the British government in India. He was the author of an important work on Indian antiquities. His *On the Present State of Indian Politics. Speeches and Letters* (Allahabad 1888) contains some of his political and social ideas.

Ahmad Khan was the first Moslem reformer to reflect the impact of western civilization upon India. A pious Moslem, he was profoundly impressed by European culture and attempted to introduce modern education among his coreligionists in order to counteract their reactionary obscurantism and fanaticism. With the naïveté characteristic of liberal reformers he regarded education as a panacea for all ills, but he valued it especially as a means of bringing about a closer understanding between the British rulers of India and their Moslem subjects, and of securing for the latter a proper share in the British administration. In 1864 he founded in Aligarh a scientific society for the translation of western scientific books into the vernacular. In 1869 he visited England and upon his return published a monthly periodical, the *Tahzību'l Akhlāk* (Ethical reformer), which despite violent opposition fought against the isolation and rigidity of Islam. From his Committee for the Better Diffusion and Advancement of Learning among the Mohammedans of India there developed in 1875 the famous Moslem Anglo-Oriental College in Aligarh, the present Aligarh Muslim University. Modeled after Cambridge, it was designed to give an English gentleman's education to the sons of the Moslem aristocracy and at the same time to encourage loyalty to their religion.

Sayyid Ahmad Khan declared that the guiding principle in his life was his loyalty and gratitude to the British government for the benefits it had conferred upon India. But the movement of enlightenment he helped to inaugurate led not to an organic assimilation of new influences with a living and continuous tradition, as he had hoped, but rather to a period of restless doubt and to a break with the past. Sayyid Ahmad Khan remained until his death entirely aloof from the Indian national movement and from its then very moderate opposition to some aspects of British rule. As a representative of the conservative Moslem landed nobility, he opposed and distrusted the rising educated middle class composed of Hindu intelligentsia and Bengali merchants, who together had created the Indian National Congress. His progressive and even courageous program of education was in essence indicative of nothing more than a very conservative reform tendency.

HANS KOHN

Consult: Graham, G. F. I., *The Life and Work of Sir Syed Ahmed Khan* (new ed. London 1909); Rawlinson, H. G., in *Islamic Culture*, vol. iv (1930) 389–96; Kohn, Hans, *Geschichte der nationalen Bewegung im Orient* (Berlin 1928), tr. by M. M. Green (London 1929) p. 111–14, 365–66; Carra de Vaux, Bernard, *Les penseurs de l'Islam*, 5 vols. (Paris 1921–26) vol. v, p. 363–70; Bannerjea, D. N., *India's Nation Builders* (London 1919) ch. v; *Whither Islam?*, ed. by H. A. R. Gibbs (London 1932) p. 40–47.

SAZONOV, SERGEY DMITRIEVICH (1861–1927), Russian diplomatist. As counselor at the Russian embassy in London from 1904 to 1906 Sazonov acquired a friendly feeling toward England. After two years as Russian representative at the Vatican he was appointed assistant minister of foreign affairs under Izvolsky in May, 1909. When Izvolsky went as ambassador to Paris a year later, Sazonov took his place as foreign minister, serving until his own resignation in 1916.

Of a mercurial and emotional temperament,

slim and rather small of stature and nervous and abrupt in manner, he gave the impression of being frail in body and changeable in mind. Even his French allies felt that he was lacking in frankness and clearness of purpose, so that it was often difficult for them to follow him. Sazonov desired peace, but he was easily influenced by Russian militarist circles and was very sensitive to the criticisms of the chauvinistic Russian press. He was also an ardent patriot, anxious to carry forward the Russian policy of getting control of the Bosporus and the Dardanelles. By 1914 he had become convinced that this could be accomplished only as a result of a European war.

Sazonov at first sought to cooperate with Germany; in November, 1910, without consulting France and England, he talked with Bethmann Hollweg of connecting projected Russian railways in Persia with the Berlin-Bagdad Railway. Gradually, however, he came to share Izvolsky's aims of strengthening the Triple Entente against Germany and Austria. Alarmed at Austria's ultimatum to Serbia and influenced by the Russian military authorities, he persuaded the czar on July 30, 1914, to order the general mobilization of the Russian army which made a European war virtually inevitable.

SIDNEY B. FAY

Consult: Sazonov, S. D., *Vospominaniya* (Paris 1927), tr. by N. A. Duddington as *Fateful Years* (London 1928), an apologia written in exile and not always reliable; *Rings um Sasonow*, ed. by Eduard von Steinitz (Berlin 1928); Schilling, M. F., "Nachalo voyni 1914 g. Podennaya zapis b. ministerstva inostrannikh del" in *Krasny arkhiv*, vol. iv (1923) 3–62, tr. by W. Cyprian Bridge as *How the War Began in 1914, Being the Diary of the Russian Foreign Office from the 3rd to the 20th (Old Style) of July, 1914* (London 1925); Fay, S. B., *The Origins of the World War*, 2 vols. (2nd rev. ed. New York 1930).

SCANDINAVIAN UNITY MOVEMENT.

See PAN-MOVEMENTS.

SCARUFFI, GASPARO (1519–84), Italian economist.

Scaruffi was a merchant and banker; for a time he was assayer and later he served as contractor of the mint at Reggio, his native city, where he held various other public posts as well. He profited by his practical experience to publish a book on money, *L'alitinonfo* (The true light, Reggio 1582). The book is generally considered the most excellent and advanced early Italian work on money. Its importance, however, lay not in any systematic theoretical analysis but in its clear exposition of certain practical proposals. It recognized correctly the functions of money as a measure of value and as a general means of exchange. In order that it might perform these functions more effectively Scaruffi proposed that money should no longer be regulated in a variety of ways from country to country but that a uniform international regulation should be established, each coin to bear an indication of its value, its alloy, or fineness, and its weight, which must never be modified; thus each person could calculate with certainty how much fine metal he received in payment of debts due him. Equality in the value of money and metal was to be maintained by free interchange of coined and uncoined metal, except for the expense of coinage, which was to be borne by the private individuals who brought their metal to the mint. The coinage, however, was not to be utilized as a source of revenue for the monarch. Scaruffi erred in maintaining that the variations which had occurred in the ratio between the values of gold and silver resulted from the disorder of the monetary system and that once his proposal was adopted it would remain fixed at the divinely ordained ratio of one unit of gold to twelve units of silver. He was unable to perceive the effects of bimetallism. His merit lies in his having advocated a stable monetary unit in terms of fine metal and having proposed international monetary unification. After his death this last proposal was pushed with great zeal by his countryman Pratisuoli, who maintained that it would not be difficult to have it adopted by a diet or congress of all the rulers; subsequently, however, the proposal was entirely forgotten.

ULISSE GOBBI

Works: *L'alitinonfo* is included in *Scrittori classici italiani di economia politica*, ed. by P. Custodi, vol. ii (Milan 1804) p. 71–322, and in *Economisti del cinque e seicento*, ed. by A. Graziani (3rd ed. Bari 1913) p. 1–140.

Consult: Pratisuoli, Bernardino, *Considerazioni sopra l'Alitinonfo del S. Gasparo Scaruffi* (Reggio 1604); Balletti, Andrea, *Gasparo Scaruffi e la questione monetaria nel secolo XVI* (Modena 1882); Supino, C., *La scienza economica in Italia dalla seconda metà del secolo XVI alla prima del XVII* (Turin 1888) p. 63–67; Gobbi, U., *L'economia politica negli scrittori italiani del secolo XVI–XVII* (Milan 1889) p. 152–58.

SCHÄFER, DIETRICH (1845–1929), German historian.

The son of an artisan of Bremen, Schäfer rose to a leading position among German historians. In the main his historical works deal with the Middle Ages and with the development of the Hanse, and one of his most valuable

contributions is the two concluding volumes of the *Geschichte von Dänemark* (Gotha 1893–1902) begun by Dahlmann. In addition to numerous monographs Schäfer published a series of distinguished general treatises. His popular two-volume biography of Bismarck has been superseded by later research, but his *Weltgeschichte der Neuzeit* (2 vols., Berlin 1907; 11th rev. ed. 1922) and his *Deutsche Geschichte* (2 vols., Jena 1910; 9th rev. ed. 1922) went through many editions and are still read widely in Germany. Schäfer was distinguished by a wealth of knowledge, a phenomenal memory and a gift for clear and concise presentation of essential events and basic ideas. An ardent patriot and monarchist, the German catastrophe of 1918 was a painful experience which he never overcame.

Schäfer was the outspoken champion of political history as opposed to the *Kulturgeschichte* of Gothein and Lamprecht. In his *Staat und Welt* (Berlin 1922; 2nd rev. ed. 1923) he summarized his basic ideas: the state is superior to all other cultural realms, which are, with rare exceptions, dependent upon it; never has a great idea unassisted by state leadership exerted any general influence on humanity. In a certain sense Schäfer was a follower of Treitschke; perhaps even more arbitrarily than the latter he disregarded other spheres of historical existence. Yet the very limitations of his conception of history may be responsible for his lasting influence in Germany.

WILHELM MOMMSEN

Consult: Schäfer, Dietrich, *Mein Leben* (Berlin 1926); Wolf, Gustav, *Dietrich Schäfer und Hans Delbrück* (Gotha 1918); *Dietrich Schäfer und sein Werk*, ed. by Kurt von Jagow (Berlin 1925); Meyer, O. A., in *Deutsches biographisches Jahrbuch*, vol. xi (1932) 268–75.

SCHAFF, PHILIP (1819–93), American church historian. Schaff was born in Switzerland and prepared himself for an academic career under the guidance of F. C. Baur, Tholuck and Neander at Tübingen, Halle and Berlin. He came to the United States in 1843, where he became one of the leading American theologians and churchmen in the nineteenth century. He taught at the seminary of the German Reformed church in Mercersburg, Pennsylvania, until 1863, and from 1870 until shortly before his death he was a member of the faculty of Union Theological Seminary in New York. Schaff was primarily a church historian. His *Geschichte der apostolischen Kirche* (Mercersburg 1851; tr. by E. D. Yeomans as *History of the Apostolic Church*, New York 1853) and *History of the Christian Church* (3 vols., New York 1858–67; rev. ed., 7 vols., 1882–1910) were influenced by the Hegelian conception of development, so that he regarded the manifestation of the church as the unfolding in time of the divine idea. The emphasis upon the church and the implied tolerant attitude toward Roman Catholicism brought Schaff into conflict with ultra-Protestants but fostered interest in church history and in oecumenical movements looking toward Christian unity. Through the foundation of the American Society of Church History and the promotion of the American Church History series he stimulated interest in the history of religion in the United States. Schaff took an active part in oecumenical activites and contributed largely to the liturgical movement in the churches. In his critical edition of *The Creeds of Christendom* (3 vols., New York 1877; 6th ed. 1931), as editor of the translation and revision of Lange's *Commentary* (25 vols., Edinburgh 1866–80), of Hauck and Herzog's *Realencyklopädie* (*New Schaff-Herzog Encyclopedia of Religious Knowledge*, 13 vols., New York 1908–14), of the *Select Library of Nicene and Post-Nicene Fathers* (28 vols., New York 1886–1900) and of many other works and as chairman of the American committee on Bible revision he combined his scholarly with his oecumenical interests.

H. RICHARD NIEBUHR

Consult: Schaff, David S., *The Life of Philip Schaff* (New York 1897).

SCHÄFFLE, ALBERT EBERHARD FRIEDRICH (1831–1903), German sociologist and economist. Schäffle was at first a teacher and later a journalist, but he rose rapidly to a professorship at Tübingen and to membership in the Württemberg diet. Later he occupied a chair at the University of Vienna, resigning in 1871 to serve for a few months in the cabinet of Count Hohenwart. He retained a keen interest in politics also upon his return to Stuttgart, where he edited the *Zeitschrift für die gesamte Staatswissenschaft*. He was disappointed, however, in his justified expectation of a university appointment and in his hopes for high political office under Bismarck.

It is difficult to fit into conventional categories Schäffle's contributions to science. His central work, *Bau und Leben des sozialen Körpers* (4 vols., Tübingen 1875–78; 2nd ed. in 2 vols., 1896), is an ambitious attempt to construct a

unified system which would include all natural and social sciences. The underlying organismic conception of social life and the multiplicity of specific biological analogies contained therein seem to support the view that it is a restatement of positivist sociology. Nevertheless, Schäffle was much closer to German idealistic philosophy than to ontogenetic monism. Like Hegel and Schelling, he sought a spiritual interpretation, endeavoring to establish the values which human life should serve. This idealistic strain is more clearly discernible in his posthumous *Abriss der Soziologie* (ed. by Karl Bücher, Tübingen 1906).

Although his economic sociology, like his general sociology, is apparently self-contradictory, Schäffle's thought in this field is marked by certain fundamental characteristics, from which he rarely deviates. Most important among these is the anti-individualistic approach; he proceeds consistently from the whole to the parts, from the community to the individual. A forerunner of modern universalism, he was by no means a romantic; although he advocated a social organization based upon occupational estates, he found constructive forces also in capitalism. A second characteristic is his belief in progress, more concretely his optimistic faith in the eventual socialistic transformation of capitalism. Yet his "rational social state" is no rationalistic utopia; his zeal for reform was rooted in and circumscribed by familiarity with history. This dual base—rationalistic and historical—of his thought constitutes the third characteristic of his economic sociology.

Schäffle's work in economic theory represents a critique of the chrematistic orientation of the classical school and an attempt at a reformulation in line with an "ethical-anthropological" viewpoint. In many specific doctrines he anticipated later developments. Thus he regarded rent as a differential income accruing to workers as well as to property owners and interest as the compensation of a special group of social functionaries, the capitalists. He saw in the phenomenon of value the supreme exemplification of the ethical-volitional nature of economic life, and in analyzing factors determining value he foreshadowed the later synthesis of cost and utility theories. He offered a new classification of the economic functions of the state and propounded the theory that taxation should aim at a proper balance in the satisfaction of individual and collective wants. In *Die Grundsätze der Steuerpolitik* (Tübingen 1880) and later in his stimulating treatise *Die Steuern* (2 vols., Leipsic 1895–97) he developed the science of taxation into a politico-economic discipline in the full sense of this term.

Schäffle's program of social action is no more consistent than his social theory. *Die Quintessenz der Sozialismus* (Gotha 1875, 25th ed. 1920; tr. by Bernard Bosanquet, 7th ed. London 1901), suppressed by the Prussian government upon its first appearance, gave him the reputation of a vigorous ally of the socialists; but *Die Aussichtslosigkeit der Socialdemokratie* (Tübingen 1885, 4th ed. 1891; tr. by A. C. Morant, 2nd ed. London 1911) alienated all radical sympathy. Yet in the second edition of *Bau und Leben*, published in 1896, the socialistic overtones are more pronounced than in Schäffle's earlier writings; and the economy of the "rational social state" is described in minute detail, as though its realization were an immediate prospect. Ostensibly sympathetic to capitalism, Schäffle nevertheless regarded collective ownership as a superior form of property holding and contemplated a planned organization of production to accord with estimated needs. The social product was to be distributed among individuals in proportion to their labor services, for which they should receive credit in the form of currency certificates, similar to the labor notes proposed by Owen and Proudhon.

FRITZ KARL MANN

Consult: Wiese, Leopold von, "Albert Schäffle als Soziologe" and Mann, Fritz Karl, "Albert Schäffle als Wirtschafts- und Finanzsoziologe" in *Gründer der Soziologie*, ed. by F. K. Mann, Sozialwissenschaftliche Bausteine, no. 4 (Jena 1932) p. 1–78; Bristol, L. M., *Social Adaptation*, Harvard Economic Studies, vol. xiv (Cambridge, Mass. 1915) p. 123–28.

SCHANZ, GEORG VON (1853–1931), German economist. An offspring of the historical school, Schanz early became interested in economic history; he wrote on the history of journeymen's unions in Germany, on phases of industrial history of Franken (Bavaria) and above all on the development of commercial policy in Tudor England. But he soon turned to public finance and became one of the outstanding fiscal writers in Germany. Two years after his appointment to a professorship at the University of Würzburg in 1882 he founded the *Finanz-Archiv*, the first and for a long time the sole periodical devoted to public finance, and remained its editor until his death. Of his fiscal writings he published in book form only *Die Steuern der Schweiz in ihrer Entwicklung seit Beginn des 19ten Jahrhunderts* (5 vols., Stuttgart

1890), a comprehensive study on the development of taxation, particularly property taxation, in the Swiss cantons in its relation to constitutional change.

The chief interest underlying Schanz' fiscal writings was the development of direct taxation. In a series of studies published in the *Finanz-Archiv* he traced the transition in the German states from impersonal direct taxes, like the yield tax (*Ertragsteuer*), to general personal taxes, like the income tax. He summed up the results of his minute researches in "Der Einkommensbegriff und die Einkommensteuergesetze" (in *Finanz-Archiv*, vol. xiii, 1896, p. 1–87), a stimulating essay in which he proposed not to base the concept of fiscal income, as had hitherto been the case, on individual elements of income traceable to specific sources, but to treat it simply as a net accretion of wealth between two points of time, regardless of the nature and source of the accrued wealth. He pointed to the accountants' practise of ascertaining the annual profits of a business enterprise as the prototype and confirmation of his view. While it is admitted that the adoption of the procedure advocated by Schanz would no doubt eliminate difficulties in some instances, in most cases the complete separation of the fiscal concept of income from the stream of specific elements of income would complicate rather than simplify the determination of fiscal income. The concept in fact was adopted in the German income tax law of 1920 but was soon abandoned. Schanz' other fiscal writings include: "Zur Frage der Überwälzung indirekter Verbrauchssteuern auf Grund des bayerischen Malzaufschlages" (in *Schmollers Jahrbuch*, vol. vi, 1882, p. 563–603), which in combining the theoretical approach with inductive investigation occupies a distinctive place in the literature on the shifting of taxes; the article "Budget" in the *Handwörterbuch der Staatswissenschaften* (vol. iii, 4th ed. 1926, p. 84–118), presenting a combination of his vast historical information and his practical experiences as a member of the Bayerische Reichsratskammer; and, finally, "Zur Frage der Steuerpflicht" (in *Finanz-Archiv*, vol. ix, 1892, p. 365–438), in which he developed the idea of economic allegiance, a most helpful concept in the analysis of the problems involved in interlocal and international double taxation.

HANS TESCHEMACHER

Consult: Schanz, Georg, "Selbstbiographie" in *Finanz-Archiv*, n s., vol. i (1932) 13–45, including an extensive list of his writings.

SCHÄR, JOHANN FRIEDRICH (1846–1924), Swiss educator and cooperative leader. Schär was a pioneer in the teaching of commercial science, principally at the Basel Oberrealschule from 1882 to 1903, at the University of Zurich from 1903 to 1906 and at the newly founded Handelshochschule at Berlin from 1906 until his retirement in 1919. In his educational work and in his numerous treatises and books Schär stressed continually that in order to render the greatest possible public service, instruction in this field should be devoted not to training in profit making but rather in the most rational methods of business operation, whether in cooperative or private enterprise.

In the history of Swiss cooperation among both producers and consumers Schär was of outstanding importance as initiator, director and educator. His activity began in 1875 when he founded and supervised the first cheese marketing cooperative at Bischofszell, where he was then teaching and where the following year he helped in the creation of a consumers' society which is still functioning successfully. During his residence at Basel he held several important offices, including the directorship of the consumers' society, and was one of the organizers and leaders of the Union of Swiss Consumers' Societies founded in 1890 to unite the previously unaffiliated groups. Under his directorship the cooperative wholesale purchasing division of this central body was established in 1892. Schär was instrumental in the formation of the league uniting the agricultural and the industrial consumers' societies and served on the governing council of the International Cooperative Alliance from 1896 to 1908.

C. MUTSCHLER

Consult: Schär, J. F., *Lebenserinnerungen* (Basel 1924); Faucherre, H., *Umrisse einer genossenschaftlichen Ideengeschichte*, 2 vols. (Basel 1925–28) vol. ii.

SCHARLING, HANS WILLIAM (1837–1911), Danish economist. Born into a family of university professors, Scharling was destined from boyhood for an academic career. He studied law and political economy at the University of Copenhagen and after two years of travel in 1869 was appointed professor of political economy at Copenhagen, a position which he retained until his death. Scharling was a prominent member of several important government committees dealing with questions of monetary and social policy. He was elected by the conservatives to membership in the Copen-

hagen County Council (1873–81), was representative in the Folketing from 1876 to 1898 and in 1900–01 served as minister of finance. Although as professor Scharling never succeeded in establishing intimate contact with his students and was by no means a brilliant lecturer, his diligence and uncompromising loyalty to his calling could not fail to impress the succeeding generation of Danish economists. In his many and varied writings painstaking scientific accuracy and eclectic restatement are more apparent than profound thought and creative originality. He was confronted with the task, neglected by his predecessors, of presenting to Danish readers the doctrines of the classical economists at a time when criticism of their methods and results was well under way elsewhere, and it is but natural that his works should have suffered from a sort of dualism. Curiously enough, the liberal ideas seem to have come to Denmark mainly by way of France; Scharling was deeply impressed by the lucidity of Bastiat's *Harmonies économiques*, although he did not share Bastiat's narrowminded opposition to all innovation. Personal aptitudes and sympathies turned his interest toward the German historical school, and he was familiar with the work of the Austrians but too conservative to accept their conclusions. Since Scharling recast his main works over and over again, most of them did not appear in print until he was advanced in years. Consequently they show the marks of age in much the same way as do Marshall's later works, and in certain respects they were antiquated at the very date of publication; it is typical that as late as 1900 Scharling undertook a moderate defense of the free banking principle. Scharling's chief interests were the theory of value, exchange and commerce, money and banking and international trade. Of greatest lasting value are perhaps his contributions to V. Falbe-Hansen's *Danmarks Statistik* (5 vols., Copenhagen 1878–87, supplement 1891), a comprehensive description of economic and social conditions in Denmark; notably in the historical parts of this work Scharling reveals remarkable understanding of the phenomena and institutions of the past. Scharling considered as his main political accomplishment the purchase by the government in 1880 of all the private railways then existing in the country. As minister of finance he framed a tax program containing several interesting features, some of which were adopted and carried through by later governments. Although he approved of moderate protection Scharling did not favor the agricultural duties which were being advocated at the time by his party.

CARL IVERSEN

Chief works: *Vaerdilaere* (Theory of value), 2 vols. (Copenhagen 1888–1903); *Bankpolitik* (Banking policy) (Copenhagen 1900, 2nd ed. 1902), German translation (Jena 1900); *Handels- og Toldpolitik* (Commercial and tariff policy) (Copenhagen 1905); *Socialokonomiens Teori* (Principles of economics), 3 vols. (Copenhagen 1907–10).

Consult: Westergaard, H., and Friis, M. P., in *Dansk biografisk Lexikon*, ed. by C. F. Bricka, vol. xv (Copenhagen 1901) p. 76–80; Smith, Helge, and Rubin, Marcus, in *Nationalokonomisk Tidsskrift*, 3rd ser., vol. xix (1911) 92–102, 225–29; Koefoed, M., in Institut International de Statistique, *Bulletin*, vol. xix (1911) pt. ii, p. 422–24.

SCHECHTER, SOLOMON (1850–1915), Jewish scholar and theologian. Schechter was born in Rumania of a Chassidic family, from whom he derived the mystic strain which characterized much of his later thinking. He went in 1875 to Vienna, where he studied under Isaac Hirsch Weiss and Meir Friedmann, and later to Berlin, where he came in contact with Israel Lewy and Moritz Steinschneider. In 1882 he went to England, where he did intensive work in the field of rabbinic literature; he was appointed reader in rabbinics at the University of Cambridge in 1890.

Schechter's great achievement in the literary field was his discovery in 1896 of a fragment of the original Hebrew text of the book *Ecclesiasticus*, previously known only in Greek translation. In an abandoned synagogue in Cairo he also found a treasure house of old Hebrew and Arabic manuscripts. This discovery has necessitated the rewriting of many a chapter of Jewish history and has contributed to the enrichment of almost every branch of Jewish learning.

In 1902 Schechter came to the United States, where he became president of the reorganized Jewish Theological Seminary of America in New York City. He made the seminary a postgraduate institution, attracted men of renown to its faculty and built up a large library, so that it soon became one of the most important institutions of its kind in the world. In 1911 he organized the United Synagogue of America, a union for promoting traditional Judaism, in which were gradually included most of the modern orthodox and conservative congregations of the country. Schechter's dominant position in contemporary Jewish history must be credited largely to his work in adjusting Jewish beliefs and practises to the contemporary environment.

He repudiated the allegation that he was creating a new party in Jewry, insisting that his intention was primarily to consolidate the forces inherent in traditional Judaism and to make them workable under modern conditions. He was a bitter foe of the reform movement in Judaism and was still more antagonistic to the school of the "higher critics" of the Bible. Despite his efforts, however, there still exists a distinct cleavage between Schechter's disciples, usually designated as conservatives, and the great body of orthodox Jews. This cleavage manifests itself not so much in the form of the liturgy or in the beliefs and observances as in the outer approach and attitude. Schechter's idea of Catholic Israel, a phrase invented by him and widely used, shifts the basis of Judaism from abstract creeds to the concrete practises of the people. The final arbiter of Jewish thought is the cumulative conscience of the Jewish people, a theory which has been carried by some of his modern followers to much greater lengths than he would have approved.

JULIUS H. GREENSTONE

Important works: *Studies in Judaism*, 3 vols. (Philadelphia 1896–1924); *Some Aspects of Rabbinic Theology* (New York 1909).

Consult: Adler, Cyrus, *Solomon Schechter: a Biographical Sketch* (Philadelphia 1916); *Memorial Exercises in Memory of Solomon Schechter* (New York 1916); *Memorial Addresses Delivered on the Occasion of the Second Anniversary of the Death of Dr. Solomon Schechter* (New York 1917).

SCHEEL, HANS VON (1839–1901), German statistician. Von Scheel studied law and economics and in 1867 won a docentship at Halle in economics and statistics with an essay on the economic principles of the *Corpus juris*. From 1871 to 1877 he was full professor at the University of Berne. In this period he published several works on social reform, dealing especially with the theory of the social problem and of property and inheritance laws. As a social reformer von Scheel was one of the most outstanding representatives of that scientific current which in Germany was called socialism of the chair. As an outgrowth of his interest in social reform he also produced while he was at Berne financial studies which dealt with inheritance taxation and progressive taxation. In 1877 von Scheel was called to the German imperial statistical bureau and in 1891 he became its director.

In his statistical work von Scheel was concerned primarily with economic statistics; he promoted the collection and organization of statistics of foreign trade to an extraordinary degree and exerted a considerable influence on the organization of the vocational and trade census of 1895 and of the population census of 1900. He was the founder of German criminal statistics and played a major role in the imperial commission for labor statistics, which gathered and analyzed material for the enactment of labor legislation and for the study of its effects; these investigations were conducted under von Scheel's personal direction. He looked upon statistics as an essential instrument of administration and only secondarily as an auxiliary of science. Its aim must be to obtain, by means of systematic collection and classification of data, statistical series which will aid the administrative organs in making decisions on the basis of objective knowledge of conditions. The art of the administrative statistician, according to von Scheel, lies in achieving this end with the smallest possible expenditure of labor and money. He advocated the widest possible popularization of statistical studies and in his *Die deutsche Volkswirthschaft am Schlusse des 19. Jahrhunderts* (Berlin 1900) provided a model for such statistical work.

RUDOLF MEERWARTH

Consult: Germany, Statistisches Reichsamt, *Vierteljahrshefte zur Statistik des Deutschen Reichs*, vol. x (1901) pt. iv, containing a complete bibliography of his works; Zahn, Friedrich, "Hans von Scheel und die Reichsstatistik" in *Schmollers Jahrbuch*, vol. xxvi (1902) 325–39.

SCHELER, MAX (1874–1928), German philosopher and sociologist. With his teacher Eucken, Scheler rejected both intellectualistic transcendentalism and naturalistic psychology as inadequate to interpret personal activity and its spiritual content. In the theory of Brentano and Husserl that certain mental acts intend universal or essential objects as their correlates he saw a more promising approach and became thenceforth a leading participator in the phenomenological movement. It was his particular interest to characterize that large class of emotional-intuitive acts which he believed had essential values of life as their objective correlates. In his studies of sympathy, love and hate he aimed not only to distinguish the main types of these emotions and their respective objects but also to combat solipsistic doctrines of experience by showing that there are vital bases of shared awareness. Scheler's chief work in ethics criticized Kantian formalism and its resultant ab-

stract, equalitarian conception of the worth of every rational being. Instead Scheler proclaimed the worth of personality as a bearer of value syntheses and revived the Catholic-aristocratic idea of a hierarchy of personal worths according to the grade of values predominant in the individual synthesis. The principal grades of value in ascending order Scheler held to be those of sensual gratification (*Genuss*), organic (*vital*), cultural (*geistig*) and religious (*heilig*) values.

In his ethics Scheler also attributed personality to certain groups, such as the nation, and during the World War he wrote and labored actively as a German propagandist, but not without hope for the wider unity of European culture. His conception of the latter was linked with his adopted Catholicism, which became significantly articulate for a time during and after the war, when he published a quasi-Augustinian characterization of religious consciousness with a transcendent, personal God as its objective correlate. He expressed increasing antipathy toward bourgeois society, capitalism and democracy as inimical to this apprehension of the highest religious values. He associated himself with Prince Rohan, Ortega y Gasset and others who looked to a European and world wide cultural élite rather than to political dictatorships and mass movements to produce a higher type of life.

Scheler's thought on cultural and social questions underwent further transformation in the last years of his life and led to very significant intellectual developments, which unfortunately failed of completion because of his early death. His mental horizon expanded beyond Europeanism and Catholicism. He became interested in the social conditions of higher culture and more especially in the sociology of knowledge (*Wissenssoziologie*). His ideas in this field involved at once a rejection and emendation of Comte's "law of three stages," of historical materialism and of anthropological pluralism. Due regard for the diversity of cultures does not, he claimed, disprove the unity of human nature and its essential values. "Real factors" (e.g. biological, military and economic powers) promote or oppose the actualization of "ideal factors" (imaginative, moral, intellectual, religious values and structures) but do not determine the character and content of the latter. The three main forms of knowledge (religious, philosophical and scientific, or technical) do not succeed each other in a universal, historical progression. Each has its own permanent ground in life. But in particular cultures a shift in control from blood to political and thence to economic groups involves a shift in preeminence from religious to philosophic and then to technical knowledge. The ultimate grounds of these views were to receive unified theoretic statement in a "philosophical anthropology," of which some portions only were completed.

HORACE L. FRIESS

Chief works: *Die transzendentale und die psychologische Methode* (Leipsic 1900); *Der Formalismus in der Ethik und die materiale Wertethik*, 2 vols. (Halle 1913–16); *Abhandlungen und Aufsätze*, 2 vols. (Leipsic 1915; 2nd ed. as *Vom Umsturz der Werte*, 1919); *Vom Ewigen im Menschen. Religiöse Erneuerung* (Leipsic 1921); *Zur Phänomenologie und Theorie der Sympathiegefühle* (Halle 1913; 2nd ed. as *Wesen und Formen der Sympathie*, Bonn 1923); *Schriften zur Soziologie und Weltanschauungslehre*, 3 vols. (Leipsic 1923–24); *Die Wissensformen und die Gesellschaft* (Leipsic 1926); *Philosophische Weltanschauung* (Bonn 1929), with bibliography p. 140–54, published posthumously; *Die Stellung des Menschen im Kosmos* (Darmstadt 1928); *Schriften aus dem Nachlass Max Schelers*, vol. i– (Berlin 1933–).

Consult: Hartmann, N., in *Kant-Studien*, vol. xxxiii (1928) ix–xvi; Grünwald, E., *Das Problem der Soziologie des Wissens* (Vienna 1934), especially p. 158–71.

SCHELLING, FRIEDRICH WILHELM JOSEPH (1775–1854), German philosopher. Schelling was born in Württemberg and studied at the University of Tübingen, where Hegel and Hölderlin were his schoolmates. From 1798 to 1803 he taught at the University of Jena as Fichte's follower and successor and while there was intimately associated with the group of romanticist authors and artists who sought to make Jena and nearby Weimar a German Athens. In these years Schelling assumed a leading place in the development of German idealism, especially through his speculative philosophy of organic nature. Differences within the romantic school, among the post-Kantian philosophers and in religious circles as well as the cantankerous nature of Schelling himself account for the polemical character of much of his voluminous writing. Particularly his resentment toward Hegel is generally believed to have been responsible for the abrupt cessation in 1815 of Schelling's publications.

Schelling's philosophy was essentially romantic and absolutistic. In his earlier writings he shows clearly the influence of Fichte, both in his emphasis on the determinative function of the "ego" and in his acceptance of the principle of the identity of subject and object in an absolute essence. Individual spirit and objective

nature are regarded as aspects of absolute reality in which both have their being inseparably and are indeed ultimately identical. In his "philosophy of identity" and in his "transcendental idealism" Schelling acknowledges his obligation to Plotinus and the neo-Platonic tradition of intellectual mysticism as well as to Spinoza. The increasing mystical characteristics of Schelling's thought, in which the influence of Jacob Böhme and German antirational theology is discernible, were furthered by Schelling's intimacy with Franz Baader. In Schelling traditional Protestant mysticism emerged for the first time on the elevated plane of official philosophy.

In none of his systematic works is there a developed social theory or philosophy of politics and jurisprudence. These subjects engaged his attention only incidentally. His philosophy of history exemplified the same principles as were manifest in his metaphysical writings. As nature is to be conceived in its organic evolution, so historic institutions are to be viewed organically; as there are definite stages in natural development, so specific stages are to be distinguished in history. There are the Greek, or pagan, stage, in which the infinite is in the finite; the Christian stage, in which the finite is stored up in the infinite; and a third synthetic stage beginning with romanticism, in which the finite gains new importance although the Christian transcendence is preserved in it. Schelling turned away from practical and political activity and evaluated history primarily as offering material for a quasi-mythical revelation of the world of essence. He thus reenforced the traditional Lutheran dualism of freedom in inner devotion combined with outward obedience to the state. In his earlier writings religion, history and politics are submerged in aesthetic intuition; the state is a work of art, statesmanship of poetic genius. Later a more activistic note appears in the thought that both God and the sovereign must be persons, because abstractions are inadequate to move the will, whether in religion or in politics. Schelling's thought may be called the philosophy of the Holy Alliance; indeed in 1841 Frederick William IV called Schelling to the University of Berlin to strengthen the religious background of the reaction. At Berlin Schelling still encountered the fierce opposition of the Hegelians and felt that the work of the last half of his long life had made little impression on the world.

JAMES GUTMANN

Works: *Sämmtliche Werke*, 14 vols., ed. by K. A. Schelling (Stuttgart and Augsburg 1856–61); *Werke*, ed. by M. Schröter, vols. i–vi (Munich 1927–28), still incomplete; *Schriften zur Gesellschaftsphilosophie*, ed. by M. Schröter (Jena 1926); *Aus Schellings Leben, in Briefen*, ed. by G. L. Plitt, 3 vols. (Leipsic 1869–70).

Consult: Knittermeyer, H., *Schelling und die romantische Schule* (Munich 1929); Fischer, K., *Schellings Leben, Werke und Lehre*, Geschichte der neueren Philosophie, Gedächtnis-Ausgabe, vol. vii (4th ed. Heidelberg 1923); Bréhier, E., *Schelling* (Paris 1912); Metzger, W., *Gesellschaft, Recht und Staat in der Ethik des deutschen Idealismus*, ed. by E. Bergmann (Heidelberg 1917); Stefansky, G., *Das hellenisch-deutsche Weltbild* (Bonn 1925); Jost, J., *F. W. J. von Schelling: Bibliographie* (Bonn 1927).

SCHIFF, JACOB HENRY (1847–1920), American banker and philanthropist. The son of a Jewish merchant of Frankfort, Schiff emigrated to the United States in 1865 and engaged in the brokerage business in New York. In 1875 he was invited to become a member of the international banking firm of Kuhn, Loeb and Company, and ten years later he became senior partner; for the next thirty years Schiff was an outstanding figure in the development of American finance capitalism. Because of its connections with other Jewish banking houses in Germany, Holland and England Kuhn, Loeb and Company became a leading agency through which European capital was invested in American railroad enterprises, particularly those of the south. In 1897 Schiff joined his destiny with E. H. Harriman, and the successful reorganization of the Union Pacific Railroad which followed made his firm the chief banking house for American rails. In the struggle with the Hill-Morgan interests for control of the Chicago, Burlington and Quincy and the Northern Pacific Schiff worked closely with the Rockefeller dominated National City Bank and became a director of that institution. Kuhn, Loeb and Company also helped finance the Illinois Central and Southern Pacific (Harriman lines) and the Erie, Baltimore and Ohio, Chesapeake and Ohio and Pennsylvania railroads. With the turn of the century the firm applied itself increasingly to the financing of American industrial corporations and the flotation of foreign government securities in the American money market; one of its signal achievements was the raising of upwards of $200,000,000 for Japan during the Russo-Japanese War.

As a result of his large benefactions Schiff became the outstanding leader of Jewish communal activities in the United States. He was particularly interested in religious and cultural

institutions and through his gifts made possible the firm establishment of the Jewish Theological Seminary, the Hebrew Union College and many lesser institutes for teachers and young people. He also endowed the Jewish division of the New York Public Library and the Semitic Museum at Harvard; and he helped finance the *Jewish Encyclopaedia* and the Jewish Publication Society. Schiff was consistently an assimilationist —he refused to have anything to do with Zionism because it was a nationalist movement—and he therefore regarded organized charity among Jews largely as a device for Americanizing Jewish immigrants and helping them through the initial stages of adjustment to a new environment.

LOUIS M. HACKER

Consult: Adler, Cyrus, *Jacob H. Schiff: His Life and Letters*, 2 vols. (New York 1928).

SCHILLER, JOHANN CHRISTOPH FRIEDRICH (1759–1805), German poet, dramatist, historian and writer on aesthetics. Schiller came of a lower middle class family in Württemberg, and his entire life was marked by a struggle against economic hardship and the threat of tuberculosis. His early storm and stress dramas, such as *Die Räuber* (1781), *Die Verschwörung des Fiesco zu Genua* (1783) and *Kabale und Liebe* (1784), assailed in the spirit of Rousseau the suppression of individual liberty and prejudice among social castes. In Schiller's classical period, when he wrote *Don Carlos* (1787), this revolutionary insistence upon political freedom became tempered into a demand for a purely ideal freedom or freedom of thought.

His historical works, which reflect most clearly the influence of Rousseau, reveal a similar championship of spiritual liberty. In his *Geschichte des Abfalls der vereinigten Niederlande von der spanischen Regierung* (1788) he took sides with the Dutch in their revolt against religious oppression, and in his *Geschichte des dreissigjährigen Krieges* (1793) he hailed Gustavus Adolphus and Protestantism as the defenders of religious and "German" liberty. Schiller brought to his interpretation of historical events a warmth of human sympathy which was in decided contrast to the cold analyses of the humanists or the pragmatic utilization of history by the men of the Enlightenment.

Schiller's classical period reflects the quietistic influences of his friendship with Körner, Hellenic art, Goethe's calm reserve and the philosophy of Kant. These forces helped to shape Schiller's attitude toward the French Revolution, which at first he welcomed but later attacked, notably in his *Briefe über die ästhetische Erziehung des Menschen* (1795), because of its violence. Schiller argued that significant social changes are dependent on the existence of individuals who are pure of heart. The development of such moral character is conditioned upon education in aesthetics, for art serves as a link between natural brute force and ethical human freedom. In the last sections of this essay he modified the Kantian ethical approach and held the aesthetic category to be an end instead of only a means. Schiller now envisaged as the ultimate goal "the aesthetic state" wherein the individual pursues the path of righteousness by virtue of his inherent goodness. Beauty, defined as "freedom incarnate," resolves all metaphysical, ethical and social antinomies, and "play" is man's highest activity. Schiller's conviction that aesthetic harmony as the end is posited upon its being also the means (freedom through freedom) lent support to German and English romanticism and, translated into ethics, helped later to influence Dostoevsky. This ethico-aesthetic emphasis was widely received especially during the period after 1848, when the Schiller cult was at its height.

Schiller's appeal to art as a solvent for social ills and his view of it as both a means and an end can best be understood in relation to the feudal Germany of his time. The German middle class, then weak and disorganized, demanded liberation of the spirit. In Schiller the ideal end was saved by being stored away in a Platonic realm. Although Schiller was aristocratic in his personal reactions and although his protracted illness as well as his continued dependence on dukes and state officials had a bearing on his later social philosophy of aesthetic quietism, it is nevertheless true that he waged a determined struggle against social and spiritual oppression and against slavishness. He remained an internationalist throughout, and if it cannot be said that his *Wilhelm Tell* (1804) urges thoroughgoing social change, still it exhales something of the free air for which Schiller's class gasped in vain during his century.

HARRY SLOCHOWER

Works: *Sämmtliche Werke*, ed. by Karl Goedeke, 15 vols. (new ed. Leipsic 1885); *Werke*, ed. by L. Bellermann, 15 vols. (2nd ed. Leipsic 1922); *Works*, tr. by N. H. Dole, 5 vols. (Boston 1902).

Consult: Minor, J., *Schiller*, 2 vols. (Berlin 1889–90); Kühnemann, E., *Schiller* (7th ed. Munich 1927);

Strich, Fritz, *Schiller* (Berlin 1928); Berger, K., *Schiller*, 2 vols. (Munich 1924); Thomas, Calvin, *Life and Works of Friedrich Schuller* (New York 1901); Mehring, Franz, *Zur Literaturgeschichte von Calderon bis Heine*, his Gesammelte Schriften, vol. i (Berlin 1929); Korff, H., *Geist der Goethezeit*, 2 vols. (Leipsic 1923–30); Cassirer, Ernst, *Freiheit und Form* (Berlin 1917); Überweg, F., *Schiller als Historiker und Philosoph* (Leipsic 1884); Marcuse, Herbert, *Schiller-Bibliographie* (Berlin 1925).

SCHIPPEL, MAX (1859–1928), German socialist and publicist. Schippel studied political science at Leipsic, Berlin and Basel. He devoted himself to journalism and in 1886 became a member of the editorial staff of the *Berliner Volksblatt* and the following year editor of the *Berliner Volks-Tribüne*. He was also a regular contributor to Karl Kautsky's review, the *Neue Zeit*, writing on agrarian problems, the economic conditions of the peasants and agricultural workers, problems of colonization and protective tariffs as well as on currency problems in different countries.

Originally a disciple of Rodbertus, Schippel early came under the influence of revolutionary Marxism. He was particularly impressed with Marx' prognosis of the catastrophic collapse of capitalism and at first adopted a skeptical attitude toward those socialists who looked to parliamentary activity as a means of bringing about socialism in a peaceful manner. Continued study of the political and economic processes, however, led him to discard some of his early views; he rejected the socialist thesis of the disappearance of the peasantry and of increasing misery of the proletariat and saw in the trade union movement a powerful factor making for a higher standard of living for the working classes.

In 1890 Schippel was elected to the German Reichstag from the city of Chemnitz. He continued as deputy until 1905, but his frequent disregard of the resolutions of the Social Democratic Reichstag faction prevented him from obtaining a position commensurate with his abilities. His divergent position on a number of issues aroused the indignation and sharp criticism of the socialist press on numerous occasions. When in 1904 he continued to advocate in the press and in public meetings tariff duties on foodstuffs, he was sharply reprimanded at the Social Democratic party congress held in Bremen in that year. As a result Schippel retired from active political life and accepted a position as secretary of the division on social policy of the German trade unions. After the close of the World War he was appointed by the Saxon government as professor in the Technische Hochschule of Dresden.

HEINRICH CUNOW

Works: *Die Währungs-Frage und die Sozialdemokratie* (Berlin 1896); *Grundzüge der Handelspolitik* (Berlin 1902, 2nd ed. 1902); *Sozial-demokratisches Reichstags-Handbuch: ein Führer durch die Zeit- und Streitfragen der Reichsgesetzgebung* (Berlin 1902); *Zuckerproduktion und Zuckerprämien* (Stuttgart 1903); *Amerika und die Handelsvertragspolitik* (Berlin 1906).

SCHIRMACHER, KÄTHE (1865–1930), German feminist. As a young woman Käthe Schirmacher, whose interests were at first academic, went to Paris to study. There in 1887 she passed the state examination for teachers of French and German. After a year of teaching in England she returned to her native city of Danzig, where she gave instruction in the *Realkurse* for women. In 1893 she had attended as a member of the German delegation the World's Congress of Representative Women held in 1893 in Chicago on the occasion of the Columbian exposition. The delegation returned home with plans for a German federation of women's associations, which was duly formed as the Bund Deutscher Frauenvereine (1894–1933). When the German woman's suffrage association effected its organization in 1902, Käthe Schirmacher was one of the charter members.

The woman's movement was only one of her many interests. She wrote, apparently with equal readiness, on literature, politics and social economy. Among all the older feminists she undoubtedly had the broadest horizon. Her travels took her as far east as Egypt. For almost twenty years she resided in France, and she wrote much of her work in French. She traveled and lectured also in the United States. But the World War seriously affected her international outlook and concentrated her attention on domestic politics. As an East Prussian she was naturally conservative, her liberalism being rather a matter of education. Now her native tendency reasserted itself. Her writings after 1914, among them one advocating the conscription of women in national crises, show a marked turn toward nationalism. As a member of the constitutional assembly at Weimar in 1918–19 she had her share in reconstructing Germany; but, unlike most of the forty-one women elected to that body, she with the two other women representatives of the Nationalist party found herself in opposition to the trend of the times.

HUGH WILEY PUCKETT

Important works: *Halb* (Leipsic 1893); *Züricher Stu-*

dentinnen (Leipsic 1896); "Herrenmoral und Frauenhalbheit" in *Der Existenzkampf der Frau*, ed. by G. Dahms (Berlin 1896) p. 293–334; *Théophile de Viau* (Leipsic 1897); *Le féminisme aux États-Unis, en France, dans la Grande-Bretagne, en Suède et en Russie* (Paris 1898); *Voltaire; eine Biographie* (Leipsic 1898); *Die moderne Frauenbewegung* (Leipsic 1905, 2nd ed. 1909), tr. by C. C. Eckhardt as *The Modern Woman's Rights Movement* (New York 1912); "Les travailleurs du bois de Danzig" in Musée Sociale, *Mémoires et Documents*, no. 2 (Paris 1905); "Der junge Voltaire und der junge Goethe" in *Aus romanischen Sprachen und Literaturen. Festschrift Heinrich Morf* (Halle 1905) p. 357–84; *Deutschland und Frankreich seit 35 Jahren* (Berlin 1906); *Das Rätsel: Weib* (Weimar 1911); *Die Suffragettes* (Weimar 1912); *Frauendienstpflicht*, Deutsche Kriegsschriften, no. 29 (Bonn 1918); *Flammen. Erinnerungen aus meinem Leben* (Leipsic 1921); *Die Geknechteten* (Berlin 1922); *Unsere Ostmark* (Hanover 1923); *Grenzmarkgeist* (Langensalza 1925); *Was verdankt die deutsche Frau der deutschen Frauenbewegung?* (Querfurt 1927).

SCHLEGEL, KARL WILHELM FRIEDRICH VON (1772–1829) and AUGUST WILHELM VON (1767–1845), German men of letters. The Schlegel brothers are the two most famous figures in the German romantic movement. They not only formulated more thoroughly and systematically the ideas of the romantic school but served more actively to propagate these ideas throughout Germany and the rest of Europe. They were born in Hanover, the sons of a Lutheran pastor. August Wilhelm studied at the University of Göttingen, served as a tutor at the home of a merchant in Amsterdam, taught at the University of Jena, was in the service of Madame de Stäel, acted as secretary to the crown prince of Sweden during the last years of the Napoleonic wars and from 1818 until his death was professor at the University of Bonn. Friedrich studied law at Göttingen and Leipsic but in 1797 went to Berlin, where he entered the circle of Schleiermacher, Tieck and Dorothea Veit. He traveled and lectured widely, engaged in many journalistic ventures, of which the *Athenäum* (1798–1800) and the *Deutsches Museum* (1812–13) were the most important, and was active in the employ of the Austrian government.

No writer reveals so typically as Friedrich Schlegel the manifold influences which went into the composition of the German romantic movement. The classical tradition of Greece and Rome, the historicism of Herder and the *Sturm und Drang*, the emotional primitivism of Rousseau, the literary currents of Shakespeare, Ossian and the English tradition, the philosophic and ethical ideas of Kant and Fichte, the overpowering effect of Goethe's *Wilhelm Meister*, the mysticism of the Orient, the political conservatism of Burke and the French traditionalists and the feminine influence of Caroline—all these currents combined to fashion the richness of Schlegel's personality as well as its contradictions. No other writer represents so characteristically the wide and divergent strains of German romanticism. From the unbridled individualism and worship of pure aesthetic enjoyment of his *Lucinde* (1799) Schlegel came to feel in his later years the need for a strong ethical feeling of social attachment; an ardent republican democrat and enthusiastic admirer of the French Revolution in his youth, he later became an agent of Metternich in his fight against Napoleon and a leading exponent of political reaction; from a cosmopolitan and citizen of the world he became a passionate German patriot hoping for the restoration of the glories of the mediaeval German empire; and from the antireligious and atheistic unrest of his youth he sought solace and peace in the bosom of the universal Catholic church. At the basis of all these apparent contradictions and transformations was a yearning for some objective force, some all embracing principle which should bring calm and unity to his turbulent spirit. This Schlegel found in a strong Catholic traditionalism which looked back to the Middle Ages for an ideal social order. In his later writings he advocated a corporate organic and authoritarian state based upon Christian principles and dominated by a strong hereditary landowning aristocracy. He attacked the principle of equality and the onset of capitalism and urged a regeneration of agriculture with far reaching state socialism and supervision of the economic organization of the country. His theoretical works on language were important for the elaboration of the theory of the connection between language and racial ancestry, and his researches into the languages and literature of the East stimulated the development of the science of oriental studies.

August Wilhelm Schlegel outlived his brother, but his influence was not as far reaching. His activities were restricted largely to the cultural field. His translations into German of the great literary masterpieces of other nations broke down the narrow provincialism of German culture and made Shakespeare one of the powerful forces in nineteenth century Germany. August Schlegel in turn stimulated interest in the old Germanic literature and traditions, and his lectures on German literature spread the knowl-

edge of Germany throughout Europe. The history of his *Vorlesungen über dramatische Kunst und Literatur* (2 pts. Heidelberg 1809–11, 2nd ed. 3 pts. 1817; critical ed. by G. V. Amoretti, 2 vols., Leipsic 1923; tr. by John Black, 1 vol., London 1815), which was translated into most European languages, is, in the words of Fritz Strich, the history of European romanticism.

KOPPEL S. PINSON

Works: Schlegel, Friedrich, *Sämmtliche Werke*, 10 vols. (Vienna 1822–25; new ed. by E. von Feuchtersleben, 15 vols., 1846); *Jugendschriften*, ed. by J. Minor, 2 vols. (Vienna 1882). English translations: *The Philosophy of Life and Philosophy of Language*, tr. by A. J. W. Morrison (London 1847); *Lectures on the History of Literature, Ancient and Modern*, tr. by J. G. Lockhart, 2 vols. (Edinburgh 1818); *The Aesthetic and Miscellaneous Works*, tr. by H. G. Bohn (London 1859). Schlegel, August Wilhelm, *Sämmtliche Werke*, ed. by E. Böcking, 12 vols. (Leipsic 1846–47).

Consult: Haym, R., *Die romantische Schule* (5th ed. by Oskar Walzel, Berlin 1928) bk. ii; Enders, C., *Friedrich Schlegel* (Leipsic 1913); Volpers, R., *Friedrich Schlegel als politischer Denker und deutscher Patriot* (Berlin 1916); Meinecke, F., *Weltbürgertum und Nationalstaat* (7th ed. Munich 1928) bk. i, chs. iv–v; Hayes, C. J. H., *The Historical Evolution of Modern Nationalism* (New York 1931) p. 101–09; Finke, H., *Über Friedrich Schlegel* (Freiburg i. Br. 1918); Metzger, W., *Gesellschaft, Recht und Staat in der Ethik des deutschen Idealismus* (Heidelberg 1917) p. 251–59; Körner, J., "Das Problem Friedrich Schlegel" in *Germanisch-romanische Monatsschrift*, vol. xvi (1928) 274–97; Brandt, O., *August Wilhelm Schlegel* (Stuttgart 1919).

SCHLEIERMACHER, FRIEDRICH ERNST DANIEL (1768–1834), German philosopher. Schleiermacher was born in Breslau. He was a pupil at the Moravian schools of Niesky and Barby and studied theology and philosophy at the University of Halle. In 1796 he went as preacher to Berlin, where he came into contact with the leading figures of the romantic movement. In 1804 he went to Halle but returned to Berlin in 1807 to occupy the pulpit at the Dreifaltigkeitskirche and a professorship at the University of Berlin. During the period of Napoleonic rule and the War of Liberation he was extremely active in arousing and maintaining Prussian patriotic enthusiasm.

Schleiermacher sought to establish the science of the state on an empirical basis. By this he understood, however, not a mere generalizing of empirical facts but rather a consideration of the historically developed human societies and their explanation in terms of the fundamental psychic functions of human consciousness. He thus aimed to unite empirical with speculative elements. Just as he rejected every abstract, normative and formalistic construction in ethics on the ground that it passes over the individual and neglects the actual dynamic force of moral behavior, so he also repudiated any sort of "metaphysical politics," in the sense employed by Plato and Fichte, which undertook to regulate all political activity by categorical imperatives.

Like his general philosophy Schleiermacher's political philosophy is oriented around the problem of the individual. His great advance over the abstract idealism of Fichte is the recognition of individuality as the most important criterion of evaluation of all spiritual and intellectual life. He at the same time recognized, however, that the problem of individuality also involves the social factor as its complement and that the individual and the community represent a polar principle of life which is indissoluble. Community without individuality is reduced to a mere schema, just as individuality without social communication bears the stamp of an unmoral character. In this way the principle of individuality became for Schleiermacher a social principle which permeates all forms of society as a sort of "greater individuality." His political philosophy therefore involved the concepts of organism and personality. The basis of the state is the "common peculiarities" of all active individuals and their combination into a higher unity characterized by national customs, national education and national character. The state, like the individual, possesses an inner and outer nature. Its inner character is expressed in the relatively permanent national peculiarities manifested in its process of development. Its outer physiognomy is revealed in the community of language and the relation to a territory.

Schleiermacher's educational theories were most profoundly determined by the activism which dominated his entire philosophic system. The essential character of spirit is conditioned by two functions, reception and creative activities (receptivity and spontaneity). The soul is active also in the receptive process. Individual character is determined by the various relations between the two functions. If the development of the individual is identical with the unfolding of his self-activity, this activity is moral only when it results in interconnection and reciprocal influences with society. The object of education is therefore to bring individuality to its highest development and at the same time to regulate the relations of the individual to the whole

community by the stimulation of his social instinct.

RUDOLF ODEBRECHT

Works: *Sämmtliche Werke*, 30 vols. (Berlin 1835–64); *Werke*, ed. by Otto Braun and D. J. Bauer, 4 vols. (Leipsic 1910–13); *Monologen* (Berlin 1800; new ed. by F. M. Schiele, Leipsic 1914), tr. with introduction by H. L. Friess as *Soliloquies* (Chicago 1926); *Der christliche Glaube*, 2 vols. (Berlin 1821–22), tr. by H. Mackintosh and J. Stewart (Edinburgh 1928).

Consult: Dilthey, W., *Leben Schleiermachers* (new ed. by H. Mulert, Berlin 1922); Mulert, H., *Schleiermacher* (Tübingen 1918); Gundolf, F., *Romantiker* (Berlin 1930); Holstein, G., *Die Staatsphilosophie Schleiermachers*, Bonner staatswissenschaftliche Untersuchungen, vol. viii (Bonn 1923); Müsebeck, E., *Schleiermacher in der Geschichte der Staatsidee und des Nationalbewusstseins* (Berlin 1927); Strobel, Anton, *Die Pädagogik Schleiermachers und Rousseaus* (Munich 1928); Natorp, P., and others, *Schleiermacher, der Philosoph des Glaubens* (Berlin 1910); Pinson, K. S., *Pietism as a Factor in the Rise of German Nationalism* (New York 1934).

SCHLESINGER, BENJAMIN (1876–1932), American Jewish labor leader. The son of a Russian Jewish rabbi, Schlesinger came to the United States in 1891 and entered a cloak factory in Chicago. He immediately became active as an organizer, served as treasurer (1892–93) of the short lived national union of cloak makers and in 1900 helped to found the International Ladies' Garment Workers' Union. He became president of the union in 1903 but was defeated the following year by the antisocialist native born groups representing the skilled crafts. When he regained the presidency in 1914, the now predominant Socialist element had built up a militant organization as a result of a series of remarkable strikes against the sweat shop. His dramatic temperament and his experience as manager (1907–12) of the Jewish Socialist daily, the *Forward*, provided him with a keen sense of the issues which would appeal not only to the union membership but to the liberal public. Schlesinger, who had always stressed the need for the education of trade unionists, took over for the international union the pioneer experiments in labor education and recreation inaugurated by the dressmakers, encouraged the founding of a Union Health Centre and headed a Needle Trades Alliance, including unions outside the American Federation of Labor. Under his leadership the union played an important role in the Socialist movement and was the outstanding representative in the A. F. of L. of the "new unionism." In the years of wartime prosperity the union membership included an amazingly high proportion of the workers in the industry whose wage scales and hour standards were well ahead of those in most organized industries. When subsequently these gains were threatened by the depression and by the internal strife between Communist and non-Communist elements, Schlesinger's always uncertain health began to fail and he resigned his office in 1923. He returned as vice president in 1928 and the following year, upon the resignation of Morris Sigman, assumed the presidency, which he held until his death.

ELSIE GLÜCK

Consult: Lorwin, L. L. (Lewis Levine), *The Women's Garment Workers* (New York 1924); *Forward*, vol. xxxvi (1932).

SCHLETTWEIN, JOHANN AUGUST (1731–1802), German physiocrat. Schlettwein is known to have subscribed to cameralist views in his early career; later, however, he came under the influence of the physiocrats and in time became the leading exponent of physiocracy in Germany. While adopting the economic theories of Quesnay, like all German physiocrats he went beyond the original French physiocratic principles in bringing into sharper relief the moral-philosophical basis of the doctrine. Influenced especially by the views of the Scotch moral philosophers with their emphasis upon the altruistic instinct of men and professing the theory of the perfectibility of mankind as expounded by the philosophers of the German Enlightenment, Schlettwein saw in the physiocratic principles of natural rights, laissez faire and cosmopolitanism the surest means of achieving universal happiness for mankind—the supreme goal of all individual and social effort. In the spirit of German rationalism he believed in the power of reason and developed a theory of "rational" conduct according to which man has a right not only to strive for the minimum of existence to which he can lay claim by virtue of his "natural rights" but also to reach out for as large a share of worldly goods and opportunities as he can possibly utilize, provided he contributes thereby to the general elevation of mankind. For this task of raising mankind to higher levels of civilization Schlettwein wished not only to mobilize educational and cultural institutions, such as schools and churches, but to transform the whole *Polizeiwissenschaft*, a discipline corresponding to political science in modern times, into a preceptorial system to teach the "science of happiness." He believed, however, that any effective application of such educational

effort must be preceded by the introduction of political and economic reforms along physiocratic principles, especially through the establishment of freedom of enterprise and through the removal of all trade barriers, which alone would increase the supply of goods and thus provide the material basis for individual and social progress.

Schlettwein's name is linked with the sole attempt at carrying out the physiocratic principles. Acting on behalf of Margrave Friedrich of Baden he endeavored to introduce the single tax in several villages in order to improve their economic status and stem the process of depopulation. The net income was calculated by the arbitrary deduction of operating costs and interest charges from gross income. The experiment failed because it was found impossible to calculate net income, a concept having meaning only in a mature money economy, under the feudal conditions which still prevailed in that area.

LOUISE SOMMER

Consult: Krebs, A., *Schlettwein der deutsche Hauptphysiokrat* (Leipsic 1909), and "Schlettwein und die physiokratische Versuche in Baden" in *Zeitschrift für die Geschichte des Oberrheins*, n.s., vol. xxiv (1909) 601–27; Sivers, F. von, "Johann Georg Schlosser und Schlettwein" in *Jahrbücher für Nationalökonomie und Statistik*, vol. xxiv (1875) 1–15; Roscher, Wilhelm, *Geschichte der Nationalökonomik in Deutschland* (Munich 1874) p. 488–92.

SCHLOSS, DAVID FREDERICK (1850–1912), English economist and government official. Educated at Manchester Grammar School and Corpus Christi College, Oxford, Schloss was called to the bar in 1875. He took an active part in efforts to improve social and industrial conditions of the poor in London, particularly among the Jews. As a consequence of his study of sweated labor he supported and promoted trade unionism with the object of increasing the bargaining power of the workers, especially women, in sweated trades, and in 1881 he became treasurer of the East London Tailoresses' Union. His interest in raising standards of living led him to make a detailed study of methods of remuneration, and he is best known for his work in this field, notably for his book on *Methods of Industrial Remuneration* (London 1892, 3rd rev. ed. 1898). From 1893 onward he took an active part in the work of the newly formed Labour Department of the Board of Trade, of which he was appointed a permanent investigator in 1899; in 1907 he became director of the first Census of Production, although ill health prevented him from completing the census. Among valuable reports which he prepared for the Board of Trade that on conditions of immigration into the United States, which he had visited in 1893, deserves special mention; other official reports dealt with profit sharing, collective bargaining and copartnership. Schloss also wrote *Insurance against Unemployment* (London 1909) when national legislation on this subject was imminent. His interest in the problem of unemployment led to his appointment as one of the British commissioners to the International Congress on Unemployment held at Paris in 1910.

J. H. RICHARDSON

Consult: Flux, A. W., in *Economic Journal*, vol. xxii (1912) 636–38.

SCHLOSSER, FRIEDRICH CHRISTOPH (1776–1861), German historian. Schlosser studied theology at the University of Göttingen and was a candidate for the ministry. His universality of interests and his striving for encyclopaedic knowledge led him, however, to devote himself to history. In 1812 he was appointed to the chair of history at the Frankfort Lyceum and in 1817 he became professor of history at the University of Heidelberg.

Schlosser was a product of the German Enlightenment. His historical writing was greatly influenced by his study of Voltaire and his general thought by the moral philosophy of Kant and Rousseau. In all his numerous historical works, which covered the wide range of universal history, he exhibited a characteristic didactic and moralistic tendency. He considered it the task of the historian to act as a judge of the events and personalities of history and to elevate his readers to a more noble conception of life through ideal models from history. Schlosser was a decided opponent of the newer critical tendencies in historical writing developed by Niebuhr and Ranke. He attacked the premise of a science of history free from preconceptions and declared that every reader as well as every author brings to the consideration of historical problems his own philosophic and political ideas and systems.

One of the last German universal historians, Schlosser was favorably disposed to the cosmopolitan, liberal and democratic currents of his time. He did not restrict himself merely to the history of wars and princes but devoted some attention also to the lower classes. His work is significant moreover as one of the first attempts

to correlate literary currents with general political and social history. These characteristics had more far reaching influence than the pedantic and moral stringency which made his work so attractive to the German bourgeoisie. He founded no historical school, however, and of his famous pupils only Gervinus may be said to have carried on some of Schlosser's traditions.

HEDWIG HINTZE

Works: *Abälard und Dulcin* (Gotha 1807); *Leben des Theodor de Beza und des Peter Martyr Vermili* (Heidelberg 1809); *Geschichte der bilderstürmenden Kaiser des oströmischen Reichs* (Frankfort 1812); *Weltgeschichte in zusammenhängender Erzählung*, 7 vols. (Heidelberg 1815–41); *Universalhistorische Übersicht der Geschichte der alten Welt und ihrer Kultur*, 9 vols. (Frankfort 1826–34); *Geschichte des 18ten Jahrhunderts und des 19ten bis zum Sturze des französischen Kaiserreichs*, 9 vols. (Heidelberg 1836–49, 5th ed. 1864–66), tr. by D. Davidson, 8 vols. (London 1843–52); *Zur Beurteilung Napoleons* (Frankfort 1835); *Dante* (Leipsic 1855); *Weltgeschichte für das deutsche Volk*, 18 vols. (Frankfort 1844–56; 5th ed. by O. Jäger and F. Wolff, 20 vols., Stuttgart 1901–04).

Consult: Gervinus, G. G., *Friedrich Christoph Schlosser* (Leipsic 1861); Weber, Georg, *Friedrich Christoph Schlosser, der Historiker* (Leipsic 1876); Erdmannsdörffer, B., *F. Chr. Schlosser Gedächtnisrede* (Heidelberg 1876); Lorenz, Ottokar, in *Die Geschichtswissenschaft*, 2 vols. (Berlin 1886–91) vol. i, p. 1–89; Marcks, E., in *Heidelberger Professoren*, 2 vols. (Heidelberg 1903) vol. i, p. 287–94.

SCHLÖZER, AUGUST LUDWIG VON (1735–1809), German historian, statistician and publicist. Schlözer studied theology at the University of Wittenberg. In 1755 he went to Stockholm and later to Uppsala; while in Sweden he worked as a tutor, wrote on Swedish history and began his journalistic career as the correspondent of the *Postreuter* in Altona. After a brief period of studies at the University of Göttingen he went to Russia in 1761; here he became attached to the Russian Academy of Sciences and was appointed professor of Russian history. In 1769 he was named professor at the University of Göttingen, teaching history and later, as Achenwall's successor, statistics, jurisprudence, politics and journalism. Except for several prolonged leaves of absence for purposes of travel he remained in Göttingen until his death.

Schlözer is one of the most interesting personalities of the period of the Enlightenment. His researches in early Russian history and its sources laid the foundations for Russian historiography, and his emphasis on the cultural unity of Slavs exerted considerable influence on the pan-Slavist movement. He was perhaps the first to emphasize the demand for a universal history; advancing beyond the traditional method whereby history was regarded as a succession of kings and rulers, he insisted on the treatment of cultural factors and their interrelations in historical development. As a statistician he was essentially a follower of Achenwall, but he progressed beyond his master by pointing out the possibilities and importance of gathering statistics of the past and by placing greater stress upon statistical data pertaining to economic and social welfare. He defined history as statistics in motion; and statistics as history at a standstill. As an economist he leaned heavily on mercantilist doctrines, although he did not subscribe to the emphasis upon large populations. He rejected the theory of divine rights of kings but favored monarchy; the state he regarded as a man made institution designed to promote universal welfare. Finally, as publisher of the *Briefwechsel meist statistischen Inhalts* (Göttingen 1775), of the *Briefwechsel meist historischen und politischen Inhalts* (10 vols., Göttingen 1776–82) and of *Staats-Anzeigen* (18 vols., Göttingen 1782–93), Schlözer was one of the pioneers of German journalism and an outstanding champion of the freedom of the press. Indeed his contribution to the formation of public opinion in Germany may be considered his most important single achievement.

KURT ZIELENZIGER

Important works: *Farfök til en allmann historia am handel och sjöfart* (Stockholm 1758), tr. into German by T. H. Gadebusch (Rostock 1761); *Neuverändertes Russland*, 2 vols. (Riga 1767–68, new ed. 1771–72); *Historische Untersuchungen über Russlands Reichsgrundgesetze* (Gotha 1776); *Entwurf zu einem Reise-Collegio nebst einer Anzeige des Zeitungs-Collegii* (Göttingen 1777); *Statsgelartheit nach ihren Haupttheilen* (Göttingen 1793); *Kritische Sammlungen zur Geschichte der Deutschen in Siebenbürgen*, 3 pts. (Göttingen 1795–97); *Kritisch-historische Nebenstunden der Origines osmanicae* (Göttingen 1797); *Theorie der Statistik* (Göttingen 1804); Schlözer also translated and edited the "Chronicle of Nestor" as *Russische Annalen*, 5 vols. (Göttingen 1802–09).

Consult: *August Ludwig von Schlözers öffentliches und Privatleben*, ed. by C. von Schlözer, 2 vols. (Leipsic 1828); Zermelo, Theodor, *August Ludwig von Schlözer, ein Publizist im alten Reich* (Berlin 1875); Wesendonck, H., *Die Begründung der neueren deutschen Geschichtsschreibung durch Gatterer und Schlözer* (Leipsic 1876); Frensdorff, F., "Von und über Schlözer" in K. Gesellschaft der Wissenschaften zu Göttingen, *Abhandlungen*, Philologisch-historische Klasse, n.s., vol. xi (1908–09) no. iv; John, V., *Geschichte der Statistik*, pt. i (Stuttgart 1884) p. 98–114; Mohl, Robert von, *Die Geschichte und Literatur der Staatswissenschaften*,

3 vols. (Erlangen 1855–58) vol. ii, p. 439–59; Ikonnikov, V. S., *A. L. Schloezer, istoriko-biograficheski ocherk* (Historico-biographical sketch of Schlözer) (Kiev 1911).

SCHMIDT, AUGUSTE (1833–1902), German feminist. After an educational preparation which was thorough for a girl of her time Auguste Schmidt became a teacher, for a time in her native Breslau, then in Leipsic. In the latter city she attained distinction as director of a girls' school. Here she joined with Luise Otto-Peters in founding in 1865 the Allgemeiner Deutscher Frauenverein, the first feminist organization in Germany. These two pioneers also initiated in 1866 the publication of *Neue Bahnen*, for many years the leading journal of feminism. In 1890 Auguste Schmidt was again cofounder, this time with Helene Lange, of a very effective organization, the Allgemeiner Deutscher Lehrerinnenverein.

Auguste Schmidt was the first of the German feminists to use the rostrum to further the woman's movement. During the early years when public meetings were the chief means of feminist propaganda, her oratorical talent was much in demand. Because of her ability as a speaker she became for the time the key figure of feminism, maintaining for more than a generation her position as the outstanding platform representative of the movement.

Like the other German feminists of her generation, Auguste Schmidt did not agitate for the vote. Her interest in politics went only so far as the hope of effecting, by persuasion and petition, legislation directed toward a better social status for women. With Luise Otto-Peters she held that woman's position in society could be improved only if she became economically independent, and together they set up and defended the principle that women of the middle class be given work. Perceiving that better education was a prerequisite, they strove to secure proper secondary schooling for women so that they might qualify for professional training. It was in fact this aspect that first attracted her as a teacher to feminism and led her eventually to join forces with that valiant educator Helene Lange.

HUGH WILEY PUCKETT

Important works: *Aus schwerer Zeit. Erzählungen für Jung und Alt* (Leipsic 1895, 2nd ed. 1902); *Louise Otto Peters* (in collaboration with Hugo Rösch, Leipsic 1898); *Veilchen. Novellenstrauss* (Leipsic 1868).

Consult: Lange, Helene, in *Frau*, vol. ix (1901–02) 577–82; Friedrichs, Max, *Auguste Schmidt als Frauenrechtlerin* (Berlin 1904); Plothow, Anna, *Die Begründerinnen der deutschen Frauenbewegung* (5th ed. Leipsic 1907) p. 27–35; Schmidt-Gossrau, Martha, *Auguste Schmidt* (Leipsic 1933).

SCHMIDT, JOHANN KASPAR. *See* STIRNER, MAX.

SCHMOLLER, GUSTAV VON (1838–1917), German economist. Schmoller was the leader of the "younger" historical school. As professor of political science in Halle from 1864, in the newly established University of Strasbourg from 1872 and in the University of Berlin from 1882 he was the preceptor and prototype of many generations of students and administrative officials. He organized scientific studies, such as the volumes of the Verein für Sozialpolitik and *Staats- und sozialwissenschaftliche Forschungen*, edited the *Jahrbuch für Gesetzgebung, Verwaltung und Volkswirtschaft im Deutschen Reich* in 1880 and supervised the publication of the *Acta borussica* and the *Forschungen zur brandenburgischen und preussischen Geschichte*.

Originally a student of the English school of classical economics and of the older German historical school, particularly of Roscher, Schmoller early sought to cultivate the inductive method of the accumulation of historical and descriptive factual material and to develop the science of economics into a social science by bringing it into close interrelation with psychology, ethics, history, political science and sociology. Under the influence of the idealistic German philosophy, the "ethical pathos" of Fichte and Schiller, he conceived of political economy as a normative science of society (*Gesellschaftswissenschaft*) which should study the relations not only between man and material goods but also between man and his fellows. The economic order was to be regarded as only one aspect and integral part of the entire social life and as such was to be evaluated from an ethical point of view. The aim of social scientific studies was for Schmoller the causal and systematic explanation of social phenomena. Theory, however, required particularly a historical foundation, to be supplied by the collection and evaluation of empirical and historical facts; on the basis of such knowledge it could exert an increasing influence on the future course of events.

"Justice in the economic system" was to be realized through a paternalistic policy of social reform furthered by the state and all social groups. In his first study, in 1864, Schmoller already turned against the individualistic consideration of economic phenomena which looked

upon labor merely as a means of production exposed to exploitation. The labor problem, the existence of which was questioned by the "harmony dogma" dominating public opinion at the time, is an ethical as well as an economic problem. If the modern age is to avoid the ruin which terminated earlier epochs as a result of class conflicts, then egotism must be combated and the lower classes must be given an increasing share of cultural benefits. Since economic development can be directed by man, such a solution is possible. There are, to be sure, systematic laws of economic life; but they are not natural laws and there is no constant and normal form of economic organization transcending space and time. The idea that besides natural-technical factors there are above all psychological and ethical causes which determine the progressive advance of the economic order Schmoller developed notably in his famous polemic with the historian Heinrich von Treitschke, *Über einige Grundfragen des Rechts und der Volkswirthschaft* (Jena 1875; first published in *Jahrbücher für Nationalökonomie und Statistik*, vols. xxiii–xxiv, 1874–75), in which he presented the basic demand of a more equitable distribution of income as the guiding principle of social reform. Social science was to illuminate the path and provide the guide for the attainment of the objectives of social policy. This was the goal of the Verein für Sozialpolitik founded in 1872 by Wagner, Schmoller and others and directed by Schmoller from 1890.

In order to provide an empirical basis for economic theory Schmoller and his pupils initiated numerous historical studies. While Schmoller, at least in the later period, did not deny the necessity of deduction, he preferred the inductive method, believing that out of the empirical investigation of the manifold variety of events there would arise the general and typical science of economics which would supply the concrete basis for national policy. Schmoller's own studies in economic history include: *Zur Geschichte der deutschen Kleingewerbe im 19. Jahrhundert* (Halle 1870); the studies on the guild and municipal organizations of Strasbourg; the studies on Prussian constitutional, administrative and financial history; and the collection *Zur Sozial- und Gewerbepolitik der Gegenwart* (Leipsic 1890). While their overemphasis on historical research led the adherents of the historical school to neglect theoretical work in Germany, the model historical monographs contributed by Schmoller and his followers added greatly to the knowledge of economic history.

Schmoller's opponents are not justified in accusing him at once of relativism, historicism and dogmatism, although in his work there may frequently be noted a substitution of teleological values for empirical explanation of cause. It should be borne in mind that the ethical value judgments and political demands raised in the name of science are not the products of science. Furthermore Schmoller did not take into account the distinction set up by Windelband and Rickert between the monothetic principle which set out to state the general and the ideographic principle designed to depict the unique. The deductive psychological theorists, particularly of the Vienna school, called attention to the fact that the accumulation of facts was insufficient. Schmoller himself, however, was free from this onesidedness, although he often lacked systematic and theoretical precision. Max Weber, his superior in matters of theory, remarked the fact that the increased attention later devoted to economic theory would have been impossible without Schmoller's historical work.

HANS GEHRIG

Consult: Mombert, Paul, *Geschichte der Nationalökonomie*, Grundrisse zum Studium der Nationalökonomie, vol. ii (Jena 1927), especially p. 472–79; Lifschitz, F., *Die historische Schule der Wirtschaftswissenschaft* (Berne 1914) ch. v; Herkner, Heinrich, "Zur Stellung G. Schmollers in der Geschichte der Nationalökonomie," and Salin, Edgar, Below, Georg von, and Spiethoff, Arthur, "Zur Stellung G. Schmollers in der Geschichte der Nationalökonomie" in *Schmollers Jahrbuch*, vol. xlvii (1924) 3–10, and vol. xlviii (1924) 307–14, 315–19, 321–24; Gehrig, Hans, *Die Begründung des Prinzips der Sozialreform*, Sozialwissenschaftliche Studien, vol. ii (Jena 1914), especially p. 138–49, 169–78; Ingram, J. K., *A History of Political Economy* (new ed. London 1915); Small, Albion W., "The Schmoller-Treitschke Controversy" in *American Journal of Sociology*, vol. xxx (1924–25) 49–86; Schumpeter, Joseph, "Gustav v. Schmoller und die Probleme von heute" in *Schmollers Jahrbuch*, vol. l (1926) 337–88; Pfister, Bernhard, *Die Entwicklung zum Idealtypus* (Tübingen 1928). For a list of Schmoller's writings see *Handwörterbuch der Staatswissenschaften*, vol. viii (3rd ed. Jena 1911) p. 499.

SCHNEIDER, JOSEPH-EUGÈNE (1805–75), French industrialist. In 1836 Schneider bought the old but not very successful Creusot ironworks and developed them into what is still the largest metallurgical establishment in France. He foresaw that railroads and steamships would provide large markets for materials and immediately set up new plants and kept abreast of technical advances. By 1850 Schneider et Cie

was an integrated enterprise, manufacturing among other products rails, locomotives, steam engines and munitions. Its resources were revealed during the Crimean War, when Schneider was able to supply all the material needs of the French fleet. When in 1860 an Anglo-French commercial treaty established free trade between the two countries, Schneider reorganized his plants to meet the new competition; he was successful not only in this but also in invading the English market for locomotives and other products. Not the least important factor in Schneider's advance, in view of the close relations between government, munitions and the steel industry, was his political activity. He entered politics in 1845, served as minister of commerce in 1851, accepted the coup d'état of Louis Napoleon and was president of the Corps Législatif until the emperor's downfall in 1870. The Franco-Prussian War revealed that in the manufacture of munitions Krupp had outstripped Schneider.

Schneider introduced welfare work among his employees, including company houses, a savings bank and a primary school before the compulsory education law. In addition to its present dominance over the French iron and steel industry Schneider et Cie is closely allied with several of the great banks and has large interests in many other European countries.

GEORGES WEILL

Consult: Pinard, Ernest, *Discours prononcé aux funérailles de Schneider* (Paris 1875); Dredge, James, *The Works of Messrs. Schneider and Company* (London 1900).

SCHOLASTICISM. Since the Renaissance the term scholasticism has been restricted to the philosophic and theological systems of the Middle Ages. During the fifteenth century it was applied only to the movements of ideas originating in Europe, but more recently it has been extended to include other mediaeval philosophies and theologies—Jewish, Arab, Moslem, Hindu. Scholasticism as thus viewed is a phenomenon which appears at a particular stage of civilization when philosophy and theology are subjected to very rigorous systematization and logical exposition. From the point of view of internal order and clarity the theological and philosophical *summae* of the thirteenth century are models of their kind. Technical systematization, effected chiefly under the influence of Aristotle's *Logic* and *Metaphysics*, was developed not only in the West but also among the mediaeval Arabs of Bagdad and Cordova and among the Jews who lived under the enlightened rule of the Arabs. The rediscovery of the Aristotelian treatises produced the same effects everywhere. It was Aristotle who taught the neo-Latins, the Anglo-Celts and the Teutons how to discipline their thought. The present article, however, will be concerned chiefly with the scholasticism of the West.

For most historians the scholastic character of mediaeval philosophy is found in the subordination of philosophy to theology; this was characteristic of the mediaeval philosophies of western Christendom and of the Jews but was less marked among certain Arabic philosophers who assumed a freer attitude toward the Koran. Although the subordination of philosophy to Christian theology was real, it was nevertheless subject to very precise limits and did not hinder scholastic philosophy from developing a rational explanation of reality.

Before the ninth century philosophic writers, among whom Boethius was the most important, were merely continuing the traditions of Greece and Rome. In the ninth century there first appeared those authors who, even though they still remained under the influence of the ancients, were touched by the new mentality of the Celtic and Germanic peoples. The first and most distinguished of these was John Scotus Erigena (*c.* 800–877), author of *De divisione naturae*, a presentation of strong neo-Platonism accommodated to the doctrines of Catholicism. Scotus' fundamental principle is that there exists only one being that deserves entirely this name. It is God. All other beings are related to Him, as shadows to light, and hence are called *non entia*. Notwithstanding the ambiguous terminology which he uses, recent historians rightly refuse to consider Scotus a pantheistic monist. But his contemporaries and followers looked upon his system as integral monism, and this explains the opposition and condemnation to which he was subject.

From the ninth century on there was little preoccupation with the synthesis of Scotus. All attention was concentrated on the problems of logic posed in Porphyry's *Isagoge* and Aristotle's *Logic*. These texts occasioned the famous quarrel concerning universals and the extent to which universal notions corresponded to reality. After 1141, when Aristotle's other treatises became known, the discussions acquired greater scope and the scholastics occupied themselves not only with logic but also with metaphysics

and psychology. The protracted contests concerning universals throughout the tenth, eleventh and twelfth centuries were gradually brought to a moderate solution in the formulations of Abélard. This solution proclaimed that only individual beings are endowed with existence (*nihil est praeter individuum*) and that abstract notions are true but not adequate to embrace the individual. Abélard's formulae, taken up universally in the thirteenth century, were of considerable significance in that they proclaimed the pluralism of reality in metaphysics and intellectualism in psychology. They appeared at a time when feudal customs, chivalry and the growing bourgeois spirit were extolling the value of the individual and they were in perfect harmony with Christian morality, which recognizes the personality of each human being. Another form of pluralism was developed by Anselm of Canterbury at the end of the eleventh century in his doctrine that God, the Supreme Being, is transcendent to and in substance distinct from the created world. The name of Anselm has become associated also with the celebrated demonstration of the existence of God based on man's idea of a perfect infinite Being. The individualistic and pluralistic tendencies which invested each human being with distinct and autonomous individuality were embraced by the great majority of scholastics; this explains the cool reception accorded to monistic and pantheistic solutions.

Several essays in political philosophy also survive from this period. The most important of these is the *Policraticus* of John of Salisbury. Following Augustine, John made an ideal table of the qualities which a ruler should have; and although he did not speak of a pact between king and people, he did hold that the people were empowered to depose an unworthy ruler. Although dogmatic theology and canon law did not proceed directly from these philosophic currents, it is important to note the systematic works of the twelfth century, such as those of Peter Lombard in theology and of Gratian in canon law.

The thirteenth century was the golden age of scholasticism. The prodigious development of philosophy had its stimulus in the creation of the universities of Paris and Oxford, in the rise of the mendicant orders and above all in the introduction into the West, through Greek-Latin, Arabic-Latin and Hebrew-Latin translations, of the great treatises of Aristotle, which were unknown during the first period, the works of Proclus and those of Avicenna, Averroes, Avicebron and other masters of Arabic philosophy. The philosophic works of Avicenna, Averroes and Avicebron, inspired as they were by Aristotelianism, helped to insure the uncontested domination of Aristotle in mediaeval thought.

The culmination of mediaeval scholasticism was reached in the great philosophical syntheses of Albertus Magnus (*q.v.*) and Thomas Aquinas (*q.v.*). Aquinas fashioned Aristotelianism into a grandiose philosophic synthesis marked by balance and doctrinal solidarity. The independence of philosophy is here fully recognized and metaphysics is accorded first place. In this metaphysics, which proceeds from the pluralism of Abélard, the central theory is that of act and potency, or that of "being determined and being determinable." Individualism determines morality: every man has his end; he seeks his well being, which can be found only in the full development of his personality and formally in the expansion of his superior faculties of knowing and willing. The greatest of the theologians, Thomas Aquinas, gave to Christian dogmatics its rigorous systematization. He was interested in more than apologetics, for he showed that philosophy is adapted to the teaching of dogma. He held that there is a perfect equilibrium and a remarkable accord between reason and faith, philosophy and theology. Reason cannot contradict faith, for truth cannot reverse truth and the suprarational is not antirational.

This individualism is revealed also in the political and social ethics which are fully developed in such treatises as the *De regimine principum*. Since the group has no other *raison d'être* than to aid individuals in realizing their ends, it follows that the state exists for the good of its members and not vice versa. The state is made up of the combination of individuals. The people therefore are the depositories of sovereignty, which is divine in its origin; but they delegate this sovereignty most often but not necessarily to a prince who is to govern for the common material and spiritual welfare, and who may be deposed if he fails in his task. In the thirteenth century the citizens, because of insufficient organization, were unable to defend themselves against the failings of the kings. Papal intervention in domestic and foreign affairs was based in principle on the idea of popular guardianship which these circumstances made necessary.

Besides Thomas Aquinas there were a score of other noted personalities: Henri de Gand, Godefroid de Fontaines, Richard de Middleton

and above all Duns Scotus, who created a scholastic Aristotelianism *sui generis*.

A general view of the philosophy of the thirteenth century must take account of an important set of doctrines which were accepted by the great majority of thinkers through a sort of implicit accord. These include the distinction between philosophy and theology, compulsory subordination of the former to the latter, the pluralism of substantial beings, the ideas of actuality and potentiality and matter and form, the transcendence of an individual God, the distinction between sensation and thought and the dominance of the abstract notion. These doctrines form a *sententia communis*, or common philosophic heritage, in harmony with the basic tendencies of an age which affirmed its need of unity, uniformity and internationalism in all domains and which under the omnipotent direction of the Catholic church accepted one faith and practised one religion.

In the world of philosophy the outstanding event of the fourteenth century was the emergence of new trends in scholasticism in the form of nominalism, or terminism, called *via moderna* in opposition to *via antiqua* (Thomism and Scotism). Stemming from Thomas Aquinas and Duns Scotus these systems, despite the fact that they were hailed by large groups, were not able to rival the nominalism inaugurated by Durand of Saint-Pourçain and developed by William of Ockham (*q.v.*). They were extreme in emphasizing the real value of individual beings. William of Ockham shook off completely the scholastic metaphysics and paved the way for idealism. If abstract notions do not attain reality, then the notions of moral law, of obligation, of virtue, have no further bearing on real conduct and morality ceases to be rational. If the principle of causality is reduced to a fiction, it cannot serve to reach God. The existence and attributes of God are thus matters of faith and not of reason. The links between theology and philosophy have been severed, and philosophy can no longer render any service to theology. With William of Ockham the doctrinal heritage built up during the thirteenth and fourteenth centuries begins to be dissipated.

The political, religious and social events of the fourteenth century, which included the insurrection of the Germanic emperors and kings against the papacy, the rise of national sentiment and the Great Schism, provided an impetus for vigorous discussion concerning the organization of state and church. New political and religious ideas began to be circulated. They did not overthrow the principles of the thirteenth century as crystallized in the works of Thomas Aquinas, but they did offer new and daring applications of these principles. Thus emancipation from papal tutelage was justified by the new situation. For the sovereign people, becoming aware of their prerogatives in each state, no longer needed the protection of the papacy against the royal abuse of authority. It was held that the pope had no right to participate in international affairs and defenders of empire definitely broke with the thirteenth century notion, expressed notably by Dante, of an entente of the two supermonarchs, spiritual and temporal. The thesis of the national monarchy and royal rights advanced by the jurists and the discussions occasioned by the Great Schism were all developments of the Thomist theory of the state. For just as sovereignty in the state was held to rest with the people, so the faithful and not the pope were regarded as the sovereign power in the church. The fact that none of the agitators of the fourteenth century denied the moral character of sovereignty and the necessity for rulers to care for the spiritual needs of their citizens indicates that the nationalist doctrines of the fourteenth century were mediaeval still in spirit. The same approach is revealed in the social doctrines of Antonino of Florence, who was inspired by the new economic developments, particularly the rise of Italian commerce.

Other movements of ideas apart from nominalism helped to weaken the scholastic tradition. The most important of these was Averroism, which made some progress in Italy. Speculative mysticism, either in the individualist expression of Tauler, Suso, Ruysbroeck and Gerson or in the pantheism of Blommardine, engendered vast movements of ideas which tended to divert attention from the controversies of the schools, focusing all interest on the direct relation of the soul with God and paving the way for the rupture of Protestantism with the ecclesiastical hierarchy.

For a variety of reasons scholasticism became discredited in the Renaissance of the fifteenth and the Reformation of the sixteenth century as well as in the period of the great astronomical and physical discoveries of the sixteenth and seventeenth centuries. The Renaissance philosophers, notably the humanists, turned against the barbaric language and subtleties to which William of Ockham's nominalism had given rise. Inspired by various manifestations of national-

ism, there emerged a new public law opposed to the mediaeval conceptions. Machiavelli extolled the humanist theory of the state while disregarding the spiritual welfare of the citizens. Thomas More and Grotius proclaimed the religious indifference of the state and advocated the toleration of all religions. The new Protestantism broke with scholasticism in the sense that individual interpretation of dogma and Scripture was brought into harmony with philosophies totally different from scholasticism, such as neo-Platonism, stoicism or pantheism. It was in Protestant centers that the theory of the divine right of kings first took shape. This theory was irreconcilable with the mediaeval theory of the delegation of power from the people to the king. As for the men of science, they heaped ridicule on the scholastics and the Aristotelians, who despite all the new discoveries still sought to preserve the false conception of the universe as formulated by Aristotle and accepted for many centuries.

Either through ignorance or through weakness the scholastics did not defend themselves against the assaults of their adversaries. Not only were they unaware that their metaphysics was a thing apart from Aristotelian physics or astronomy, but they neglected to acquaint themselves with the philosophy of their opponents so that they could meet them in discussion. Furthermore, with the exception of some brilliant neoscholastics in Italy and Spain, they became increasingly ignorant of their own philosophy. Void of metaphysics nominalism, or terminism, disappeared forever. On the other hand, Thomism and Scotism, which retained very many doctrinal reserves, were never abandoned. During the seventeenth and eighteenth centuries they led a desultory existence in ecclesiastical circles, awaiting the day when they should once more come into their own.

The renaissance of scholasticism came about in the nineteenth century. It received a vigorous impetus in Catholic countries when Leo XIII in his famous encyclical *Aeterni Patris* recommended the study of Thomism and traced the outlines for a neoscholasticism. The words of the pope did not create the movement, they merely accelerated it. If scholasticism had not preserved some values, it could not have been a *philosophia perennis*. Two factors assured its success. On the one hand, while it remained faithful to the old spirit of scholastic Aristotelianism, which was always a philosophy of facts, it accepted as its foundation the observations of the new natural and social sciences. On the other hand, it was alert in following the contemporary systems in its attempt to keep up with them and to show that it did not hesitate to place its own solutions alongside those of its antagonists—Kantianism, positivism, neorealism, idealism. The University of Louvain became one of the principal centers of neoscholasticism and Cardinal Mercier its guiding spirit. Other groups were formed in Paris, Rome, Fribourg, Bonn, Munich and in the New World.

MAURICE DE WULF

See: PHILOSOPHY; LOGIC; NATURAL LAW; RELIGIOUS INSTITUTIONS, CHRISTIAN, section on ROMAN CATHOLIC; EDUCATION, section on HISTORY.

Consult: Wulf, Maurice de, *Histoire de la philosophie médiévale*, 2 vols. (5th ed. Louvain 1924–25), tr. by E. C. Messenger (London 1925–26), and *Introduction à la philosophie néo-scolastique* (Louvain 1904), tr. by Peter Coffey as *Scholasticism Old and New* (Dublin 1907); Stöckl, Albert, *Geschichte der Philosophie des Mittelalters*, 3 vols. (Mainz 1864–66); Bühler, Johannes, *Die Kultur des Mittelalters* (Leipsic 1930); Troeltsch, Ernst, *Die Soziallehren der christlichen Kirchen und Gruppen*, his Gesammelte Schriften, vol. i (3rd ed. Tübingen 1923), tr. by O. Wyon, 2 vols. (London 1931); Weber, Max, *Gesammelte Aufsätze zur Religionssoziologie*, 3 vols. (2nd ed. Tübingen 1922–23), vol. i tr. by T. Parsons as *The Protestant Ethic and the Spirit of Capitalism* (London 1930); Kraus, J. B., *Scholastik, Puritanismus und Kapitalismus* (Munich 1930); O'Brien, G. A. T., *An Essay on Mediaeval Economic Teaching* (London 1920); Schreiber, Edmund, *Die volkswirtschaftlichen Anschauungen der Scholastik seit Thomas von Aquin*, Beiträge zur Geschichte der Nationalökonomie, no. i (Jena 1913); Jarrett, Bede, *Social Theories of the Middle Ages, 1200–1500* (London 1926).

SCHÖNBERG, GUSTAV FRIEDRICH VON (1839–1908), German economist. Schönberg belonged to the "younger" historical school of economics, which under the leadership of Gustav Schmoller (*q.v.*) combined historical investigation with the treatment of concrete economic problems, emphasizing especially problems of social policy. Schönberg saw the goal of all scientific endeavor in social reform, which, as indicated in his *Die sittlich-religiöse Bedeutung der sozialen Frage* (Stuttgart 1876), he conceived not merely as an economic but as an ethico-religious problem whose solution constitutes the chief task of the state. In his *Arbeitsämter: eine Aufgabe des Deutschen Reichs* (Berlin 1871), for instance, he argued that the complex of relations between employer and employee transcends the private interests of the individuals concerned and urged the establishment of government organs charged with the task of supervising the

whole field of industrial relations. Schönberg's historical works include *Zur wirthschaftlichen Bedeutung des deutschen Zunftwesens im Mittelalter* (Berlin 1868), in which he formulated, but not very successfully, a theory that the organization of guilds was a reaction to competitive abuses of a previously existing system of free private enterprise; and *Die Finanzverhältnisse der Stadt Basel im XIV. und XV. Jahrhundert* (Tübingen 1879), an elaborate study of the financial relations of the city of Basel which, followed by a study of its commercial development by Geering and of its monetary history by Harms, provided the key to the study and understanding of the economic history of other German cities. At a time when systematic and theoretical treatment of economics was being neglected and when the rapidly mounting volume of specialized factual information exceeded the capacity of the individual scholar, Schönberg was the first in Germany to bring together the accumulated knowledge bearing on all problems of economics in the *Handbuch der politischen Ökonomie* (2 vols., Tübingen 1882; 4th ed., 3 vols. 1896–98), which he edited and which, besides his own articles on problems of trade and social policy, contained contributions from the outstanding authorities in Germany.

EDGAR SALIN

SCHOOLS, PUBLIC. *See* EDUCATION.

SCHOPENHAUER, ARTHUR (1788–1860), German philosopher. Schopenhauer was the son of a prosperous Danzig merchant. He traveled widely in his youth and studied at Göttingen, Berlin and Jena. After an unsuccessful attempt at teaching in the University of Berlin he settled in Frankfort in 1831, where he lived in solitude until his death.

Schopenhauer's condemnation of life is the key to his entire system. His condemnation is based on a subjective theory of knowledge joined to a voluntaristic metaphysics. Time, space and causality are the veil of Maya behind which is an eternal Will that makes for unappeasable yearnings and endless sufferings. The recognition of the nature of the Will, however, can lead to its denial and thus to liberation. Aesthetic experience and philosophic contemplation offer to the exceptionally gifted momentary escapes from the tortures of the Will. A more general denial of the Will can be brought about by sympathy and especially by asceticism. If these solutions can be viewed as flights from life's practical problems, then the uniqueness of Schopenhauer's philosophy may be seen in that it incorporates both the theoretic and the practical shades of pessimism.

Schopenhauer's social and political philosophy follows from his pessimism. Since time and space are illusions and human striving is futile, no development is possible, history is meaningless and there is no science of history. In the age of Darwin, Hegel and Marx, Schopenhauer denied evolutionary development and significant social change, declaring that all struggle is fruitless. Because of the inner dissonance of the Will human nature is ineradicably evil and egotistic and the affirmation of the Will produces a condition of *bellum omnium contra omnes*. This same egotism leads to the formation of the state. The state is merely a protective institution against the more disastrous consequences of egotism. Opposing Hegel's notion of the state as the divine expression of justice Schopenhauer argues that the state exists because there is injustice. Poverty, slavery, unemployment and wars, Schopenhauer admits, are due to luxury enjoyed by the few. Yet luxury makes culture and technical development possible. The large masses remain eternally immature and require a leader. Women too are both intellectually and morally inferior. Schopenhauer argues therefore for the values of an absolute, hereditary monarchy and defends the system of private property. No government, however, can do away with all evils; evils are due to the very nature of existence.

Schopenhauer's philosophy belongs definitely to the period of reaction after 1848. This perhaps explains the fact that his work was not hailed until the 1850's (thirty years after publication). The unhistorical, pessimistic and quietistic temper of his philosophy was unsuited to a rising bourgeoisie and to a period dominated by Hegelian ideology. After 1848, when Hegelian evolutionary optimism lost its appeal to the frustrated middle classes, Schopenhauer's subjectivism and pessimism offered the consolation that life was but a dream and that unhappiness was not due to individual or social factors but was an inevitable issue of a world ruled by an inescapable metaphysical demon. To the tired radical and philistine Schopenhauer held out the attraction of passivity and repose, to the aesthete the idea of release in contemplation, to the devout the solace of sympathy. And asceticism in the form of frugality could be shown as a means of alleviating economic hardship. While Schopenhauer termed Kant's categorical imperative

a slave morality, his own ethics called for acceptance and acquiescence. Schopenhauer himself did not practise what he taught. Likewise he suggests that the philosopher and genius must have material security to be able to preach chastity and poverty. The practise of the latter is left to the "saint" and to the masses, who are the "clockworks of nature." Thus Schopenhauer was able to unite the idea of voluntary poverty with a defense of private property and economic exploitation.

Schopenhauer left no school of philosophy behind him. His influence was much more diffuse. He became in time one of the most widely read philosophers and he left his impress on such widely divergent writers as Hartmann, Mainländer, Bahnsen, Nietzsche, Wagner, Tolstoy, Richard Dehmel and Thomas Mann.

HARRY SLOCHOWER

Works: *Sämtliche Werke*, ed. by Paul Deussen, vols. i–vi, ix–xi, xiii–xv (Munich 1911–33); Schopenhauer's *Die Welt als Wille und Vorstellung* has been translated by R. B. Haldane and John Kemp, 3 vols. (6th ed. London 1907–09).

Consult: Volkelt, J. I., *Arthur Schopenhauer* (5th ed. Stuttgart 1923); Hasse, Heinrich, *Schopenhauer*, Geschichte der Philosophie in Einzeldarstellungen, vol. xxxiv (Munich 1926); Whittaker, Thomas, *Schopenhauer* (London 1909); Ruyssen, Théodore, *Schopenhauer* (Paris 1911); Damm, Oskar, *Schopenhauers Rechts- und Staatsphilosophie* (Halle 1900); Simmel, Georg, *Schopenhauer und Nietzsche* (3rd ed. Munich 1923); Petraschek, K. O., *Die Rechtsphilosophie des Pessimismus* (Munich 1929).

SCHOULER, JAMES (1839–1920), American historian and legal writer. Schouler graduated from Harvard College in 1859, taught for a year at St. Paul's School at Concord, New Hampshire, and after having served for a brief time in the Northern army took up the practise of law at Boston in 1863. He specialized successfully in war claims, which he made the subject of his first essay in legal literature. Schouler promptly became a prolific author of legal treatises and in 1871 began the publication of the *Jurist*, a quarterly law journal. He lectured on law subjects at the Boston University Law School, the National University at Washington and at Johns Hopkins.

Schouler was early attracted to history and in 1873 began to write his *History of the United States of America under the Constitution*, his seven-volume magnum opus (New York 1880–1913). His high ideals and painstaking methods are revealed in various essays published in his *Historical Briefs* (New York 1896) and in the "Biography" printed in the same volume. Equally significant was the wide range of his historical interests, exemplified in two biographies, *Thomas Jefferson* (New York 1893) and *Alexander Hamilton* (Boston 1901), as well as in countless papers and articles. He covered American political history penetratingly but largely from a legal point of view, neglecting the social and economic forces, which only recently have begun to receive the attention they merit. His conclusions were often colored by his close attachment to his father, who as a Whig and Republican editor and a Civil War adjutant general of Massachusetts lived in the thick of the stirring political events of the period. Like others of the New England group of historians Schouler often disregarded the institutions and forces that operated in the South. Yet he worked zealously to be both thorough and fair and, when the Andrew Johnson papers were at length made available, added his concluding volume, in which he sought to present a better and more favorable understanding of the statesmanship of the Tennessee tailor.

ARTHUR C. COLE

Other important works: *A Treatise on the Law of Domestic Relations* (Boston 1870, 6th ed. by A. W. Blakemore, 3 vols., Albany 1921); *The Law of Personal Property* (Boston 1872, 5th ed. Albany 1918); *A Treatise on the Law of Bailments* (Boston 1880, 3rd ed. 1897); *A Treatise on the Law of Husband and Wife* (Boston 1882); *A Treatise on the Law of Wills* (Boston 1887, 6th ed. by A. W. Blakemore, 4 vols., Albany 1923); *Constitutional Studies* (New York 1897); *Eighty Years of Union* (New York 1903); *Americans of 1776* (New York 1906); *Ideals of the Republic* (Boston 1908).

Consult: Stanwood, Edward, "Memoir of James Schouler" in Massachusetts Historical Society, *Proceedings*, vol. liv (1922) 283–88.

SCHRADER, EBERHARD (1836–1908), German Assyriologist. Schrader was born in Brunswick, studied at Göttingen under Heinrich Ewald and taught at the universities of Zurich, Giessen, Jena and Berlin. His first writings, *Studien zur Kritik und Erklärung der biblischen Urgeschichte* (Zurich 1863) and a revision of De Wette's *Lehrbuch der historisch-kritischen Einleitung in die . . . Bücher des Alten Testaments* (8th ed. Berlin 1869), were concerned exclusively with Old Testament history. During his stay in Zurich, however, Schrader became interested in cuneiform studies. Although such studies had originated with Friedrich Grotefend in Germany, they had been carried over to England and France and were completely neglected in Germany. Schrader brought Assyriology

back into Germany and all German Assyriologists are either directly or indirectly, through his great pupil, Friedrich Delitzsch, indebted to him. The first fruits of his work with cuneiform inscriptions were two important studies which appeared in the *Zeitschrift* of the Deutsche Morgenländische Gesellschaft, "Die Basis der Entzifferung der assyrisch-babylonischen Keilinschriften geprüft" (vol. xxiii, 1869, p. 337–74) and "Die assyrisch-babylonischen Keilinschriften, Kritische Untersuchung der Grundlagen ihrer Entzifferung" (vol. xxvi, 1870, p. 1–392), in which he collected, sifted and elaborated the results of the researches of Hincks, Rawlinson and Oppert. His important contribution consisted in the fact that, unlike the work of most of his predecessors, his texts were accompanied by a scientific transcription and a glossary. As a theologian he was most interested in the light which these inscriptions shed on the Old Testament. This was the main theme of his most famous work, *Die Keilinschriften und das Alte Testament* (Giessen 1872; 3rd rev. ed. by H. Zimmern and H. Winckler, Berlin 1903; tr. from 2nd ed. by O. Whitehouse, 2 vols., London 1885–88). His *Keilinschriften und Geschichtsforschung* (Giessen 1878) was a decisive answer to the assault on the new science of Assyriology by Alfred von Gutschmid in 1876. In this work Schrader not only effectively answered the attack of his opponents but also presented some very valuable special studies on the geography, history and chronology of the Assyrians. In collaboration with several friends and pupils he published the *Keilinschriftliche Bibliothek* (Berlin 1889–1915), consisting of six volumes of translations of historical, legal and religious texts.

BRUNO MEISSNER

Consult: Zimmern, Heinrich, in Sächsische Gesellschaft der Wissenschaften, Leipsic, Philologisch-historische Klasse, *Berichte*, vol. lx (1908) 195–205; Bezold, Carl, in *Zeitschrift für Assyriologie*, vol. xxii (1909) 355–65; Meyer, Eduard, *Kleine Schriften* (Halle 1910) p. 525–38.

SCHREINER, OLIVE EMILIE ALBERTINA (1855–1920), South African writer and feminist. Olive Schreiner, daughter of a German missionary and an Englishwoman, passed most of her life in Africa, although she lived for some years in England. In her youth she was influenced especially by the writings of Mill and by Herbert Spencer's *First Principles*. She made her name with *The Story of an African Farm* (London 1883), and in that early work may be found evidence of her large hearted idealism and her respect for human dignity and the rights of the individual as well as the expression of ideas —agnostic, feminist and liberal—which she later developed more fully. Her disbelief in a personal God and her natural clearheadedness made her from the first approach the problems of life and society in a scientific and unconventional spirit, at that time most exceptional in a woman. In London she joined the Fellowship of the New Life, which counted among its members Edward Carpenter and her most intimate friend, Havelock Ellis. In *Woman and Labour* (London 1911) she asserted that a general attempt on the part of the women of any society to readjust their position in it implies that change is necessary and desirable. Important in the history of feminism, this book preaches that men and women should be equal and equally recompensed for labor and that woman must claim "all labour" for her province. Olive Schreiner's feminism and her talent as a writer find their highest expression in the unfinished novel *From Man to Man* (published with an introduction by S. C. Cronwright-Schreiner, London 1926). In political matters she invariably took the side of the weak and oppressed. She protested against persecution of the Jews, pointed out that if justice and mercy were denied to the natives of South Africa the union might in the end prove dangerous, sympathized with the Boers in their struggle against British imperialism and in both the South African War and the World War was a determined pacifist.

WILLIAM PLOMER

Other works: *Dreams* (London 1891); *Dream Life and Real Life* (London 1893); *Trooper Peter Halket* (London 1897); *The South African Question* (Cape Town 1899); *Thoughts on South Africa* (London 1923).

Consult: Cronwright-Schreiner, S. C., *The Life of Olive Schreiner* (London 1923); *The Letters of Olive Schreiner 1876–1920*, ed. by S. C. Cronwright-Schreiner (London 1924); Wellington, Amy, *Women Have Told* (Boston 1930) p. 91–111.

SCHRÖDER, RICHARD (1838–1917), German jurist. Schröder taught successively at Bonn, Würzburg, Strasbourg, Göttingen and Heidelberg and was one of the leading Germanists of his time. His fame rests upon two great works. The first is his *Geschichte des ehelichen Güterrechts in Deutschland* (2 vols. in 4 parts, Stettin 1863–74), based upon a tremendous collection of sources, which Schröder

employed to trace the history of the law of marital property as it existed in Germany in all its bewildering variety in the period both of the folk laws and of the law books. He sought to show that the oldest system of marital property was that of the so-called "administrative community," in which the husband had the administrative control and beneficial enjoyment of the wife's property, a system which has been established as the statutory regime under the present German Civil Code.

Schröder's second great work is his *Lehrbuch der deutschen Rechtsgeschichte* (Leipsic 1889, 6th–7th ed. by Eberhardt von Künssberg, Berlin 1932), the most complete account in German legal literature of the development of German law, public and private, in its entirety, from the early Germanic period to 1870. Schröder was especially qualified to make this synthesis by virtue of his previous publication of extensive studies of many phases of Germanic law, particularly as revealed by Frankish and Saxon sources. Apart from his work in maritime law and the marital property law of the German Civil Code, Schröder did not evince much interest in the dogmatic exposition of modern German law.

HANS FEHR

Consult: Stutz, Ulrich, in *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte*, Germanistische Abteilung, vol. xxxviii (1917) vii–lviii.

SCHROEDER, FREIHERR WILHELM VON (1640–88), Austrian cameralist. In 1673 Schroeder, a convert to Catholicism, entered the service of Emperor Leopold I, on whose behalf he made his second trip to England to study economic conditions and to establish a market for Austrian goods. He succeeded Becher as director of the government factory on the Tabor in Vienna and eventually became ministerial adviser in the Hungarian cities of Szepes and Pressburg. Schroeder ranks with Becher and Hornigk among the outstanding formulators of Austrian mercantilistic policy. His general political views, so extreme in their endorsement of absolutism that the University of Jena banned his *Dissertatio de ministrissimo* (Jena 1663) and denied him the doctor's degree, were strongly influenced by Hobbes, although he rejected the contract theory in favor of divine right. In his principal economic treatise, *Fürstliche Schatz- und Rent-Kammer* (Leipsic 1686), he insisted upon the subordination of all economic activity to the interests of prince and state but stressed no less vigorously the interdependence between the wealth of the prince and that of the people. He accepted the common mercantilistic identification of wealth with the quantity of gold and silver in the country and in order to enhance this quantity advocated the artificial production of gold and the complete exploitation of mines, even when unprofitable. Although he had an inkling of the idea of balance of payments, he subscribed essentially to the theory of the balance of trade, according to which the import and export of gold must be balanced with goods. He opposed all foreign loans and followed Thomas Mun in condemning the policy of prohibiting exports of money. It was also under the English influence that he became the first German to support the free coinage of gold and silver.

Schroeder was aware that in addition to the quantity of money the natural fertility of the soil and the industry and ingenuity of the inhabitants were factors in national wealth. As aids in the regimentation of national resources he suggested an inventory of all manufactures and a kind of statistical tabulation of all enterprises. His specific schemes included the promotion of agriculture, if need be even by enforcing slavery; the stimulation of industry by the destruction of the guilds and creation of a governmental factory; and the facilitation of trade by the establishment of fairs, warehouses, emporiums and exchanges, an efficient postal system, a bureau of information and a news bulletin in which merchants and artisans could advertise their wares. He also faced the problem of insuring a plentiful supply of money and credit for productive purposes, drawing up a scheme for a bank, which should issue against pledge merchandise promissory notes partaking of the nature of banknotes and warehouse certificates.

KURT ZIELENZIGER

Consult: Srbik, Heinrich von, "Wilhelm von Schröder: ein Beitrag zur Geschichte der Staatswissenschaften" in Akademie der Wissenschaften, Vienna, *Sitzungsberichte*, Philosophisch-historische Klasse, vol. clxiv (1910) pt. i; Hatschek, H. J., *Das Manufakturhaus auf dem Tabor in Wien*, Staats- und socialwissenschaftliche Forschungen, ed. by G. Schmoller, no. 24 (Leipsic 1886); Zielenziger, Kurt, *Die alten deutschen Kameralisten*, Beiträge zur Geschichte der Nationalökonomie, no. 2 (Jena 1914) pt. ii, ch. vi; Small, Albion W., *The Cameralists* (Chicago 1909), especially ch. vi; Sommer, Louise, *Die österreichischen Kameralisten*, Studien zur Sozial- , Wirtschafts- und Verwaltungsgeschichte, pts. xii–xiii (Vienna 1920–25) pt. ii, ch. ii; Hönig, Fritz, "Schröders Bankprojekt" in *Zeitschrift für Volkswirtschaft und Sozialpolitik*, n. s., vol. ii (1922) 489–533.

SCHUBART, JOHANN CHRISTIAN, EDLER VON KLEEFELD (1734–87), German agronomist. Schubart first occupied various minor posts in private and governmental service, but upon his acquisition of the Würchwitz estate in 1769 he devoted himself entirely to agriculture. His model estate soon became a center of attraction for agronomists and landowners, and he himself acquired a reputation as the outstanding practical agriculturist of his times; his essay "Abhandlung über die verschiedenen Eigenschaften und den vorteilhaftesten Anbau der Futterkraüter" (in Akademie der Wissenschaften, *Praktische Anleitung zum vorteilhaftesten Anbau der Futterkraüter*, Berlin 1783) was awarded a prize by the Prussian Royal Academy of Sciences in 1783. Schubart held that the greatest fault of contemporary German agriculture consisted in the one-sided development of the three-fallow system. He sought to get an increased supply of fodder and manure by the planting of red clover and other types of fodder plants on the fallow land. He looked upon the prevailing field system with its compulsory pasturage services and its *Flurzwang*—that is, the practise whereby landowners of a particular area were obliged to plant the same crops and maintain a uniform period of sowing and harvesting—as the "greatest defect and pest of agriculture" and sought to remedy them by proposals for gradual improvement leading eventually to their complete abolition; he initiated the practise of summer stall feeding of cattle and sheep. Schubart was an ardent champion of peasantry and frequently pleaded with the landowners and authorities to improve the status of German peasants.

AUGUST SKALWEIT

Works: *Ökonomisch-kameralistische Schriften*, 6 vols. (Leipsic 1783–86).

Consult: Langenthal, C. E., *Geschichte der teutschen Landwirtschaft*, 4 vols. (Jena 1847–56) vol. iv, p. 375–445; Goltz, Theodor von der, *Geschichte der deutschen Landwirtschaft*, 2 vols. (Stuttgart 1902–03) vol. i, p. 358–69.

SCHULZE-DELITZSCH, HERMANN (1808–83), German cooperative leader. He was born Hermann Schulze in the small Saxon city of Delitzsch, of which he was later to become deputy, and he added to his family name that of his birthplace. The son of a judge, he took up a legal career. In 1848 he represented his city in the Prussian National Assembly and as one of the leading liberals was repeatedly disciplined by the Prussian government, which dissolved the Assembly by force in 1849. The economic distress of the years preceding 1849 and the failure to secure any remedy by political means turned his attention to methods of relief through voluntary association. His first activities in 1847 were in the field of welfare organization: he founded a friendly society for sick relief and an organization to help the artisans of his city in the cooperative purchase of raw materials. In 1850 he established the first of the loan banks, which within two years became completely self-supporting. Thereafter he devoted himself wholly to the founding of cooperative credit societies, which multiplied rapidly. In 1859 he founded a central organization of cooperatives, of which he served as director and counselor until his death. His legal training, his ability as administrator, writer and orator and his great popularity fitted him for the role of founder of the German cooperative movement.

In making the transition from welfare societies to cooperative self-help associations Schulze-Delitzsch took almost no guidance from the theories of cooperation current outside of Germany. The English cooperative consumers' movement was little known or esteemed prior to 1850, and Schulze-Delitzsch rejected the better known schemes for producers' cooperatives of the early French socialists because of their dependence on state aid or direction. Instead, in the spirit of humanitarian liberalism, he advocated the cooperative as an instrument to aid the needy and at first regarded as a cooperative every form of organized self-help, including the trade unions and workers' cultural societies. Although he intended the cooperative organization which he fostered to include all vocations and sections of the population and to comprehend eventually consumers' and producers' as well as credit societies, the movement which he headed drew the greatest part of its membership finally from the urban petty bourgeoisie. After 1860 under the influence of Lassalle, who as a disciple of Louis Blanc advocated state aided producers' cooperatives and sharply attacked Schulze-Delitzsch's economic liberalism, the socialists among the working class held aloof from his societies. The rural classes were drawn to the Raiffeisen societies, which, although they owed much to the program of Schulze-Delitzsch, introduced innovations to meet the particular needs of the small peasantry.

Nevertheless, Schulze-Delitzsch not only furnished the initial impetus and the commercial

foundation for the German cooperative movement as a whole but also secured the legislation that gave it legal status. In 1867 he obtained from the Prussian government the first cooperative law, which in 1889 was converted into an imperial law permitting limited liability to all forms of cooperative societies. As a liberal member of the Prussian Chamber of Deputies from 1861 to 1875 and of the imperial Reichstag from 1881 until his death, he defended from government attacks not only the cooperative societies but the movement for popular culture and trade unionism.

ERNST GRÜNFELD

Works: *Schriften und Reden*, ed. by F. Thorwart and others, 5 vols. (Berlin 1909–13), with biography by F. Thorwart, vol. v.

SCHULZE-GÄVERNITZ, FRIEDRICH GOTTLOB (1795–1860), German agriculturist and economist. After a juristic training at the University of Leipsic and practical experience as agriculturist on his ancestral estate of Obergävernitz in Saxony, Schulze-Gävernitz in 1819 began to teach cameralistics at the University of Jena, where he soon became full professor. In 1826 he founded an agricultural institute attached to the university, which was the first of its kind in Germany. From 1835 to 1839, while he was professor at the University of Greifswald, he established a similar institute.

Schulze-Gävernitz is significant not so much for his purely scientific researches as for his fruitful activity as a university teacher and above all for his work in shaping the organization of higher agricultural schools in Germany. Contrary to current tendencies to create separate technical schools, he gave impetus to the movement to make agricultural instruction an organic part of the universities. He believed that agricultural science should strive to perfect the economic life of the people not only in respect to their material needs but also as regards the higher aims of human life, and consequently he held that the agriculturist should be equipped with the same amount of general education as the members of the academic professions. He insisted that higher agricultural instruction should provide for instruction in political economy, which he considered a "psychological and ethical science," as well as in the applied natural sciences.

AUGUST SKALWEIT

Important works: *Über Wesen und Studium der Wirtschafts- und Cameralwissenschaften* (Jena 1826); his series, Deutsche Blätter für Landwirtschaft, Nationalökonomie und Politik, comprises *Über den deutschen Kornhandel und die deutsche Volksbildung*, vol. i, pt. 2/3 (Jena 1845), *Thaer oder Liebig?*, vol. i, pt. 4/5 (Jena 1846), *Die Arbeiterfrage nach den Grundsätzen der deutschen Nationalökonomie*, vol. ii, pt. 1/2 (Jena 1849), and *Die deutsche Zuckerfrage*, vol. ii, pt. 3/4 (Jena 1850); *Nationalökonomie oder Volkswirthschaftslehre, vornehmlich für Land- , Forst- und Staatswirthe* (Leipsic 1856); *Lehrbuch der allgemeinen Landwirthschaft* (Leipsic 1863).

Consult: Schulze-Gaevernitz, Hermann, *Friedrich Gottlob Schulze-Gävernitz . . . ein Lebensbild* (new ed. Breslau 1888); Roscher, W., *Geschichte der Nationalökonomik in Deutschland* (Munich 1874) p. 832–40; Goltz, Theodor von der, *Rede zur Feier des 100. Geburtstages von Fr. Gottlob Schulze* (Jena 1895).

SCHURTZ, HEINRICH (1863–1903), German anthropologist. Schurtz studied under Ratzel at the University of Leipsic, where he began his professional career in 1891 as a *Privatdozent* in geography and ethnography. Two years later he became assistant at the Städtisches Museum für Natur- Völker- und Handelskunde in Bremen, remaining attached to this institution for the rest of his life. Schurtz did no field work in anthropology; his many books were prepared through literary research.

While, as a disciple of Ratzel, Schurtz could not ignore the arguments in favor of diffusion, he was still to some extent under the influence of a schematic evolutionism and he did not clearly recognize the resultant inconsistency. His main contribution to anthropological thought is embodied in *Altersklassen und Männerbünde* (Berlin 1902). This was the first work to recognize the very significant part played in primitive societies by clubs, age grades and secret organizations; thus it supplemented earlier treatises on primitive society which had laid stress exclusively on the family and clan as the social units of ruder levels. Contemporary anthropology has revised his judgments that the age grades of the uninitiated, of initiated single men and of elders were potentially universal and were the earliest forms of age gradings from which more numerous gradings were subsequent elaborations, but the book has lasting value as one of the classics in theoretical ethnology. Schurtz' *Urgeschichte der Kultur* (Leipsic 1900), although based largely on data which are now antiquated, can still be consulted with profit, since an equally comprehensive survey of culture has not yet been published.

ROBERT H. LOWIE

Other important works: *Grundzüge einer Philosophie der Tracht* (Stuttgart 1891); *Das afrikanische Gewerbe*

(Leipsic 1900); *Grundriss einer Entstehungsgeschichte des Geldes*, Beiträge zur Volks- und Völkerkunde, vol. v (Weimar 1898).

Consult: Lowie, R. H., *Primitive Society* (New York 1920) ch. xi; Ratzel, Friedrich, in *Deutsche geographische Blätter*, vol. xxvi (1903) 51–63.

SCHURZ, CARL (1829–1906), American political leader and reformer. Schurz was born in the Rhineland, took part in the Revolution of 1848 and came to the United States in 1852. In 1856 he settled in Wisconsin, where he at once threw in his lot with the young Republican party. His skilful canvass for Lincoln among the German-Americans of the northwest gained him national attention, and despite his youth he was rewarded with first the Madrid legation and then the command of a brigade in the northern armies. In 1863 he was made a major general. Schurz' refusal to remain a party regular, however, prevented his rise to eminence in Republican councils. He led the Liberal Republican revolt against Grant in 1872, was an outstanding figure in the Mugwump attack on Blaine in 1884 and supported Cleveland in 1892 and Bryan in 1900. His public offices were limited to the United States senatorship from Missouri (1869–75) and the secretaryship of the interior under Hayes (1877–81). In an age when American political morality was at its lowest, Schurz' devotion to the cause of reform was all the more striking; and for more than a generation, using as his media the popular lyceum platforms of the day and the columns of the various journals which he edited, he was always the first to sally forth against every oppressive force and evil faction in American public life. Schurz was the inspirer and leader of the movement for the establishment of the merit system in the civil service; he was the first public protector of the Indians; he could justly lay claim to being the father of the conservation movement; he fought the pension clamor of the Grand Army of the Republic; and he was a champion of oppressed nationalities in the American oversea possessions. Although Schurz always was the foe of political corruption, he was silent, however, on the question of social and economic exploitation. He evinced no interest in the cause of labor and never attacked the monopolist policies of organized industry; the unrest of the western and southern farmers he viewed as merely a misguided agitation for soft money.

LOUIS M. HACKER

Works: *Speeches, Correspondence, and Political Papers of Carl Schurz*, selected and ed. by Frederic Bancroft, 6 vols. (New York 1913); *Reminiscences*, 3 vols. (New York 1907–08); *Life of Henry Clay*, 2 vols. (Boston 1887).

Consult: Fuess, C. M., *Carl Schurz, Reformer (1829–1906)* (New York 1932); Schafer, Joseph, *Carl Schurz, Militant Liberal*, Wisconsin State Historical Society, Publications, Wisconsin Biography Series, vol. i (Evansville, Wis. 1930); Easum, C. V., *The Americanization of Carl Schurz* (Chicago 1929); Dannehl, Otto, *Carl Schurz, ein deutscher Kaempfer* (Berlin 1929).

SCHWARZENBERG, FREIHERR JOHANN VON (1463–1528), German lay judge and penal law reformer. Schwarzenberg, a descendant of a prominent family of Frankish knights, was one of the finest representatives of his period, which was one of transition in law, culture and faith. He was an ardent supporter of the Reformation. He was outstanding also as military leader, as statesman, especially in connection with the decisive assemblies of the Reichstag of 1521, 1522 and 1524, and as popular moralist. His greatest fame, however, rests upon his work as a legislator.

As the highest secular official of the court of the bishop of Bamberg he presided over his judicial tribunal from 1501 to 1524. In this capacity he became acquainted with the legal uncertainty and arbitrariness of the period of the reception, in which the invading Roman-Italian-canonical law was contending for supremacy with the native mediaeval Germanic law, and also with the inability of the lay judges to cope with the situation. Schwarzenberg was thus led to create in 1507 the *Halsgerichtsordnung* for the bishopric of Bamberg (*Constitutio criminalis bambergensis*), a unification of criminal law and procedure. In a masterful manner he succeeded in reconciling the Germanic with the foreign law so as to meet the necessities of the time and in embodying the result in clear and vigorous language comprehensible to the layman, especially the lay judge.

For centuries Schwarzenberg pointed the way for the development of the German criminal law. The *Bambergensis* was widely disseminated in Germany and met with great practical success. When in 1521 the Reichstag at Worms determined to formulate a unified imperial criminal law, the *Bambergensis* was the model which made successful execution of this project possible. The new imperial law, the *Peinliche Gerichtsordnung Karls V.* (*Constitutio criminalis carolina*) of 1532, is no more than an improved version of the *Bambergensis*. Thus Schwarzenberg in reality became the creator of the first and

only German imperial criminal code to be enacted until 1870, when a penal code was adopted for the whole territory of the newly established German Empire. His work still stands as the great and unique legislative monument of the old Reich at the point of its transition from the Middle Ages to modern times.

ROBERT VON HIPPEL

Consult: Herrmann, Emil, *Johann Freiherr zu Schwarzenberg* (Leipsic 1841); Wagner, Johannes von, *Johann von Schwarzenberg; ein Lebens- und Geschichtsbild* (Berlin 1893); Scheel, Willy, *Johann Freiherr zu Schwarzenberg* (Berlin 1905); Stintzing, R. von, and Landsberg, E., *Geschichte der deutschen Rechtswissenschaft*, 3 vols. (Munich 1880–1910) vol. i, p. 612–17; Schröder, Richard, *Lehrbuch der deutschen Rechtsgeschichte*, ed. by Eberhard von Künssberg (7th ed. Berlin 1932) sect. 83; Hippel, Robert von, *Deutsches Strafrecht*, 2 vols. (Berlin 1925–30) vol. i, sect. 14; and literature cited in these last three works.

SCHWARZENBERG, PRINCE FELIX VON (1800–52), Austrian statesman. Schwarzenberg entered the army in 1818 and the diplomatic service in 1824. He saw service in St. Petersburg, Lisbon, London, Paris and at several Italian courts and returned to Vienna shortly before the October Revolution of 1848. He was named prime minister on November 21, 1848. The major tasks which confronted him were to lead the struggle against the revolution, to revise the Austrian constitution, to strengthen the position of Austria in the empire and to assert its rank as a European great power. The struggle against the revolution was carried to a successful conclusion in 1849. His goal as to Austria's position in the empire was the incorporation of the entire Austrian state with its German and non-German territories into the German Empire. Austria was to become the leading power in the new empire, the head of a strong politically and economically united central Europe which could assert itself on an equal plane with all other great powers and work with them for the cultural and economic development of Europe. He wished to organize the new Austria as one undivided unit, discarding all political and economic boundaries and constitutional variations. During his struggle against the revolution in Hungary he proceeded cautiously in the German question and sought to join with Frederick William IV against the aspirations of the Frankfort National Assembly. This attempt failed. The relations with Prussia became more tense despite Frederick William IV's decline of the imperial crown, since Prussia refused to admit Austria's superior position as maintained by Schwarzenberg. As soon, however, as the revolution in Hungary had been suppressed, Austria's position in Italy had been made secure and the National Assembly had lost its significance, Schwarzenberg pushed forcefully his plan to bring the entire Austrian state into the German Empire. He put forth various proposals as substitutes for the formation of a narrower German Confederation. All these plans, however, met with the opposition of Prussia and the smaller states as well as with the hostility of the western powers, especially France. Although his plan of a greater Germany under Hapsburg leadership was not realized, he was able for some time to prevent the formation of a smaller German union, and Austria's leading position in the German Confederation was restored. Schwarzenberg thereupon turned to Austria's internal problems. As long as he had worked for the inclusion of all the Austrian possessions in the German Empire he considered it useful to give Austria a constitutional system of government. Now, however, he turned to absolutism. Schwarzenberg considered absolutism as an indispensable weapon against all foreign and domestic enemies of the Hapsburg rule. At the end of 1851 the constitution of March 4, 1849, which had never been put into effect, was formally suspended and the unrestricted imperial power proclaimed.

ALFRED FRANCIS PRIBRAM

Consult: Berger, A. F., *Felix Fürst zu Schwarzenberg* (Leipsic 1853); Friedjung, Heinrich, *Österreich von 1848 bis 1860*, 2 vols. (3rd ed. Stuttgart 1908–12); Heller, Edward, *Mitteleuropas Vorkämpfer Fürst Felix zu Schwarzenberg* (Vienna 1933); Redlich, Josef, *Das österreichische Staats- und Reichsproblem*, 2 vols. (Leipsic 1920–26), especially vol. i. p. 323–54; Springer, A. H., *Geschichte Österreichs*, 2 vols. (Leipsic 1863–65) vol. ii.

SCHWEIGAARD, ANTON MARTIN (1808–70), Norwegian jurist, economist and politician. Schweigaard studied in Norway, Germany and France and taught law and economics at the University of Christiania, where he held a professorship from 1840 until his death. Except for an early philosophical treatise in which he attacked German philosophy, particularly that of Hegel, his writings were concerned with juridical and economic problems. As a jurist he eschewed system building and philosophizing and always endeavored to give a concrete factual treatment of the problems concerned. As an economist he may be considered an adherent of the classical school, although he did not subscribe to the one-sided theories on distribution

current in the later writings of the school. His best contributions to economics are in the field of monetary and banking problems; some of his earlier writings contain a brilliant defense of monetary devaluation.

Schweigaard's greatest achievements, however, are in the field of economic policy. From 1842 until his death he represented Christiania in the Storting, where as the leading authority on economic matters he initiated important economic legislation. He was the most outstanding figure in the free trade movement and in 1842 successfully sponsored the first liberal tariff in Norway. He took a most active part in the general economic development of his country and through his guiding influence made the largest single contribution to the expansion of Norwegian industry and commerce.

WILHELM KEILHAU

Consult: Vinje, A. O., *Om Schweigaard* (Christiania 1870); Keilhau, Wilhelm, in *Det norske folks liv og historie*, vol. ix (Oslo 1931) p. 164–69; Hertzberg, Ebbe, *Professor Schweigaard i hans offentlige virksomhed 1832–1870* (Christiania 1883), and in *Nordmaend i det 19de aarhundrede*, ed. by G. Gran, 3 vols. (Christiania 1914) vol. i, p. 322–52; Löchen, Arne, "A. M. Schweigaard's Filosofi" in *Edda*, vol. xii (1919–20) 1–36. A complete list of works by and about Schweigaard is given in *Norsk forfatterlexikon 1814–18*, vol. v (Christiania 1901) p. 199–211.

SCHWEITZER-ALLESINA, JOHANN BAPTIST VON (1833–75), German politician. Schweitzer, a member of an aristocratic Catholic family of Frankfort, was trained by the Jesuits and studied law. Drawn into the struggle for German unification, he at first turned for leadership to clerical Austria but soon came to rest his hopes in the revolutionary initiative of the entire German people. This change was signalized by the composition of his chief work, *Der Zeitgeist und das Christenthum* (Leipsic 1861), in which he supported the thesis that both Catholicism and Protestantism were incompatible with the democratic spirit of the age and must perish with monarchy. Siding with the anti-Prussian, democratic faction against the Nationalverein (founded 1859) Schweitzer sought to strengthen his position by winning the support of the working classes. The swerve to the left thus initiated was completed when the bourgeoisie ostracized him for immoral conduct. He then aligned himself with Lassalle and with the latter's approval founded in Berlin the first Social Democratic daily, the *Socialdemokrat* (1864–71). As editor of this paper Schweitzer achieved a commanding influence over the labor movement during the years of tumult and internal division which followed Lassalle's death in 1864. He kept alive and welded into a strategic force the *Allgemeiner deutscher Arbeiterverein* and became its president in 1867. In the same year he entered the North German Reichstag as the first Social Democrat to sit in a German parliament. His acceptance of the Bismarckian process of unification became the ostensible pivot of his struggle with Liebknecht and Bebel, who continued but with greater fanaticism the anti-Prussian policy which had been characteristic of Schweitzer himself in his pre-Lassallean period. Liebknecht and Bebel opened a campaign to destroy the *Allgemeiner deutscher Arbeiterverein* and its dictator, Schweitzer, and thus to prepare the way for the creation of a socialist party in harmony with their own conceptions. By a vigorous propaganda presenting him as a hireling of Bismarck they gradually so undermined his influence that he withdrew from political life and became a writer of successful comedies. Schweitzer may, however, be regarded as the creator of the parliamentary method of the Social Democratic party as it was finally consolidated. By descent an Italian, he had derived his early training as a political thinker from the writings of Machiavelli and was a strategist of unusual ability. He was, however, by nature a *condottiere* and in directing the workers' movement he was motivated more by personal ambition than by conviction.

GUSTAV MAYER

Consult: Mayer, Gustav, *Johann Baptist von Schweitzer und die Sozialdemokratie* (Jena 1909); Mehring, Franz, *Geschichte der Sozialdemokratie*, 4 vols. (12th ed. Berlin 1922) vols. iii and iv.

SCIALOJA, ANTONIO (1817–77), Italian economist and statesman. Scialoja was born in the Kingdom of Naples. After considerable study on his own initiative he came under the direction of his uncle, the economist Matteo de Augustinis. His first important scientific work, *I principî della economia sociale, esposti in ordine ideologico* (Naples 1840, 3rd ed. Turin 1848), published when he was only twenty-two years of age, won him sudden fame both in Italy and abroad. It did not expound new theories but displayed a firm grasp of the classical doctrines and a logical and terse language and arrangement. The book was influential in introducing the ideas of Ricardo and Malthus into Italy. In 1846 King Charles Albert of Sardinia called Scialoja to the reinstituted chair of economics

at Turin, where he was a very successful teacher.

Scialoja's political career began when he became minister of agriculture and commerce during the brief constitutional interval in Naples in 1848. With the reaction he was kept in protective arrest for three years and then sentenced to nine years' imprisonment, but on the intercession of Napoleon III the sentence was commuted in 1852 to perpetual exile. Cavour then gave him a legal post in connection with the government of Piedmont. In his pamphlet *Carestia e governo* (Turin 1854) he defended Cavour's unpopular policy of free trade in grain as a curb on high prices. His celebrated pamphlet *Note e confronti dei bilanci del Regno di Napoli e degli stati Sardi* (Turin 1857) compared the two governments in various respects, notably in their financial systems, to the complete disadvantage of Naples.

With the liberation and unification of Italy Scialoja assumed a prominent place in public affairs. He was minister of finance for Naples under Garibaldi's dictatorship and again under Victor Emmanuel. He represented Italy in the negotiation of the liberal commercial treaty of 1863 with France. From 1865 to 1867 he was finance minister of Italy. Although he had always condemned paper money, the financial pressure of the war with Austria forced him to abandon the gold standard and institute legal tender paper money. He attempted to replace the land tax by a capitalized redeemable tax on land and an income tax to apply to income from land as well as from all other sources, but he failed because of the strong opposition of the landed interest. From 1872 to 1874 he served as minister of education, resigning over the opposition to his proposal for free and compulsory primary education. His last work was his attempt, begun in 1876, to reorganize the corrupted public finances of Egypt.

LUIGI EINAUDI

Other economic works: *Trattato elementare di economia sociale* (a résumé of the *Principî*) (Turin 1848); *Riordinamento dei tributi diretti* (Florence 1867).

Consult: Cesare, Carlo de, *La vita, i tempi e le opere di Antonio Scialoja* (Rome 1879); Cesare, R. de, *Antonio Scialoja: Memorie e documenti* (Città di Castello 1893); Loria, Achille, "Nel centenario di Antonio Scialoja" in *Nuova antologia*, 6th ser., vol. cxcix (1919) 357–76; Ricca-Salerno, Giuseppe, *Storia delle dottrine finanziarie in Italia* (2nd ed. Palermo 1896) p. 533–35.

SCIENCE. By etymology the term science is generally applied to any discipline of knowledge or body of systematic principles and more especially to disciplines whose principles are universally accepted or have reached the greatest perfection, as, for example, the physical sciences. This definition does not permit one to speak of science as a unity but only as a generic name for a number of independent and highly diverse disciplines. Fortunately it is possible to frame another definition based on a historical analysis of the development of the various sciences in human culture; and this definition, which greatly limits the denotation of science, does make it permissible to regard science in a certain sense as an organic unity, expressing the same method in all its branches and manifesting its effects on social and cultural life as a single force. Historically the great development of mathematics and the natural sciences and the subsequent application of some of the features of these sciences to the analysis of social facts reveal a natural community between these branches of knowledge, which does not extend to other disciplines, sometimes also called sciences, such as theology, ethics, metaphysics and philosophy. It is thus possible to limit the term science to the first named group of disciplines and to attempt to characterize the unity of nature and purpose which lies behind them.

The characteristic outlook of the selected group of sciences is not merely the quest for knowledge in any sense of the term but the quest for a certain type of knowledge. These sciences, or this science, may be said to look for knowledge in terms of which man may envisage the future course of phenomena unrolling themselves or capable of unrolling themselves before his perception and on the basis of which he may alter future arrangements of phenomena to suit his practical interests. Science may be defined as a far flung system of knowledge couched in terms which allow it to serve as a theoretical basis for practical technique. It was in practical physical technique that man first came to appreciate the need of a grasp or representation of the universe of perception in terms of fixed entities and relations which could be relied upon to stay put in time. What science has done is to develop this cognitive, or theoretical, moment of technique on its own account, independently of the practical moment of action which in technique follows the theoretical grasp of the situation. The term mechanism which is generally used to characterize the scientific representation is a telltale reminder of the identity of the scientific outlook with the cognitive moment of practical technique. Needless to say, the scope of science

is not limited to the theory required by man's immediate practical interests or even his immediate practical perspective, first, because all theoretical research, as the very condition of its utility for practise, must transcend the immediate practical perspective and, secondly, because the amenability of the universe to this quasi-technical or mechanistic analysis has encouraged man to build up a vast structure in which he takes pride for its own sake.

The inclusion on the one hand of mathematics and on the other hand of the social sciences in the same category with the natural sciences requires a certain explanation. Mathematics is often regarded as dealing with the timeless logical world of essences and therefore as belonging in a class quite different from the sciences which deal with the laws of nature. However, the definition of science here given has stressed the character of science as a representation, or schema, for anticipating the future course of phenomena and not at all as a body of laws directly governing reality. And when science is considered as a methodological system of approach, it is obvious that mathematics becomes an integral, although highly specialized, part of that system of approach. The same methodological—as opposed to ontological—interpretation of science is calculated to remove the difficulties in the way of putting the social sciences under the same roof with the natural or physical sciences. In the endless controversies that have been stirred up in recent years on this subject the real problem has hinged on the fact that the natural sciences, conceived as embodying the absolute laws of reality, have been characterized by mechanism and deterministic predictability, whereas people have hesitated to consign the field of human and social sciences on an exclusive basis to ontological mechanism and determinism. But on a methodological interpretation of science, and hence of scientific mechanism, it is not necessary to force all aspects of social reality into scientific mechanism as if it were a bed of Procrustes into which all must fit and nothing hang out. Scientific mechanism may be applicable to social reality so long as there is a static, stable factor in that reality to support it; but the application of scientific mechanism does not ipso facto exclude the existence of other manifestations of social reality not intelligible in terms of mechanism or the existence of other approaches and disciplines which have developed from these non-mechanistic aspects.

These implications will become clearer upon analysis of the epistemological conditions and limitations governing the scientific approach to reality, as well as of the relation of the scientific approach to other approaches which the human mind can and does take toward the same reality. This type of analysis is popularly branded as "metaphysical" and is regarded as distasteful; but if one accepts the naïve belief that science represents an absolute and exclusive view of reality, it becomes manifestly impossible to speak of the social or cultural relations of science, since everything true is inside science and the false is irrelevant. It is only when it is recognized that science is not all embracing and that it represents but one among several human activities, all conditioned by the structure of the human endowment and by the structure of the universe in which the human endowment functions—only then is it possible to speak of the place of science in human culture, both historically and in the present.

Human experience as a whole may basically be divided into the consciousness or experience of percepts, that is to say, sense images reflected on a perceptual screen, and the consciousness or experience of subjective activity. Correlative with the latter is the consciousness of transubjective activity, or activity in other subjective centers, elicited in the fundamental fact of social communication. Both of these types of data—the perceptual and the subjective, or spiritual—are given in the relation of emanating from an underlying reality not present as such in immediate consciousness. In a clarified and reflective human experience it comes to be realized that there is one section or field of this underlying reality for which man possesses only one peephole, that through sense perception. This is the field of inanimate physical reality. On the other hand, as man turns first to the field of biological reality and then to human reality, he observes the development of a second peephole in addition to the perceptual which provides data of a different order. In the biological field the second peephole and its type of data are found only in a very rudimentary fashion: it is just barely possible for man to enter into social communication with animals and to appreciate the existence of a limited factor of subjective dynamic activity in them. But in the human field the second peephole and its data become overwhelmingly important, overshadowing the significance of the perceptual peephole and its data.

In the field of physical experience or reality the regularity of the sense images causes man to

qualify the underlying reality as static and material and ultimately leads him to the constitution of mechanistic schemas as the best way of anticipating the sense images or phenomena which emanate from that reality. Although in loose speech these mechanistic schemas are called the laws of that reality, a faithful examination of the scientific process reveals that they fall far short of the mark. What one actually beholds is a dualism consisting of the shifting panorama of sense experience and a set of scientific schemas seeking to anticipate important characteristics of the sense panorama. The schemas are never confirmed or rejected once and for all in experience but have to be referred to experience as the very condition of their growth and development. All in all one may say that these schemas, never proof against the surprises of future experience, provide an important grip on the future, and one which moreover it seems still possible to extend in many directions.

As one turns to the biological field, one is forced to recognize that mechanistic schemas developed from perceptual data, while still applicable and capable of further development, manifest a certain loss of grip. The ability to extrapolate schemas for considerable periods of time without reference to experience is lessened; the complication of empirical phenomena is so great that schemas cannot be made so comprehensive that they do not omit important conditions. These facts are indeed disputed by many scientists, but only because, sharing as they do the ontological conception of science, they are afraid to admit such evidence lest it be regarded as rendering biological science impossible. On the other hand, a sober philosophic examination of the case would recognize that the loss of grip on the part of mechanistic schemas in biology correlates itself with the revelation of a second type of factor (absent in physical reality), that of dynamic subjectivity.

From the same viewpoint it is only to be expected that in dealing with human beings mechanistic schemas although applicable and relevant would have even less grip than they have in biology. Only a dogmatist would expect a schema of external behaviorism to be applicable with complete prediction to the human individual's outward manifestations. Moreover it must be pointed out in this connection that the field of the human and social sciences is far from being limited to the application of a loose mechanistic physiology or physics to individual human beings. Most of their subject matter derives from psychological acts and acts of transsubjective social communication. These, while they have a physical-sensory side, by means of which they are identified in space and time, are basically unintelligible without reference to the internal psychological context. An act of economic exchange, the signing of a contract, is of course meaningless if taken as a purely sensory perception. On the other hand, if such acts are perceived in their psychological relation, they may form the material for the application of the same formal type of mechanistic schemas as is utilized in the physical sciences. Economics as a mechanistic science is sometimes said to rival physics in the grip of its prediction as well as in its abstract mathematical development. However, what is forbidden to the physicist is certainly not permitted to the economist or the psychologist: he cannot erect his schema of deterministic prediction into an ontological determinism. For in human and social phenomena it is possible to go behind the scenes of reality (as is not possible in physical experience) and examine into the conditions behind the production of phenomena. Such an examination reveals that the psychological forces which create the phenomena in question by no means behave always in the static and stable fashion necessary to make the resulting sciences completely predictional. The human psyche, which represents a disturbing dynamic factor by reference to the stability of physical experience and material facts, itself breaks up into a relatively stable phase and into a superdynamic spiritual phase, which whatever else it does certainly troubles the stable and regular order of psychological and socio-psychological phenomena.

From this spiritual phase of the human psyche, or rather from the whole dynamism involved in the polarization into two phases, there derive all the so-called "value" activities of man: ethics and the social organization of human activities, religion, aesthetics and even science itself, taken from the purely human and intellectual side. But while science, reflecting as it does the disciplining of the cognitive need manifested in physical technique, develops static or material concepts, the other activities, when they undergo an intellectual development, create concepts of a different order: spirit, ideal, purpose. Since both sets of concepts often point to the same reality, although to different aspects, it is obvious that great care has to be exercised to prevent confusion of thought and intellectual working at cross purposes. This has to be

guarded against not only in the case of opposing disciplines, like economics and ethics, but even more so in the case of those mixed social disciplines—jurisprudence, for example, and other disciplines pertaining to social administration—where the static scientific approach and the normative moral approach have to be utilized alternately by the same person in the same course of study.

On the basis of this analysis of the place of scientific thought and scientific approach in the human psychological endowment it is possible to trace intelligently the historical development of science and its interplay with other phases of culture. At the very outset one is confronted with the great puzzle as to why science should have had such a late development. Although religion, social organization, material technique and even the fine arts have a continuity reaching back perhaps hundreds of thousands of years into the past, the thread of science does not go back more than four or five thousand years at the very most. And even the greatest part of this history pertains primarily to mathematical and astronomical science. As applied to natural and physical phenomena science cannot be said to have become constituted before the seventeenth century; and its era of intensive development dates only from the nineteenth century, from which period, approximately, also dates the development of clearly crystallized scientific methods in the social fields. It is not a question of a slow accumulation of scientific facts in the early stages of culture with an increasing acceleration of progress in the later stages: primitive culture reflected an antiscientific tendency, an inherently false approach, which had to be outgrown before science and scientific progress could begin.

The late development of science finds its explanation in the complexity of the human mental instrument, in the multiple facets of approach toward experience which it contains and in the inevitable confusion in the early attempts to articulate this remarkable endowment of man. The gift of consciousness did not come down from heaven with explicit directions for its use, and anthropologists have therefore wisely remarked that under the precarious conditions of primitive life consciousness was not an unmixed blessing for man. If consciousness extended man's technical grip on the physical world, it did so only in specific concrete problems where man could lean to a great extent on the subconscious guidance of his instinctive endowment. Removed from this earthly support consciousness operated to spread an atmosphere of fear and hallucination about the outside world—with its inevitable reaction in the development of a sense of intimacy with the fictitious creations of the subjective imagination.

Instead of primitive technique developing rapidly from invention to invention and later breaking up into a specialized theoretical science and an applied science, or technology, one finds in primitive life technique developing in its more ambitious phases into magic, which may be characterized as an illusory technique resting upon a fallacious knowledge. Its leading ideas are often designated under the headings of mana and animism. The first reflects the inability on the part of primitive man to make a clear distinction in his conscious experience between the subjective and the objective: the magician believes that by sheer effort of will and without spatial manipulation he can constrain not only his own muscles and his own body but the objects of external perception as well, and he believes also that these objects themselves possess a non-mechanical, "mystical" causality. Animism, which seems to come at a later stage in primitive thought, after success in the technical manipulation of external phenomena has crystallized the sense of an objective world with static material properties, exists for the savage both in the conception of indwelling spirits, with dynamic and capricious properties, inhabiting all objects—sticks and stones as well as men and animals—and in the belief in disembodied spirits roaming the world at large and manipulating phenomena like a puppet show. It is easy to see how these ideas suggested themselves from psychological and psycho-sociological experience, in which the interest of the primitive like that of a child is more keen and intimate. But the application of such ideas to the physical world could not be more unfortunate in its results. Not only are such ideas basically unsuited to the characteristics of physical experience, but they deprive the mind of the possibility of attaining true ideas by creating the illusion of being confirmed by experience. It is part of the essence of mystical causality that its effects are uncertain and unpredictable, and it is similarly in the nature of spirits that unseen they can always interfere with the plans of mice and men. Thus if a magician's experiments did not produce the material effects looked for, the fault was not ascribed to his theories but to the mystical contamination of some of his materials,

the capriciousness of some evil spirits or the malevolence of other magicians. It took humanity a long, long time to come to the realization that not only were mechanistic principles, principles of spatial causation with entities whose properties stay fixed in time, the ones appropriate to physical experience, but that in problems of detail they alone laid themselves open to verification or rejection in experience, and in case of rejection, to the revision of the detailed structure in the light of the suggestions of experience.

In addition to the vicious circle involved in the fundamental presuppositions behind magic it must be remembered that there was an all important institutional force which served to perpetuate these ideas, although with a different end in view. This is religion, whose historical function has always been to exalt the higher subjective energies of men and to maintain the social fabric by emphasizing the participation of the individual in an invisible world from which the collectivity depended.

Primitive religion of course can scarcely be said to have had a very clear conception of the spiritual, either intellectually or morally. Its intellectual stock in trade represented the same confounding of the objective and the subjective, the material and the psychological, which characterized magic, and its program hardly differed from magic save in its social aims. Religion sought to constrain and wheedle the spirits and invisible forces for the benefit of the group, the magician for the benefit of the individual. At the same time religion as the guardian of social safety became the censor of any new ideas or activities which might conceivably offend the invisible spirits or gods. Thus the religious institution, although always hostile to magic as an illicit individualistic communication with the extraordinary forces of the universe, served to perpetuate the mentality on which magic depended. This relationship continued as late as the Middle Ages, when the scholastic philosophers took an attitude not of condemning the belief in magical powers but of condemning the resort to them for magical aims.

Before a scientific mentality could emerge, there was required a long and slow transformation of the physical and institutional conditions of culture. The accumulated progress of the technical arts, necessarily slow not only because it took place without the aid of science but also because it took place under the shadow of magic, eventually effected a certain translucency in the intellectual atmosphere. At the same time the progress of social organization, effected with or without a development of religious ideas and always subject to sudden interruptions and reversions as a result of wars, created a class with sufficient leisure and curiosity to carry on disinterested inquiry at least in certain directions. This state of things corresponds to that of the great civilizations of Egypt and Babylonia. In both of these civilizations in the midst of a general magical mentality there existed a highly developed mathematical science, which went far beyond the needs of practise and which above all, whether used in practise or not, was intellectually effective. It is interesting to analyze the sources of this mathematical science, embracing not only arithmetic but also geometry. Both of these phases of mathematical science, which was one day to become the corner stone of the whole vast intellectual transcription of experience, have their roots in technique not only in the sense of representing problems suggested by technique and solutions that may be utilized therein but in the very special sense of being intellectually guided by a skeletonized type of technique. The history of the number concept reveals its roots in concrete numeration: in the telling off of objects in a one to one correspondence against a set of standard objects. Because of the simplicity and uniformity of these operations, the play of cognitive consciousness could follow them and assimilate them in such a manner that it could carry them forward in imagination with full confidence that the results of the imagined action would correspond with the results of physically repeated action. A similar development was operative, although at a much later stage, with regard to the tracing of lines and figures which could be superimposed on concrete objects to determine their size and shape. These too became subject to imaginative mental analysis and gave birth to geometry. The extent of development of numerical and geometrical analysis, once the start was made, depended of course on conditions of leisure and interest in the subject. One is amazed to find that Babylonian priests as early as 2500 B.C. had advanced in the analysis of numerical operations to the point where they were carrying on a regular algebra with solutions of simultaneous quadratic equations in two unknowns. As regards geometry their science embraced at least an implicit knowledge of the properties of the Pythagorean theorem—two thousand years before Pythagoras.

All this extraordinary mathematical development in Babylonia (and the lesser but equally significant development in Egypt) failed to have any rational repercussion on the prevailing general mentality. In Babylonia it may be said to have combined with magical and superstitious ideas to foster an intense development of star omens, or astrology. This curious discipline developed a remarkable core of positive astronomical science within a framework of gross superstition. Both were passed on to Greece and the European tradition after the entry of Alexander the Great into Babylon. The astrological tenets continued to flourish throughout Roman and mediaeval times. They helped to preserve the interest in mathematical astronomy —but at the price of contributing to the degradation of the general mentality.

The type of scientific contribution represented by Egypt and Babylonia has been repeated several times, in China and Japan, India and among the Mayas of North America. It serves as concrete evidence to show that the potentialities of science are not confined to any one people but may properly be regarded as belonging to the patrimony of the whole human race. In actual historical fact, however, only one civilization has been able to produce a fully developed scientific tradition, and this is the so-called western civilization which traces its origin to Greece.

The historic importance of the Greeks from the point of view of science lies in two directions. In the first place, they laid down the program and formal outline for the whole encyclopaedia of knowledge, including not only the positive sciences, which form the subject of the present article, but the philosophical and intellectual disciplines as well. In the second place, they built up and developed to marvelous perfection geometry as a rational and at the same time positive and intellectually effective science, preparing it unconsciously for its vital role in the modern scientific structure and applying it consciously but timidly to the motions of the heavens and to rudimentary problems of mechanics. The relationship of the general philosophic program of Greek thought to the modern scientific edifice is complex. Greek philosophical thought has contributed an element which has gone into the making of modern science and without which science could not have developed as it has. On the other hand, it may also be said that modern science constituted itself by reacting against some of the tenets of Greek philosophical thought. Finally, it should be noted that the place and meaning of science as a whole in modern life and thought can be understood only by reference to the modern philosophical tradition, basically Greek in character although transformed by a number of forces, of which not the least is the development of science itself. For these reasons a brief glance at the program and outlook of Greek philosophy is necessary.

Under the impact of a number of secularizing and humanizing forces, including the cumulative advance of the technical arts, the decadence of the religious institution in Greece and the efflorescence of the plastic arts and literature, there developed a novel way of looking at the universe and man's relation to it. In place of the mythological stories of the adventures of the gods in heaven and earth, which were hitherto the only vehicle for expressing man's curiosity and wonder at the nature of things, there was now a bold inquiry by human reason without reference to the nominal masters above. This inquiry, which at first embraced only questions of cosmic structure and later included problems of human conduct and affairs, was of necessity speculative, being an attempt to systematize the general features of experience as they presented themselves to the interest of the thinker. It was also dialectical in the sense that each thinker hazarded his own theory or system and attacked that of everyone else. If in the prephilosophic stage of culture mythological beliefs had been propagated under the anonymous banner of collective traditions without the individual's daring to assert his own ideas, now with the awakening of the reasoning faculties of the individual things went to the extreme of individualism and sometimes, under the influence of rhetorical practise at the law courts, to the point of sophistry.

By and large the Greeks did not minimize the importance of experience as the starting point of knowledge. The truth is rather that their general attitude toward knowledge was radically different from that which prevails today. What the Greeks sought from knowledge was in the nature of a theoretical, contemplative *Weltanschauung*, which made no organic distinction of approach between problems of human ethics and problems of physics. The idea of a science that represented power over natural forces and over the course of phenomena and that was to be constituted as a universalization of the theoretical moment in technique was quite lacking. Although the philosophers pressed into their serv-

ice all the accumulated common sense knowledge born of the progress of the arts and occasionally performed experiments to prove disputed points, none of the branches of philosophic inquiry, none of the sciences, was carried on in correlation with the corresponding techniques. These were despised as representing an inferior level of activity having no relation to disinterested knowledge. The only case where there was an attempt to bring together the learned approach and the approach of practise was in the medical sciences, but here the results were relatively barren because the necessary preliminary sciences were lacking.

The good and evil of the Greek philosophic contribution, from the viewpoint of modern science, are well represented in the system of Aristotle, which came at the close of the great philosophic era and which imposed itself on subsequent generations by its confident encyclopaedic sweep of all knowledge. It was characteristic of Aristotle's doctrine that it articulated all phases of reality, all branches of knowledge from physics to "first philosophy" or theology into a single architectonic whole, moved by dynamic teleological principles. These were suggested to Aristotle by his special preoccupation with biology, where indeed there is an inherent justification for a teleological viewpoint, even though such a viewpoint does not provide the type of controlling knowledge of phenomena which modern science seeks; and also by the latent animism involved in common sense knowledge of physical phenomena and embodied in language concepts. The proximity of this viewpoint, for all its intellectual breadth, to the religious mentality of the semibarbarian peoples of the Middle Ages helps to account for the tremendous hold of Aristotle's system on the mediaeval schools of all faiths, Moslem, Jewish and Christian. On the other hand, both the methodology of the system and its alliance with a theological hegemony of thought resting on sacred books made it a powerful encumbrance to the development of physical science in the modern sense.

Aristotle's system and the Greek philosophic contribution in general stood for a dispassionate intellectual interest in physical, natural and social phenomena. They provided moreover a rich store of facts and documentation which outside of physics could be taken over bodily and utilized in a corrected scientific methodology. It is the presence of this theoretical interest and this documentation in the western cultural tradition and their absence in the oriental cultural tradition which seem to account for the crystallization of science in the West and its failure to develop similarly in the East.

The other important phase of the Greek contribution to science was the constitution of a demonstrative geometry. In view of the implicit kinship between geometry and the mechanistic approach to physical phenomena it seems a bit strange that the Greeks should have failed to make the transition to physics. But the explanation lies in the fact that geometry faces two ways. If by its origins it recalls the world of technique, by its amenability to deductive development it suggests a world of pure eternal truths to be contemplated along with the rest of the cosmological speculative system. Nevertheless, the historian must record two extensions of pure mathematics to physical problems; and while these were too slight to affect the dominant tone of ancient thought, they were important for the future in creating the nucleus of a new tradition. One of these is the application by Archimedes of the methods of geometrical deduction to the principle of the lever and of other simple machines, and it is perhaps significant to note that this occurred during the Alexandrian epoch when the Greek philosophic aversion to technique had receded somewhat under alien influences. The other is the rather curious and timid application of geometry to an analysis of the motions of the heavenly bodies, which was begun by Eudoxos in the time of Plato and completed by Ptolemy about 150 A.D. It is significant that in both systems the natural aim of the geometrical analysis—to chart the heavenly motions and simplify them if possible by changing the point of orientation—was frustrated by the same type of religious and commonsense prejudices as were afterwards to be arrayed against the Copernican theory. The mathematician was thus reduced to combining purely hypothetical circular motions to "save the phenomena," these artificial combinations being endowed subsequently by the realistic imagination with full physical reality. A heliocentric theory propounded by Aristarchus in a form identical with that of the Copernican theory eighteen centuries later was frowned upon by the mathematicians and denounced by the stoic Cleanthes as an act of religious impiety.

As regards the Middle Ages, it may be said that the older view that this long period was substantially barren of scientific achievement still prevails despite the efforts of mediaeval

scholars to rehabilitate the intellectual status of that epoch. The men of the Middle Ages preserved the intellectual heritage of antiquity and made it the possession of a pan-European civilization. But however much they affected the philosophic, moral and political disciplines, they made no significant contribution to the positive scientific phase of the Greek tradition, which they cultivated moreover only with a secondary interest. Even in algebra, the invention of which is popularly credited to the Arabs but which was really begun by the Alexandrian Greeks, the mediaeval contribution was slight, and the main work was left for the sixteenth century. There were, however, a number of practical inventions during the Middle Ages—the compass, lenses, gunpowder and Hindu-Arabic numerals—which were to have a revolutionary effect on both technology and science. It is important to note that side by side with the official scholastic culture, under which the intellectual traditions of Greek thought were resumed but given a religious and otherworldly emphasis, there was a practical, plebeian current, expressing itself in magic and the occult sciences and also, as the slow economic development permitted, in a rational progress of technique. In the architectural arts there was even a groping for the application of mathematics and scientific reasoning to problems of engineering, but the education of the masons was too limited to permit of much progress in this direction.

It is to the turbulent upheavals of the Renaissance that are due both the resumption of the mathematical sciences of the Greeks and their fusion with a practical, technical interest, which constitutes the differentiating character of modern science. The period witnessed two revolutions, brought about by relatively independent causes, and it was on the margin of both that the revival and transformation of science took shape. The first was the cultural revolution, the Renaissance in the proper sense, which was motivated by the desire to escape from the sordid conditions of mediaeval life and return to the glories and beauties of the classical past and which expressed itself in the revival of architecture and the plastic arts under classical inspiration and in the restoration of the monuments of classical literature and learning. The other revolution was economic, produced by such factors as the loss of population as a result of the Black Death and the incessant wars, the closing up of the customary trade routes and other economic and political changes. This revolution expressed itself in an intense development of commercial and industrial capitalism and was accompanied by a rapid rise of technology and mining, to which moreover the costly and devastating wars of the northern powers in Italy also contributed. It was the synchronism of these two revolutions which produced the new scientific trends. Thus the humanistic Renaissance gave a mortal blow to scholasticism and at the same time stimulated the publication of Greek scientific texts along with literary and philosophic texts, although by itself it did not produce a modern scientific attitude: the closest approach was in the revival of a pagan biological naturalism. But meeting with the current of pragmatic interest emanating from technique it produced for the first time in history a union of theory and practise, mathematics and engineering. In the person of a genius like Leonardo da Vinci all these Renaissance tendencies united in an all embracing talent. Leonardo was at once an all round aesthetic type—architect, sculptor, painter and poet—and an investigator of the scientific, technological type, making important discoveries in mechanics, biology and natural history, which unfortunately did not see the light of day until the eighteenth century. In the lesser but more specialized careers, whose contributions built up the new scientific tradition and the new scientific spirit, there was the same cross fertilization of hitherto segregated cultural trends. Thus the astronomer Toscanelli prepared the charts which were utilized by Columbus and the Portuguese explorers. Writers on metallurgy, like Biringuccio and Agricola, helped to dissipate the fogs of alchemy and prepare the way for a scientific chemistry. The translators and followers of Archimedes were simultaneously mathematicians and military engineers, seeking to extend the Archimedean method to new mechanical problems. The need of increasing the effectiveness of artillery fire led Tartaglia to attempt to solve the problem of the path of a projectile, and he initiated a series of efforts which led ultimately to Galileo's successful solution, with its founding of modern dynamics.

Even the Copernican theory, often regarded as a creation of individual genius, was in fact a product of the trends of the time. The stimulus to the revival of astronomy, which was preserved during the Middle Ages largely through the aid of its disreputable daughter, astrology, came in the fifteenth century with the necessity of drawing up tables to correct the calendar. This had been agitated in vain for four hundred years,

but under the new intellectual conditions revised and accurate astronomical tables were prepared by Purbach and Regiomontanus. Their work in turn called attention to the parlous state of astronomical theory, and it was with this background that Copernicus went to Italy and found, through his humanistic studies of classical literature, the trail of the heliocentric doctrine, which he dared champion as a solution for the astronomical difficulties.

It was not until the seventeenth century, however, that the evolution away from scholastic doctrines and the accumulation of physical discoveries had proceeded to the point where the new science could perceive clearly its own perspective, synthesize its detailed researches and formulate a philosophic program and methodology. The numerous steps in the development of the scientific structure cannot be treated here, but certain generalities on those phases which have a cultural importance should be mentioned. First of all, the new science divorced itself from the unified intellectual perspective which had dominated Aristotle and the scholastics. Physics and astronomy were no longer harnessed in the same logical system with metaphysics and theology. This was the real significance of the struggle for the acceptance of the Copernican theory that was waged by Galileo. The Catholic church, although it constrained Galileo, could not constrain the earth in its motion or the evolution of scientific thought. Today, while scholasticism has been restored as the official philosophy of the church, that philosophy must accept the findings of physical science, which are based on a different approach; the church cannot command science to follow scholastic concepts.

Specifically the new methodology of science made it necessary to view the universe in terms of mechanism, both for the grosser mechanical phenomena and for the more subtle phenomena, such as light, heat, sound. This approach was at first literally and visually interpreted by Descartes and others as implying that the external universe was made up of nothing but extended mass and motion and that physical laws represented only the laws of the geometrical transmission of motions by contact. Almost immediately, however, a deviation had to be allowed in the case of universal gravitation, which operated at a distance, like an occult quality, but with effects so precisely traceable in terms of observable and measurable quantities that it could not be denied admittance into the edifice of science. In the course of the subsequent development of physics the conception of mechanism evolved far more radically, until today it is nothing more than a metaphor denoting the quest for relations and laws of identity across time. This fact is of importance because for long men tried to join the new science to the rest of the cultural and philosophic tradition by the device of psychophysical (mind and matter) and metaphysical (God and the world) dualism, which the more irreverent abbreviated into a monistic materialism. Only with Kant was the attempt seriously begun to inquire into the relations between the form of science and the conditions of the human endowment, and then it was realized that science could not be considered even in its own plane as a direct and metaphysical view of reality but only as a special and progressive approach to experience.

It was indeed in the progressive building up of the scientific system along its chosen mechanistic pattern that both the experimentalism and mathematicism so characteristic of modern science found their application and meaning. Experiment was no longer an illuministic quest for the mysterious inner secrets of nature; either it represented a methodical cataloging of new phenomena, as in the case of electricity, or more often it was the putting to the test of a deductive prediction of experience. On the other hand, the basic mechanistic concepts put a premium on the deductive analysis of the functional variation of spatial and temporal magnitudes which was supplied by the mathematician. When Galileo worked out the law of gravitational acceleration he was handicapped by the absence of the differential calculus; but thereafter the development of mathematical analysis, initiated by Descartes' fusion of algebra and geometry, was always far ahead of physical needs.

The seventeenth century scientific development, vast and revolutionary as it was, did not succeed in imposing the new program on any field other than physics and astronomy. Chemistry, where the same type of approach, although with a somewhat different starting point, was needed, lagged behind, still following occult ideas derived from alchemy. In the biological field little was accomplished save in descriptive phenomena; and even the discovery of the circulation of the blood, important as it was, belonged to this class. The slowness of progress in these fields no doubt reflects a greater complexity in the problems, but it also indicates the lack of organized social support for the new scientific research. It was not until well into the nine-

teenth century that the universities became active centers of scientific research. Up to that time all research had been fostered by amateurs and by societies of amateurs, the so-called learned societies, which in their modern form arose in the Italian cities of the sixteenth and seventeenth centuries. Occasionally those who advanced the torch of science were members of the universities, but this was the exception rather than the rule. The newer branches of research, far from being actively encouraged by the university administration, were not even represented in the university curriculum.

As for the relations of the new science with the developing techniques of industry, it may be said that collaboration was most intermittent. After the first burst of community of interest in the Renaissance there was little to hold science and industry together until the development of chemistry, electricity and thermodynamics and the rise of the steam engine. The first great revelation of the practical power of science came with the French Revolution, when the chemists and physicists were hired by the revolutionary state to devise new processes and to systematize the weights and measures of the republic.

Of far greater importance during this period were the effects of science on social thought and action. The development of science had been accompanied from the beginning by an emphasis on the realistic, materialistic side of human nature. In the seventeenth century it had been counterweighted by the development of religious and moral thought with its opposite emphasis. In the eighteenth century, however, science became the carrier of a peculiar type of social rationalism—empirical and realistic in emphasis, moral and reformist in aim. The materialism of the French *encyclopédistes* and the subsequent English doctrine of utilitarianism were of this type. Side by side with these there developed a purer type of social science, that represented by economics. Here too the starting point was the desire for a realistic interpretation of human conduct, free from the snares of an abstract and utopian moral idealism. This found its application in a field of social experience which the institutional development since the Middle Ages had surrendered to the free play of materialistic instincts subject only to formal rules of market place exchange. Thus unknowingly social institutions had conspired to create a field of "social physics" in which mechanistic laws would apply, and it was these laws which the new science proclaimed. There was less solid justification for the belief that in economic phenomena "private vices are public virtues" or that the play of materialistic self-interest works out always for the social good. But under the naïve interpretation of science both principles, the principle of mechanistic determinism and that of a teleological harmony of interests, were proclaimed as consequences of the same science and as resting on the same authority.

The later history of natural science, which begins with the founding of chemistry at the close of the eighteenth century, is difficult to trace in its technical scientific aspects, but its social repercussions are easy to follow. Three sets of phenomena coincide: the uncovering by physical science of facets of experience capable of practical and technical utilization; the flowering of capitalistic industrialism, under which scientific knowledge can be utilized rapidly; and the rise of the modern secular university, in which a dominant place is given to scientific research. Chemistry was from the moment of its birth a utilitarian science and was so recognized by Lavoisier, its intellectual father. It has affected almost every aspect of industry, it has revolutionized agriculture and food preparation, and it has become one of the principal weapons in man's fight against disease. No one would have suspected, however, the role that scientific research was to play in the transformation of power resources through its theories of energy and thermodynamics as well as through the marvelous science of electromagnetism, which not only opened up new methods of power production but led to the totally unprecedented boon of power transmission. Nor would anyone have dreamed that this same science of electromagnetism, which at the beginning of the modern era embraced only two unconnected phenomena, rubbed amber and the magnetic needle, could create a magician's paradise of applications in the fields of communication, lighting, medicine and the like.

In the second half of the nineteenth century the biological sciences came into their own. From a positive practical viewpoint the most significant developments were the rise of an experimental physiology and the sensational discovery of the role of microbes in contagious diseases and in putrefaction. The latter has revolutionized surgery and has been the largest single factor in the success of the modern public health program. It has initiated lines of research in immunity and immunization which are still far from complete but which have continually

yielded rich social dividends "on account." Of similar positive significance is the science of experimental genetics, begun by Mendel in the 1860's but lost to view until the turn of the century. It has put the biologist in a position to breed new agricultural and animal varieties almost as the chemist creates new compounds in the laboratory. It has moreover provided the scientific basis for a program of human eugenics, although such a program cannot be put into operation without an agreement as to the practical social aims, which can be had only in a more rationally directed social organization than exists in most countries today.

Far more philosophic in character was the doctrine of the evolution of species which attracted so much of the energy of biologists during the nineteenth century and which convulsed popular religious beliefs as they had not been convulsed by any scientific event in history. Founded on an induction from paleaontological data, which had been patiently accumulated since the seventeenth century, the conception of a natural transformation of species gave a telling blow to that peculiar metaphysical compromise which had developed between scientific and religious beliefs, and which had surrendered the working order of the universe to science but had reserved the creative starting points and the world of souls to the kingdom of God and traditional religion. Under evolution there was little territory left to the supernatural kingdom, so all embracing had the kingdom of nature become. The clash was aggravated by the attempt on the part of Darwin to devise a mechanistic explanation of the evolutionary process in terms of the ambiguous concept of natural selection. Neither Darwin's work nor subsequent efforts on the basis of genetics have been crowned with positive success, and to the writer it would seem that there is a basic incompatibility between an evolutionary conception and a complete mechanistic explanation. But in the high Victorian period of evolutionism success was taken for granted and there developed popular systems of materialistic metaphysics which embraced all knowledge and all experience, from astronomy and the nebular hypothesis to human psychology and sociology, in one imaginative sweep.

The doctrine of evolution had an enormous repercussion on sociology and anthropology, largely, however, because it gave the erroneous impression that all social history could be conceived as a uniform, linear development and subjected to a simple formula or law. When the smoke had cleared, it was seen that evolution was no open sesame that could simultaneously unlock the doors of theory and practise, of structure and history. The social disciplines fell back on more eclectic methods, and what they appeared to have lost in scientific dignity they more than made up in adequacy to their intricate subject matter. It is a relic of an outworn metaphysical conception of science to suppose that science can be carried on *sub specie aeternitatis*, without reference to practical viewpoints and interests. In the physical sciences a general practical interest is implicit in the very mathematics and methodology of these sciences. But in the social field, where fact and practical action alternate in the consciousness of every individual, a crystallized practical purpose must guide the specific selection of facts if the chase for facts is not to degenerate into sheer dilettantism.

These reflections on the practical character of science are relevant also with reference to the mooted "crisis in science" raised by the theoretical developments of the new physics. Notwithstanding the limitations of method which have surrounded the scientific quest from the moment of its formulation, there is no doubt that most scientists as well as the general public have tended to visualize the fundamental set of scientific concepts in space and time and thus to convert them into an ontology or metaphysics. It was this tendency which was seriously affected by the development of the relativity theories and virtually blocked altogether by the quantum theory. There is nothing remarkable about the relativity theory except that the character of high abstraction which was previously reserved for the mathematician's functional manipulation of the fundamental physical categories and concepts now entered the domain of the physical categories and concepts themselves. The bridge or rather the stairway to immediate psychological experience still remained, just as there always remains the possibility of ascent and descent with regard to the highest reaches of mathematical abstraction. Also, notwithstanding the curious covariant relationships between the spatial and temporal measurements pertaining to moving bodies, the object of science was still the same—the quest for a set of relations whose materials could be supplied in the present and which could be relied upon to predict the character of future experience. What was missing was the simple visual diagram of three Euclidean dimensions and of invariant material

masses as the basis for the more abstract relations. It was this visual diagram which had been identified with physical reality while the more abstract relations were identified with the laws of reality. However, a reference to the nature and movement of the scientific process is sufficient to dispel the belief that such a visual diagram should always attend the march of scientific theory, just as it dispels the presumption of the imagination to visualize numbers as "real" and "rational" entities.

Nevertheless, the realistic imagination had managed to accommodate itself by means of vague images to the paradoxes of relativity, when it was announced that in connection with atomic problems no precise charting of the space and time positions of individual electrons was possible under the human conditions of approach but only a charting within the limitations of statistical averages; and that for similar reasons only statistical predictions of electronic behavior rather than individually governing predictions could be made. The realistic imagination, which had for three hundred years raised the cry of a complete ontological determinism of reality, now raised the cry of a complete ontological *indeterminism* of reality. Theologians felt authorized to revamp the miracles and other *flatus vocis* of religion with the blessing of science; it would not be possible to enter here into a detailed refutation of the fallacy. It may be sufficient, however, to point out that the limited methodological determinism of science, which is all that science has ever been able effectively to establish with regard to physical experience, is in no way contradicted by the recent developments but rather receives a new expression in the statistical formulations with regard to atomic problems. The crisis is not in science but in the realistic imagination which has accompanied scientific work.

This psychological crisis is itself becoming an important factor in the changing social attitude toward science. Both intellectually and practically there are increasing manifestations of disappointment with science. Cultivated, especially since the nineteenth century, with an all embracing passion which recalls the mediaeval devotion to religion, science has not fulfilled the expectations of its devotees. They looked for a final *Weltanschauung*, a revelation of the structure of the universe and of man's place in it; and instead they have found an endless succession of technical mathematical formulae. And in its practical effects science seems even more to fall short of the hopes entertained for it. Men expected an orderly progress of the arts designed to ameliorate human material conditions. Instead they find the Frankenstein of modern technology with its horrors of war and of technological unemployment.

As an expression of this disappointment many are urging a return to the Middle Ages, which take on all the allures of an Arcadia. But before western civilization proceeds to blow out the candle of science, would it not be fitting to inquire more closely into the causes of the disappointment with science? The contention has here been set forth that science is not and cannot be a metaphysics; it is the expression of one phase of the human endowment. Disappointment is inevitable if that phase be taken for the whole. But, on the other hand, if science is accepted for what it is, its value for the whole is incalculable. Science does not bring a total revelation or outlook upon the universe, but by virtue of its solidity in its own field it makes possible a clarification of the entire human outlook and a rational and directed progress in the development of all human powers. Similarly the technological powers of science, which are a curse when left to develop without reference to human needs and human practical controls, provide the material, for the first time in history, for a sane social and economic organization. Before the advent of science and technology religion despaired of ameliorating the material conditions of men in this world and preached a compensation in a mythical world to come. Science and technology make it possible—if moral and practical development can keep pace—for men to realize the kingdom of God here on earth.

BENJAMIN GINZBURG

See: METHOD, SCIENTIFIC; PHILOSOPHY; POSITIVISM; RATIONALISM; REALISM; MATERIALISM; NATURALISM; GEISTESWISSENSCHAFTEN; LOGIC; FICTIONS; MAGIC; ALCHEMY; ASTROLOGY; MEDICINE; BIOLOGY; EVOLUTION; RELIGION; MODERNISM; RENAISSANCE; ENLIGHTENMENT; LEARNED SOCIETIES; INVENTION; TECHNOLOGY; PROGRESS; CONTROL, SOCIAL.

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SCIENTIFIC MANAGEMENT. The term scientific management is used to designate a body of theory and practise directed toward more rational and efficient performance in industry. While it was used originally with reference to direct efforts to increase the productivity of labor, the application of the term has since been extended to include the basic factors in the process of production as a whole.

While scientific management was a gradual development, the term itself came into sudden use to designate an already existing phenomenon. In the fall of 1910, at hearings before the Interstate Commerce Commission, the request of certain railroads for increased rates to offset a rise in wages was being opposed by attorneys for northeastern shipping interests. The latter argued that costs should be reduced instead and offered in evidence the characteristics of a technique of management developed by Frederick W. Taylor, which was then little known but had secured striking results in a number of industrial plants. Desiring a definite term for this technique, they sought the aid of a committee of engineers, among them H. L. Gantt and Frank Gilbreth, who decided that it should be identified by its fundamental characteristic, which was the utilization of research as an approach to the solution of problems of management. From their deliberations came the term scientific management to replace various earlier designations, such as the Taylor system and task and bonus management.

The testimony at the hearings was impressive and aroused public interest; from then on the management movement was dominated and given logical integrity by the Taylor technique and principles. During the preceding twenty-five years the development of the management movement and of the Taylor technique had proceeded side by side, but with little influence of one on the other. The management movement appeared spontaneously in the early 1880's as the result of forces which made American industrialists conscious of problems of management: a new technology, whose introduction was speeded by the results of the Civil War; extension of markets by railroad construction and expansion of the frontier; enlargement and mechanization of plants in response to larger markets and greater fixed capital requirements; the difficulty of adapting native and immigrant labor to the operation of machines; the depression of the 1870's, which cut severely into profits. This consciousness of management problems received articulate expression from members of the American Society of Mechanical Engineers, organized in 1880. Henry R. Towne's

paper, "The Engineer as Economist," read before that society in 1886 is generally regarded as the beginning of the management movement. From then until the rate case hearings of 1910 the management movement was essentially a concern of engineers exclusively, and its scanty literature was to be found for the most part in engineering periodicals. At first it devoted particular attention to differential wage systems; then it stressed cost finding; its third and major emphasis, beginning about 1900, was on organization and system. These phases of management were not considered as fundamentally related; their significance was not generally perceived and they had only moderate influence.

As a gang boss, or assistant foreman, in the 1880's in the machine shop of the Midvale Steel Company Taylor made initial attempts to secure the desired output by imitating the then conventional pressure method of foremanship; the result was a conflict with the workers. He reached the conclusion that the causes of such conflicts were, on the one hand, workers' fear of economic insecurity and distrust of management and, on the other hand, management's ignorance of what it had a right to expect as a reasonable day's work. Opposition and waste, he held, were caused by use of force in place of knowledge in securing output. At first Taylor saw no farther than the individual workplace. His objective was measurement and specifications of a proper day's work for each operation. The unit of measurement was time per operation-unit; the tool of measurement, the stop watch. Experiment with all the variables under control—shafting, belting, machine adjustments, tools, disposition of materials—led to the discovery of a most productive condition for each element and for all combinations of them. This made possible two to threefold increase of output without additional effort, in fact, with less effort, on the part of workers. Taylor then perceived that the problem involved more than the workplace, that at all workplaces the specifications derived from a perfectly conditioned experimental machine should be utilized. Instead of following the line of least resistance and modifying the specifications to fit existing conditions, he sought a means whereby all machines could be tuned to the same degree of efficiency as that of the experimental machine and for this purpose appointed a specialist foreman to attend to their conditioning and maintenance. This made practicable the use of standard specifications for any operation on any machine and marked the emergence of research, the substitution of known and constant for variable factors, and standardization and functional foremanship as elements of a technique of management. But more was to follow; Taylor soon realized that he was in a position to know in advance when work was due to come off machines and therefore could calculate prospective available machine capacity. This made it practicable to plan and prepare the drawings, materials and tools for future operations and thereby to eliminate the between operation wastes of idle machine and man time; in short, to effect a coordination of operations and a flow of work. He found it necessary to institute special training to secure most effective performance and coordination of all operations at each workplace and to maintain the interest and good will of operatives; for if these are lacking, any scheme of group performance dependent on coordination of complementary specialized efforts is impotent. Thus to measurement and standardization as elements of managerial technique were added planning, preparation, training and cooperation. These required extension of the use of functional (instructional) foremen, for by now the various managerial tasks had to be entrusted to trained and responsible specialists. Foremanship was thus transformed from the issuing of arbitrary orders to the teaching of standard practises.

Formulation of principles was not undertaken until after the technique had been tested and refined; but this embryo scientific management, developed in the production department in the 1880's, expressed all the principles which have since been applied in all departments of industry. It was the stimulation of contacts with the management movement which led to formulation of principles. Taylor's early statements of principle have been expanded with experience and may now be summarized as management research, standards, control and cooperation.

Research, investigation and experiment, with their processes of analysis, measurement, comparison and the like, constitute the only sound basis for determinations of purpose, policy, program, project, product, material, machine, tool, type of ability or skill, method and other factors and the coordination of these in purposeful effort. If the results of research, investigation and experiment are to be useful to an enterprise, they must be made available to executives and workers in the form of defined and published standards in management terminology which serve as common goals, facilities

SCIENTIFIC MANAGEMENT IN APPLICATION TO A TYPICAL INDUSTRIAL ENTERPRISE

PRINCIPLES	APPLICATIONS TO						
	WORKPLACES	PLANT AS A WHOLE	OFFICE	PERSONNEL	MARKETING	FINANCE	GENERAL ADMINISTRATION
RESEARCH	Studies in design, size and capacity of equipment, behavior of materials, skills, operation times, motions, methods and arrangements.	Studies of the relations of the various workplaces and of the most effective coordination and proportioning of them under varying conditions of kind and quantity of orders flowing into the shop.	Studies of a nature similar to those at the shop workplace and in the shop, but concerned with the particular facilities and the particular operations pertinent to correspondence, recording, transcribing, filing and so on.	Studies in mental and manual aptitudes, personality requirements of various jobs, fatigue, individual and group mental and emotional reactions, education and training, the development of good will.	Studies of markets, consumer demand, competition, channels of distribution, methods of selling, sales promotion.	Studies of capital market, trends of credit and collections, prices of speculative materials, financial ratios and costs; securing many data from operating departments.	Studies of trends: social, general and of the particular industry, development, competition, financial conditions and pertaining to coordination of operating departments.
STANDARDIZATION	Specifications of product, materials, machines and tools, methods of their use, working conditions, procedures, times and wage rates for every operation.	Production schedules: specifications relating to coordination and sequence of operations and conditions of most effective use of available equipment and labor skills.	Specifications concerning clerical procedures and the uses of office equipment and different skills.	Specifications relating to personality requirements, hiring, assignment, training, promotion and discharge; personal and group relations and wage policy.	Sales schedules: specifications concerning quotas, channels and methods of selling (methods of distribution), sales promotion, prices and terms.	Specifications in terms of the standard financial ratios and standard costs.	Specifications of policy, projects, plans, master schedules and budgets, operating ratios and trade relationships.
CONTROL	A basic distinction is made, for the enterprise as a whole and in each constituent department, between the functions of planning and execution. The planning functionaries analyze every objective (orders to be filled or other objectives) and assemble the particular combination of specifications relating to product, quantity, quality, materials, machines, tools, skills and procedures, for most precise, effective and economical accomplishment of the objective. The executing functionaries carry on the activities called for by these specifications in accordance with detailed standards of execution.						
COOPERATION	Cooperation is promoted by the combination of all factors in the total situation: understanding and acceptance of the comon purpose; instruction and the understanding of details; acceptance and performance of complementary responsibilities; proper selection, assignment and promotion of personnel; provision of adequate facilities; just sharing of the joint economic rewards; cordial personal relations; steady provision of work to be done.						

and methods, replacing chance and variable factors by constants in terms of which calculations and plans may be made. There must be established a systematic procedure, based on the defined standards, for the execution of work, a procedure which directs the researches, sets the standards, initiates operations, controls work in process and generally maintains conditions that facilitate each specialized effort and coordinate all specialized efforts, to the end that the common objective may be achieved with a minimum of waste of human and material energies.

Durably effective management requires recognition of the natural laws of cooperation: the integration of individual interests and desires with group interests and desires and of indi-

vidual capacities with the requirements of group purposes; the substitution of the laws of situation for individual authority, guess and whim; and the recognition and capitalization of human differences, motives, desires and capacities in the achievement of a common purpose.

All these factors require planning on an extensive, coordinated scale. Usually a separate planning department is needed in which the tasks are subdivided among different members of the managerial staff. The tendency is toward constantly greater specialization of functions.

As a consequence of the rate case hearings in 1910 scientific management promptly became a vogue in American industry. This was not without harmful consequences. Most industrialists conceived the new type of management as a mechanistic cost reducing device which could be bought and installed as is a machine; and this credulity made American industry a rich ground for superficial, inflexible systems of "efficiency engineers" whose historic place in management engineering is comparable to that of the quack and shyster in medicine and law. It has taken nearly twenty years for industry to learn that scientific management is not a mechanistic device ready for quick installation; that it is not so much a specific system of management as a mode of attack on the problems of a management situation. Although, because certain functions are common to all enterprises, analyses result in a common basic framework of management for all situations—research, measurement, standards, planning, preparation, inspection—in any particular managerial situation the research is adapted to its special problems, the resultant standards reflect the particular data and the control of operations must be designed to promote the application of the standards set. The integrated details of procedure resulting from the scientific management approach to any particular situation are seldom applicable to any other situation, for each has its exclusive elements which call for pertinent variation in procedure. Furthermore the system of management designed to apply to a particular situation cannot be "installed"; it must be developed by an educational process which takes time and which includes executives as well as workers.

Prior to the World War scientific management was concerned chiefly with production. This was a period of increases in population, wealth, consumption and prices; a sellers' market prevailed, in which the managerial problem was output. When the World War forced the United States into a buyers' market with respect to most of its long established industries, other phases of management, such as marketing, labor relations and general administration, became dominant problems. In the post-war period, because of aggravated competition and lower profit margins, scientific management spread throughout industry. It broadened into a general movement for more rational utilization of materials, labor, machinery and apparatus and for the elimination of waste. There was a marked tendency for scientific management to become a matter of general principles, an approach to problems, rather than a fixed body of practise. Practise had to change because of the introduction of new techniques and processes, the increasingly automatic character of production and the tendency toward remote control; time and motion study itself became more and more a preliminary to the use of new machines and apparatus.

The mechanistic aspects of scientific management are not the same in all instances. In industries producing to individual specifications, e.g. conveying apparatus, the mechanisms of scientific management are numerous and visible, for operations in such industries have the largest number of variables to be standardized and controlled. In industries making successive lots of a standardized product variable only in minor details, as in the shoe industry, the mechanisms while less numerous are nevertheless apparent. In industries making a homogeneous synthetic product, such as canned food, or an analytic product, such as gasoline, on apparatus in series, mechanisms are barely noticeable; performance of their functions has been incorporated into specially designed machines which have a definite functional-capacity-time relationship.

Nor is this penetration of scientific management into all areas of management an indication of a corresponding penetration into all industries and establishments. As a research, educational and consequently an investment project it does not appear desirable to all owners. As a technique which brings executives as well as operatives under a "reign of law," it does not attract all executives. It does not appeal to owners and executives whose concept of the competitive process is the existence of variables for advantageous manipulation. For these reasons its influence on American industry has been uneven. It has had a profound effect upon the metal working industries but scarcely any upon coal mining and agriculture. It is used chiefly in production departments and only to a

limited extent in merchandising and general administration. Hardly a plant exists in which such mechanisms as time study and planning have not been utilized by production departments, but there are few plants which have incorporated scientific management as an integrated whole into all departments.

The associates of Taylor who contributed most to the technique of scientific management were Carl G. Barth, Henry L. Gantt and Frank B. Gilbreth. Barth, in close association with Taylor, had as much to do with the details of development, testing and perfection of mechanisms as Taylor himself, and the technique remains essentially as these two developed it. Gantt's greatest contributions were extension of the use of graphical method in recording performance and the task and bonus system of differential wage payment, accepted by many because it guarantees a day wage, pays a bonus for achievement of standard output but offers no incentive for excelling the standard. Gilbreth emphasized the study of motions and their classification into fundamental types and the use of the cinematographic method of motion and time study, which is superior to the stop watch for measurement of operations involving cycles of quick time units and for teaching manual skill. He also stressed the importance of fatigue. Harrington Emerson, although not an associate of Taylor or a significant contributor to the technique, was an outstanding expositor and popularizer of the philosophy and principles.

The social philosophy of scientific management, contrary to common assumption, has not changed essentially during the fifty years of its development, although the expressions of its philosophy have been modified *pari passu* with general change in perception of social values. Scientific management originated in a period of frontier striving for subsistence and competence, when the "full dinner pail" was the ideal of American effort and when the chief objective of scientific management was to increase the workers' earnings. It assumed leadership after the turn of the century in the growth of sentiment favoring more cooperative relations in industry, and scientific management plants were pioneers in developing personnel management and improved industrial relations. More recently its proponents have led in working out means of securing workers' consent and participation in management, a natural development after experience with a technique which is essentially a discipline in cooperation. The specific instances in which management and labor have joined in the formulation of better procedures have generally been under scientific management auspices. In current discussions by those who advocate social regulation of investment and production under some form of national economic planning the scientific management principles of research, standardization and planning are carried over into the hypothetical mechanism of social control.

The controversies in scientific management have centered about the relations between management and labor. In plants where scientific management has been developed there is a notable absence of controversy. This cannot be said of the influence of "efficiency engineering." Conflict between labor and scientific management has been in the field of doctrine. Immediately after the rate case hearings of 1910 the American Federation of Labor, which had paid no attention to scientific management during the preceding thirty years, initiated violent opposition. This opposition was due in major part to misunderstanding; it was based on experience outside the field of scientific management with wage plans which resulted in speed-up and wage reductions. The unions charged that scientific management was a device for speeding up workers. Such charges gradually ceased, for later observation disclosed that the opposite was the fact, that scientific management really undertook the first plant studies of industrial psychology and made avoidance of fatigue one of its major concerns. There was, however, a substantial basis for the fear on the part of craft unions that the researches of scientific management would make knowledge of craft skills common property of managements and would weaken the strength of workers who had a monopoly of such knowledge. Scientific management and automatic and quasi-automatic machines and machine controls have indeed proved that this fear was well grounded. For while craft unions depend upon relative stability of industry and occupations, these are continually changed by modern technology, of which scientific management is an aspect. What the unions did not at first perceive is that a greater potential power for workers than possession of an exclusive knowledge of craft skills is presented by the dependence of scientific management upon exceptional cooperation, producing a corresponding vulnerability to sabotage. With the realization of this fact and as a result of the cordial relations between managements and

workers during the rapid extension of scientific management required for adequate production of material for the World War, opposition on the part of unions disappeared. Today some of them are utilizing time study and other research methods of scientific management to procure data for use in negotiating with employers concerning output and wage standards under the National Industrial Recovery Act.

Scientific management has made some progress in Europe, particularly in the post-war period under the stimulating influence of the upswing in American prosperity. With the exception of a few noteworthy individual plants, it is not general in England and France; but in Germany scientific management was made an essential part of the rationalization movement in the years 1920–30. The most extensive application is probably being undertaken in the Soviet Union. In line with Lenin's idea that while it had certain harsh features of capitalist explcitation, its fundamental principles were of a progressive character Soviet industry is employing the principles of scientific management on an ever increasing scale.

H. S. PERSON

See: MANAGEMENT; FACTORY SYSTEM; LARGE SCALE PRODUCTION; STANDARDIZATION; SPECIALIZATION; COST ACCOUNTING; ENGINEERING; EXPERT; EFFICIENCY; WASTE; FATIGUE; PERSONNEL ADMINISTRATION; LABOR TURNOVER; INDUSTRIAL RELATIONS; LABOR, METHODS OF REMUNERATION FOR; LABOR-CAPITAL COOPERATION; WELFARE WORK, INDUSTRIAL; NATIONAL ECONOMIC PLANNING.

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SCLOPIS DI SALERANO, CONTE FEDERICO (1798–1878), Italian historian, jurist and statesman. Sclopis studied law at the University of Turin and entered the Piedmont public service as an official in the Ministry of the Interior. In 1831 Charles Albert appointed him a member of the commission which was to reform and codify civil, criminal and commercial law; Sclopis was active particularly in the subcommittee concerned with the civil code. From 1844 to 1848 he served as advocate general and in 1848 was named president of the commission to draw up the organic law for the press. In the first constitutional cabinet of that year Sclopis held the post of minister of justice and from 1849 to 1864 he was a member of the Senate, where he represented the conservative element. In 1871 he was appointed president of the Commission of Arbitration to settle the *Alabama* affair between the United States and England. According to current opinion the arbitration in question had a much greater significance than the scope of the controversy seemed to indicate, because it appeared to mark the beginning of a new era in international relations, inspired by the principle of peaceful adjustment of disputes between states.

Sclopis achieved recognition not only as a political figure but also as a legal scholar and

historian and after 1848 turned to intensive study. In 1833 he published the *Storia dell'antica legislazione del Piemonte* (Turin), which served as a basis for his more extensive *Storia della legislazione italiana* (3 vols., Turin 1840–57; 2nd ed. 1863–64). The latter consists of three parts: the first deals with the origin and sources of legislation in the various regions of Italy; the second discusses the development of legal institutions and gives a concise history of the more important laws from the thirteenth to the eighteenth century; while the third treats of changes in Italian legislation between the time of the French Revolution and the reforms of the princes in 1846–47. In this book Sclopis pointed out the general similarity of legal development throughout Italy. He also wrote a number of works on political history, including *Relazioni politiche tra la dinastia di Savoia e il governo britannico (1240–1815)* (Turin 1853), a study of the modern history of Savoy. Sclopis served as president of the Deputazione di Storia Patria and of the Academy of Sciences of Turin and contributed to the *Antologia*, the *Revue de législation et de jurisprudence* and the *Revue de droit historique français et étranger*.

GUIDO DE RUGGIERO

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SCOTT, CHARLES PRESTWICH (1846–1932), English journalist. Scott in 1871 joined the Manchester *Guardian*, of which his brother-in-law, J. E. Taylor, was proprietor, became editor of the paper in 1872 and chief proprietor in 1905. He was actively in control until 1929. He sat in Parliament as the representative of the Leigh division of Lancashire from 1895 to 1906 but never held office and rarely spoke in the House. His reputation was entirely bound up with the great paper which he found an undistinguished provincial journal but which under his masterful domination became the most powerful exponent of the Liberal idea in England and perhaps in the world. Indoctrinated from the cradle with the "dissidence of Dissent" and the gospel of Cobdenite Liberalism, Scott brought to the sphere of journalism a high gravity that gave to the Manchester *Guardian* a severe, even slightly ecclesiastical air. He was not indifferent to the business side of journalism, and no newspaper ever maintained a higher standard of technical and literary excellence. But he held that journalism was a public utility service that must be administered with austere disregard of private interest. Against the modern tendencies of the popular press he presented an implacable front. In a famous declaration of journalistic faith he said, "Its [the newspaper's] primary duty is the gathering of news. At the peril of its soul it must see that the supply is not tainted. Neither in what it gives, nor in what it does not give, nor in the mode or presentation, must the unclouded face of Truth suffer wrong. Comment is free, but facts are sacred. Propaganda, so called, by this means is hateful. The voice of opponents, no less than that of friends, has a right to be heard. Comment is also justly subject to a self-imposed restraint. It is well to be frank: it is even better to be fair." When large issues were at stake and what he held to be the cause of truth and justice was in one scale and that of business advantage was in the other, he never hesitated. Scott was so often on the unpopular side that it might have been supposed that he had a perverse love of opposing the general current. That was not so. He had no passion for conflict for the sake of conflict and was never happier than when the victory of reason over prejudice was won. He took great business risks, not under the spur of emotion but with calculating firmness and full appreciation of the possibility of unpleasant consequences. His resolute opposition to the Boer War made it necessary for his house and office to be protected by the police against violence, and his advocacy of Irish home rule in 1886 gravely imperiled his business. His spirit never lost its eager quest for new kingdoms of the mind and wider horizons for human liberty. Scott's influence was not measured by circulation figures but by his appeal to all the best minds of his time all over the world and especially by the weight of his authority with public men of all parties and with the best elements of journalism in all countries.

A. G. GARDINER

Consult: Hobson, John A., "A Great Editor" in *Nation*, vol. cxxix (1929) 192–93; Gardiner, A. G., "Two Journalists, C. P. Scott and Northcliffe; a Contrast" in *Nineteenth Century*, vol. cix (1932) 247–56; "C. P. Scott, 1846–1932, Memorial Number" in *Manchester Guardian Weekly*, vol. xxvi (1932) no. 2 supplement; Federn, Karl, in *Preussische Jahrbücher*, vol. ccviii (1932) 143–49; Hammond, J. L., *The Life of C. P. Scott* (London 1934).

SCOTT, SIR WALTER (1771–1832), Scottish man of letters. Both as a novelist and as a personality Scott helped to establish the pattern of values known as Victorian conservatism. Without too obvious preaching the Waverley novels manage to uphold a conservative way of life: the right is always on the side of loyalty to king and aristocracy, devotion to tradition, simple acquiescence in a hierarchically organized society, distrust of schemes for political reform. Scott even more effectively than Disraeli translated Burke for the multitude. A great deal of sentimentality, an acceptance of parliamentary supremacy, a fairly conscious use of the past to provide emotional compensation for the inadequacies of the shopkeeping present, a nationalism both Scottish and British, all go to make up the nineteenth century Scott, so different in these respects from Swift and Johnson, his predecessors as literary Tories. Scott has even a touch of optimism, an acceptance of change if not of progress, which makes him a good Victorian. Hazlitt and George Sand both found in him a profounder knowledge of human beings and therefore a profounder democracy than in the utilitarians. Ruskin coupled him with Homer as a master of true toryism. Mark Twain blamed what to him was the sentimental chivalrousness and practical slovenliness of the Old South partly on the vogue of Scott's novels. In England Scott's wide political influence, although varied, was no doubt chiefly on the side of conformity with prevailing middle class standards.

On the continent his influence made itself felt primarily in the field of historiography. His wealth of picturesque local color, carefully selected with an eye to both the region and the period under consideration, far surpassed the tentative beginnings made in this direction by Chateaubriand in his *Génie du christianisme* and *Les martyrs*. The tremendous popularity of the Waverley novels and their success in recreating the temper and atmosphere of various periods made a deep impress upon the generation of romantic historians headed by Thierry and elevated the formula of "local color" into a cardinal dogma of early nineteenth century historiography.

CRANE BRINTON

Works: *Works*, 50 vols. (Boston 1912–13).

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SCOTUS, JOHN DUNS. *See* DUNS SCOTUS, JOHN.

SCRIPPS, EDWARD WYLLIS (1854–1926), American newspaper publisher. Scripps was born on a farm near Rushville, Illinois. After a brief period of schooling he went to Detroit, where he worked in various capacities on newspapers owned by his older brother, James. In 1878 with money borrowed from the latter he founded the Cleveland *Penny Press* (later the *Press*), out of which grew the Scripps-McRae League (with Colonel Milton McRae), afterward the Scripps-Howard chain The latter at one time comprised thirty papers, read by some twenty million Americans.

Scripps began with the perception that nine tenths of the American public were underprivileged and that papers edited for them would gain circulation and advertising profits. On this economic theory he built the biggest personal fortune ever amassed by a newspaper owner in the United States. In his earlier career he championed the working man, right or wrong, but later he became conservative. Following the Pulitzer tradition as a publisher he made his greatest contribution to journalism in putting facts of the physical sciences within reach of the masses. He founded Science Service and endowed a college and a scientific research branch of the University of California.

Scripps avoided the notoriety which his papers thrust on others and was little known. After he took into partnership Roy W. Howard, the emphasis of his chain was less upon liberalism and more upon popular news. As a competitor of the Associated Press the Scripps-Howard chain organized the United Press, which in seventeen languages served papers in thirty-eight countries. Ill health forced Scripps to relinquish active control of his papers in 1920. In his will he provided for the growth of his newspaper institution by the stipulation that one third of the profits should go into expansion.

SILAS BENT

Consult: Gardner, Gilson, *Lusty Scripps* (New York 1932); Cochran, Negley D., *E. W. Scripps* (New York 1933); Bent, Silas, *Ballyhoo; the Voice of the Press* (New York 1927) ch. xi.

SCROPE, GEORGE JULIUS POULETT (1797–1876), English economist. A distinguished geologist, Scrope wrote copiously on social and economic questions and was a member of Parliament from 1833 to 1868. His social philosophy

was fundamentally liberal, although he was critical of laissez faire, stressing the value of institutional control. He emphasized the importance of establishing "rules for the guidance of mankind." He vigorously opposed the Malthusian theory of population, urging the possibility of increasing production, defending the poor law in principle and proposing the erection of public works and the development of insurance as means of dealing with unemployment. He criticized the gold standard and urged the advantages of a silver and especially of a managed paper currency. He was one of the first English economists to advocate the construction of a "tabular standard" designed for use in mitigating the evils of fluctuations in the value of money. Faulty monetary laws, he believed, aggravate the business cycle, in reality caused by psychological influences. Scrope employed the concept of equilibrium in his penetrating treatment of demand and supply. He was sharply critical of his "orthodox" contemporaries, particularly of their failure to accord capital a proper place along with labor as a source of wealth. Influenced by Samuel Read, he was one of the first English economists to analyze profits, in which he recognized four elements: interest, his "abstinence" theory—an improvement on Read's—preceded and probably inspired Senior's; insurance against risks, perhaps now for the first time clearly declared ultimately to cancel out with losses; wages of superintendence; and monopoly gains, including rent of ability, arising from exclusive advantages. Scrope's influence on subsequent economic thought was slight.

KARL W. BIGELOW

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SEA POWER. *See* NAVY.

SEAGER, HENRY ROGERS (1870–1930), American economist and social reformer. Seager studied at Michigan, Johns Hopkins, Halle, Berlin, Vienna and Pennsylvania universities and taught eight years at Pennsylvania and twenty-eight at Columbia. The individuals who most influenced his interests and thinking were Böhm-Bawerk, Ely and Patten.

Although Seager published a widely used text on economic principles, his enthusiasm was aroused principally by practical problems, and his chief contributions were in the field of labor and of trusts. The chapters on such problems in his elementary text are quite generally considered the best brief treatment available, while most students believe that no more persuasive statement of the case for social insurance can be found oustide Seager's volume. The changes in public policy toward corporations and trusts for which he contended throughout twenty-five years are in process of incorporation in state and federal statutes.

Seager engaged in a variety of public and professional activities. He was organizer and thrice president of the American Association for Labor Legislation, vice chairman of the Wainwright Commission on employers' liability and workmen's compensation in New York, secretary of the Shipbuilding Labor Adjustment Board during the World War, secretary of the President's Second National Industrial Conference of 1919–20 and president of the American Economic Association in 1922.

Seager's painstaking devotion to his students' interests brought him a respect, admiration and love rarely equaled. Through them and through his public activities his influence on American economic thought and institutions would have been great and permanent had he never published a line.

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Important works: *Introduction to Economics* (New York 1904, 3rd rev. ed. 1905); *Social Insurance* (New York 1910); *Principles of Economics* (New York 1913, 3rd rev. ed. 1923); *Trust and Corporation Problems* (New York 1929), in collaboration with C. A. Gulick, Jr.; *Labor and Other Economic Essays*, ed. by C. A. Gulick, Jr. (New York 1931).

Consult: Mitchell, W. C., Introduction to *Labor and Other Economic Essays*, p. ix–xiv; *American Economic Review*, vol. xx (1930) 794–97.

SEAMEN. The seaman on shipboard forms part of a miniature society whose members are carefully organized for purposes of discipline, division of labor and centralization of authority and responsibility. All of these ends are furthered by the hierarchy of shipboard life, which progresses from a diversity of lower ratings, or positions, through a smaller number of petty officers and the several mates and engineers and finally terminates in the master, or captain, who wields supreme authority while at sea. A more elaborate division of labor is achieved, however,

by adding to this horizontal classification a vertical division of the ship's company into three departments; namely, deck, engine room and catering. Each department contains from three or four to fifteen or twenty ratings, depending upon the size and type of vessel, and in larger craft there are often many individuals under a given rating. Modern luxury liners also carry a miscellaneous group of persons including musicians, barbers, manicurists, retail shop attendants and the like; but these have small claim to consideration as marine workers.

Because of the peculiar conditions of his existence on both land and sea and the multiplicity of special labor problems arising from his occupation, the seaman has been regarded, both in fact and in fiction, as *sui generis*. With the exception of the past few decades, during which the advent of steam and oil has made possible shorter and more regular voyages and therefore an approach to a normal manner of living, the great maritime peoples of the world, no matter how far apart chronologically or geographically, have produced a seaman class differentiated unmistakably from the landsmen. Whether because of economic necessity or opportunity, these great seagoing groups have come for the most part from a relatively small number of geographical areas—witness the roles played in maritime history by Phoenicians, Greeks, Venetians, Genoese, Catalans, Basques, Scandinavians, English, Dutch, Portuguese, New Englanders, Japanese and the natives of Dalmatia, of Goa and the Chittagong coast in India and of Ningpo in China.

Throughout many centuries living conditions for seagoing labor were hard in the extreme. Voyages were long, uncertain and treacherous, beset with dangers and replete with tedium. Not only were storms particularly severe on the relatively small sailing vessels, but the possibilities of shipwreck, drowning, starvation, fire, stranding and capture by pirates, savages or hostile peoples had also to be faced. Even if none of these dread eventualities occurred, a voyage might bring accident or disease to the individual. Accidents were so common as to place the seaman near if not at the top of the list of those engaged in dangerous callings, and the surgical means of dealing with them were often appallingly primitive. Until the use of lime juice and other anti-scorbutics became common in the nineteenth century, scurvy was perhaps the most spectacular of seamen's diseases; but many other maladies, led by pulmonary, digestive and skin disorders, were very common on shipboard. Venereal diseases belong in a separate category; but whether because of the seaman's recklessness or because of his peculiar circumstances they too were well represented in the forecastle and virtually untreated. Only since the so-called Brussels Agreement of 1924 have some of the leading maritime nations made international provision for the free, systematic and scientific treatment of venereal diseases in the merchant marine.

In some countries these hardships of seafaring life served as a challenge to whet the appetites of young, vigorous and ambitious men for adventure and a sight of strange places. But as in other trades poor jobs attracted poor workers, until many forecastles were filled largely with the scourings of the earth. The frequent tyranny of the master and mates was another cause for this low caliber of the men before the mast, although it was to an extent an effect as well. The "packet rats" of the Atlantic sailing ships of the early nineteenth century may have been desperate characters, but they were certainly not softened by the "bucko mates" who kicked and bullied them into submission rather than discipline, and who not infrequently maimed and occasionally murdered them. Discipline in fact was sometimes mistaken by the bridge for cruelty and license. In certain mediaeval codes actual dismemberment was countenanced as a punishment for specified offenses; while flogging, one of the most barbarous punishments of modern times, persisted well into the nineteenth century.

At best the life of a foremast hand on a sailing vessel was a mixture of monotony liberally spiced with danger and hardship, poor food, cramped quarters, exposure, long hours and complete subjection to the wills and whims of the officers; at its worst it was hell afloat. It is small wonder, then, that during his relatively brief spells ashore between voyages the common seaman sought to forget the limitations of his workaday world in a mood of reckless irresponsibility and a round of wild dissipation. Being for the most part an untutored person, he might in any case have looked for low pleasures and amusements. But he was spared that trouble by the crimp and his associates, the runner, the prostitute and the boarding house and saloon keeper, who thrust before him temptations which appealed to his basest instincts. Under the commercialized organization of water front pandering developed during the nineteenth century

the seaman on shore was systematically overcharged, cheated and robbed; and finally, when his accumulated earnings were gone, the crimp, acting as a self-appointed shipping master, would find a berth for him on an outgoing vessel.

As part payment for his alleged services in these matters the crimp would usually cajole or bully the seaman into signing an advance note and an allotment of wages, both preferred charges against anticipated earnings and both payable by the owners directly to the crimp. If these ordinary methods of recruitment proved insufficient, resort was sometimes had to shanghaiing, virtually a method of kidnaping. Any strong looking man seen near the water front might be overpowered, drugged or beaten into insensibility and delivered on board an outgoing vessel in need of hands.

When viewed from the standpoint of labor problems shipboard life presented difficult and peculiar aspects as well as many serious abuses. The twelve-hour day, in the form of "watch and watch," with rest as well as work broken every four hours, was well nigh universal. Forecastle accommodations, always small and ill ventilated, were at best inadequate and at worst degrading. Food, seldom passable even according to contemporary standards, often was fit only for beasts as regards quality, preparation and manner of serving. With the exception of whaling vessels, which required large crews for special purposes, undermanning was common; and until the spread of load line legislation in the nineteenth century, it was frequently accompanied by its twin evil overloading. Deck loading, especially common in the lumber trade, was a peculiarly hazardous form of overloading which constituted a grave menace to the safety of both ship and crew. In fact it is probable that the highly developed system of marine insurance, extremely desirable and on the whole socially beneficial in other respects, was in part responsible for the equanimity with which certain owners allowed their vessels to go to sea in spite of danger signals, which in addition to undermanning and overloading often included bad stowage, inadequate repairs and insufficient equipment.

Against these abuses the seaman had but scanty means of protection, aside from the frequently attempted but desperate and misguided remedy of desertion. True, in the leading maritime countries the law showed more and more concern for his welfare and chose to regard him in certain respects as a ward of the state, incapable of looking after his own interests. Provisions regulating the more important aspects of his work, such as those regarding engagement, dismissal, pay, discipline and repatriation, were embodied in articles of agreement which both master and crew were compelled to sign before each voyage; and courts and consuls were charged with certain special protective functions. But the law was hampering and restrictive as well as paternalistic, and judges were unfavorably impressed by the seaman's obvious ignorance and dislike of the ways of a court room; while consuls were often skeptical, suspicious and exasperated by his irresponsibility.

Collective self-help by means of the strike and collective bargaining presented even greater difficulties. Not only were the crews drawn from a jumble of races and nationalities, but they were constantly faced with the danger of unemployment as the result of economic pressure on the water front by low grade land labor. Only a small percentage could be in port at any one time, and then as a rule they were in no mood for sober consideration. And, finally, there was believed to be a certain incompatibility between the principles of labor organization and the necessity of maintaining discipline and undivided authority at sea.

Within the past three quarters of a century, however, the supplanting of sail by steam has revolutionized the entire technological and economic organization of the shipping industry; and this transformation, coupled with the far reaching effects of the industrial revolution on shore, has brought with it profound changes in the conditions of life and labor for the seaman. The use of steam has accounted for larger, faster and stancher vessels as well as for shorter and more regular voyages. These changes in turn have meant less danger, exposure and hardship, larger quarters with better ventilation and sanitation, greater variety and better quality of food and a more impersonal and less brutal relationship between bridge and forecastle.

On the other hand, steam, aside from having robbed seafaring life of certain vaunted qualities of beauty, adventure and romance, has displaced the old skilled and experienced sailors and substituted for them a multiplicity of specialized workers ranging from highly trained technicians to menials. Steam has been responsible also for the coal bunker and the dread stokehold. However, the recent growing shift from coal to oil has replaced the sweating, swarming firemen and coal trimmers with a smaller number of

machine tenders working under far cleaner and more comfortable conditions. But this improvement, in turn, has given rise to mounting unemployment around the shipping offices.

Wages for seafarers are still low. The following average monthly wages for certain selected American ratings on private cargo vessels were reported by the United States Bureau of Navigation for January 1, 1932: able bodied seaman, $56; ordinary seaman, $41; boatswain, $69; carpenter, $73; fireman, $59; coal passer or wiper, $49; chief steward, $116; cook, $95; second cook, $72; messboy, $39. In England, Holland and the Scandinavian countries wages were consistently lower, while those received by most other continental marine workers were still smaller.

Modern conditions have prompted more adequate provisions for the training and certification of maritime workers. Masters, mates and engineer officers are required to possess certificates which in most important countries are granted only after rather searching examination; and even the A.B. certificate for able bodied seamen presupposes a combination of skill and experience which gives its holders a recognized status. The merchant marine schools, established in modern times in order to aid candidates in preparing for these various tests, are sometimes private commercial ventures and sometimes institutions operated under governmental auspices or with a government subsidy. In some instances school ships for cadets or apprentices have been provided, for a growing recognition of the importance of merchant seamen as naval reserve auxiliaries has caused many governments to take an active interest in their training and working conditions.

A much stronger impetus along these lines, however, came from the seamen themselves, who finally succeeded, during the twentieth century, in creating a number of significant and occasionally powerful labor organizations. Noteworthy among these are the National Union of Seamen of Great Britain, which had a membership of 60,000 in 1928; the International Seamen's Union of the United States, which had a membership of 66,000 in 1920 but only 15,000 in 1931; and the closely allied Scandinavian unions and the French, Dutch, Belgian and Australian and New Zealand organizations. Most spectacular in its rise has been the Japanese Seamen's Union, which in little more than a decade has grown from a few loosely connected local groups to an organization including practically all eligible Japanese maritime workers. Out of approximately 120,000 Japanese seamen in the merchant marine in May, 1930, 89,000 belonged to the Japanese Seamen's Union.

In striking contrast is the position of other Asiatic seamen, who are still virtually unorganized. Bombay, Calcutta, Canton, Hongkong and Shanghai it is true have small seamen's unions; but the great mass of Lascars, Chinese, Filipinos, Javanese and Goanese are still untouched by trade unionism. In fact the conflict of standards between Asiatic and occidental seafarers promises to become one of the most troublesome maritime problems of the future.

Other problems are involved in the current struggles between the conflicting economic and political philosophies of fascism, socialism and communism. In the field of maritime labor fascism is aggressively represented by the Italian and German groups; socialism has been supported chiefly by the International Transport Workers' Federation, an influential organization whose seamen's section has been materially weakened by the defection of the German unions; while communist propaganda is being carried on among seamen the world over, in the hope of making converts amid the depressed and often desperate conditions along the water front. But in spite of some progress and an occasional spectacular if temporary success the Russian seamen still remain the only important group definitely subject to communist control. In certain respects the working and living conditions in the Russian mercantile marine represent distinct advances over those prevailing elsewhere. Perhaps the most important of these is the provision which empowers the members of the crew to elect ship's delegates, who are authorized to confer with the captain regarding a variety of shipboard problems and whose advice the master is required to seek under some circumstances.

In many countries deck and engine room officers have perfected separate organizations, which are often sympathetic with those of the seamen and sometimes cooperate with them; a number of such groups have formed the International Association of Mercantile Marine Officers. Shipowners too are usually organized along national lines; and in a few instances, notably in the national maritime boards of Great Britain and of Japan, formal provision has been made for periodic negotiations between the various groups representing owners, officers and seamen.

Conditions affecting the health and welfare of

seamen have long been so bad as to arouse the solicitude of numerous social, religious and philanthropic organizations. Missions to seamen, seamen's homes or seamen's branches of the Young Men's Christian Association exist in most of the large ports of the world. In recent years, however, emphasis has shifted from religious to educational and medical activities. Thus the Seafarers' Education Service of Great Britain is building up an elaborate system of carefully selected floating libraries, which are passed on from ship to ship, and is fostering both serious reading programs and definite educational facilities; and the League of Red Cross Societies and various organizations for combating venereal diseases, tuberculosis and other widespread maladies are showing more and more interest in both shipboard and water front conditions. These newer points of view were brought to a focus in 1929, when a special conference on the health and welfare of seamen was held in Geneva only a few days before the third maritime conference of the International Labor Office took up the same general topic as the third item on its agenda.

Undoubtedly, however, the most far reaching influence upon the working conditions of seamen is exerted by the elaborate structure of maritime law which has grown up in all important nations. Such legislation is both a hindrance and a protection; it restricts the freedom and bargaining power of the seaman, while at the same time it protects him against many abuses and sets important minimum standards for his safety and welfare. In their present form these maritime codes reflect the demands of seagoing labor, backed by relatively slight political power and a strategic use of the limited right to strike, the pressure of commercialized shipping interests, the necessities of navigation and the growth of humanitarianism. But essentially they represent also the modernized form of a long series of maritime codes which go back for many centuries and which have always emphasized the necessity and the right of special legislation for seafarers.

Four major lines of development may be discerned in tracing this evolutionary process. The Mediterranean codes began in antiquity, when the status of the foremast hand (or galley rower) was commonly that of the slave. The Rhodians developed the most important code of the pre-Christian era, and this was later taken over almost bodily by the Romans and given widespread jurisdiction under the title of the Rhodian Sea Law. Still later the mediaeval Italian city-states managed to maintain and to enforce, under special legal officials known as consuls of the sea, separate codes, such as the *Ordinamenti di Trani* and similar legislation at Amalfi and elsewhere. Such city-state laws finally culminated in the widely respected *Consolato del mare* of fourteenth century Barcelona.

A second major concept emerged in the Baltic basin, where the manorial status of lord and serf was used as the model for a master and servant relationship on shipboard. Best known of the codes in this region were the maritime laws of Wisby, which evolved into the highly influential regulations of the Hansa towns.

Quite another point of view, differing fundamentally from the two preceding, developed along the Norwegian coast, where the seaman was regarded as a full fledged freeman who was a fellow voyager and often a fellow merchant of the captain-owner. In this region democracy in the affairs of shipboard life was carried as far as the safety of the cargo and the purposes of the voyage would permit; but this concept disappeared after about 1400, when the Danes imposed the master and servant relationship upon Norwegian seafarers.

The fourth and perhaps the most influential source of modern maritime law was found in the Rolls of Oléron, which contained interesting modifications of the leading ideas in both the Mediterranean and the Baltic codes as well as some traces of the Norwegian law. The master and servant concept and its implications, however, clearly predominated; and it was this fundamental relationship, shorn of some of its most barbarous mediaeval punishments for infractions of discipline, which lay at the base of all the national navigation laws which gradually supplanted the earlier regional codes during the era after 1500.

In spite of a slow process of amelioration and enlightenment it was not until the end of the nineteenth century that reasonably adequate national maritime laws came into operation. Perhaps the first to deserve such characterization were the essentially uniform Scandinavian laws of 1891–93 (extensively revised, again on a uniform basis, in 1922–24). These were followed closely by the monumental British Merchant Shipping Act of 1894 (amended in 1906) and the German Seamen's Act of 1902. Among the other recent national laws of particular significance were: the United States Seamen's Act of 1915, the French Code of Maritime Work

and the Disciplinary and Penal Code for the Mercantile Marine, both of 1926, and the Soviet special regulations issued by the Commissariat of Ways and Communications on March 20, 1924.

The Soviet code is naturally the most revolutionary. But within the framework of modern capitalism the other two both allow and encourage far reaching changes. The French code embodies the highly controversial principle of the eight-hour day at sea, although with qualifications which permit the postponement of its full enforcement until it has been accepted also by France's main shipping rivals; while the American seamen's act combines a number of the most advanced provisions known to maritime law.

Foremost in the American law are the two supplementary clauses which abolish arrest and imprisonment as a punishment for desertion, leaving only the lighter penalty of forfeiture of effects on board and of unpaid wages, and also empower the seaman to demand one half of the wages due him whenever his vessel is in a safe harbor. Still more significant is the fact that these radical departures from previous practise apply not only to hands on American vessels, wherever they may be, but also to all seamen on foreign vessels in the United States. Other noteworthy provisions require: that three fourths of the members of the crew be able to understand any orders given by the officers—an effort to prevent the shipping of foreign speaking hands, especially Asiatics, to whom orders are commonly given through an interpreter; that 65 percent of those in the deck department be able seamen, including a prescribed number of certificated lifeboat men; that advance notes be made illegal and that allotments of pay be restricted to near relatives; that corporal punishment be prohibited; and that elaborate regulations be observed for the safety of vessel and crew and for the improvement of food scales and of living quarters.

Provisions essentially similar to the last three items in this list are to be found in the modern codes of most important maritime nations; and definite governmental agencies are charged with the task of interpreting and enforcing legislation, which assumes more and more responsibility for the protection of the seaman and his interests. But since the problems of seagoing labor are peculiarly international in their implications, the International Labor Office has assumed, during the past decade, a position of outstanding importance in this field. Three special maritime conferences have been held and have resulted, up to 1933, in seven draft conventions, each of which has been ratified by from twelve to twenty-five nations. These draft conventions are concerned with the fixing of a minimum age for the employment of children at sea, the establishment of facilities for procuring employment for seamen, unemployment indemnities for seamen in case of loss or foundering of their ships, the setting of a minimum age for the employment of youths as trimmers or stokers, compulsory medical examination of children and youths employed at sea, seamen's articles of agreement and the repatriation of seamen. Numerous recommendations and resolutions have also been adopted, including a proposal for the establishment of an international seamen's code; and much has been accomplished in gathering and publishing important documentary material. It is quite probable that Geneva will lead the way in attacking the great maritime labor problems of the near future: cyclical and technological unemployment, the eight-hour day, wage and manning scales, international competition, social insurance and the numerous requirements of health, education and welfare.

ELMO P. HOHMAN

See: SHIPPING; MERCHANT MARINE; MARITIME LAW; INTERNATIONAL LABOR ORGANIZATION; IMPRESSMENT; MUTINY; PIRACY; LODGING HOUSES; FISHERIES.

Consult: International Labour Office, "Seamen's Articles of Agreement," "Protection of the Health of Seamen against Venereal Disease," and "Hours of Work on Board Ship," *Studies and Reports*, ser. P, nos. 1–3 (Geneva 1926–29), and *International Labour Organisation and the Seamen* (Geneva 1927); International Labour Conference, 2nd, 9th, and 13th sessions, *Proceedings* and *Reports on Items on the Agenda* (London 1920, Geneva 1926, 1929); International Labour Office, Seamen's Conference, Genoa, 1920, *Reports*, nos. i–iv (London 1920); United States, Congress, 61st Cong., 2nd sess., *Legal Status of Seamen, Involuntary Service; a Review of the Development of the Ancient Maritime Laws . . .*, prepared and published by the Maritime Commission of Norway, tr. by E. Ellison, Senate Document no. 552 (1910); Pardessus, J. M., *Collection des lois maritimes antérieures au XVIIIe siècle*, 6 vols. (Paris 1828–45); Sanborn, Frederic R., *Origins of the Early English Maritime and Commercial Law* (New York 1930); Lindsay, W. S., *History of Merchant Shipping and Ancient Commerce*, 4 vols. (London 1874–76); Clee, Charles R., "Desertion and the Freedom of the Seaman" in *International Labour Review*, vol. xiii (1926) 649–72, 808–49; League of Red Cross Societies, Second Conference on the Health and Welfare of Merchant Seamen, Geneva, October 7–9, 1929, *Proceedings* (Paris n.d.); Home, William E., *Merchant Seamen, Their Diseases and Their Welfare Needs* (London

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SEARCHES AND SEIZURES. The law of search for evidences of crime may be traced back to very early periods in the history of modern legal systems. Formalities governing the search for stolen goods—this at first was the only form of search—are to be discovered in Greek, Roman and Germanic law. There were indeed striking resemblances in these formalities among all the Indo-Germanic peoples. Since they were intended to safeguard the person whose house was being searched against a malicious planting of the stolen goods, various degrees of nudity on the part of the searcher were commonly prescribed. The search for a long time was a regulated private search. Private search supervised by some public official represented a transitional stage. Only after the development of a public criminal law did the search tend to become entirely official. With the spread of writing and printing the search for documents became as important as the search for stolen goods or other physical objects of crime.

Phases of this line of development may be followed in the history of English law, where the issue of searches and seizures became earliest a subject of constitutional struggle and led to the maxim that every Englishman's home is his castle. The early common law did not recognize search warrants, but they crept into the law, as it is said, by "imperceptible degrees" for the purpose of searching for stolen goods. With the growth of the inquisitorial procedure of the Star Chamber there grew up, however, a practise of allowing the secretary of state to issue general warrants for the search of libels. The power was expressly conferred by the licensing acts, but it survived their expiration. The issue of searches and seizures came to a head in the 1760's when John Wilkes and certain others were arrested for seditious libel. Out of these proceedings two important rules of law emerged. The first concerned the validity of general warrants; the second the validity of special warrants to search for and seize private papers.

The warrant under which Wilkes was arrested was issued by Lord Halifax, principal secretary of state under George III, ordering all "His Majesty's officers, civil and military, and loving subjects whom it may concern" to "make strict and diligent search for the authors, printers and publishers of a seditious and treasonable paper" and to bring them in "together with their papers" for examination. A search warrant could scarcely have been phrased in more inclusive terms. The question of its validity was not passed upon in the Wilkes habeas corpus proceeding which followed, nor was it clearly determined, although it was discussed both by counsel and the justices, in the damage suit of Dryden Leach against three of the king's messengers. Shortly after these cases, however, the House of Commons by resolution declared all general warrants to be illegal "except in cases provided by act of Parliament."

In Entick *v.* Carrington [19 Howell's State Trials 1030 (1765)], on the other hand, it was emphatically held that a warrant in libel, even though it named the person to be arrested, was void if it directed the search and seizure of his papers. Lord Chief Justice Camden rejected the notion that such a search was assimilable to a search for stolen goods; and to the allegation that such warrants had been issued by the secretary of state without objection since the Revolution of 1688 he replied that uncontested practises were "precedents without weight" and that general submission by booksellers "had been a submission of guilt and poverty to power and the terror of punishment." The judgment in this case was likewise followed by a condemnatory resolution of the Commons.

James Otis' thundering condemnation in Boston in 1761 of the odious writs of assistance, "instruments of slavery on the one hand and villainy on the other," preceded by two years the arrest of Wilkes. The controversy over searches and seizures was therefore under way in the colonies before it came to a head in England.

But writs of assistance for the apprehension of smugglers and the seizure of customable goods were expressly authorized by act of Parliament, whereas the warrants involved in the English cases were sanctioned neither by the common law nor by statute.

The issue over writs of assistance was one of the flames that lighted the American Revolution. When therefore the state conventions that ratified the federal constitution in 1787–88 clamored for amendments that would safeguard individual liberties against the government, it was natural that protection against unreasonable searches and seizures should have been thought of. Hence the Fourth Amendment, which among others was proposed by the First Congress in 1789 and ratified by the states two years later: "The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized." Closely related to this declaration both in point of fact and in judicial interpretation is the provision against self-incrimination (*q.v.*) in the Fifth Amendment.

These provisions like others of the Bill of Rights protect the individual only against action by officers of the federal government. The United States Supreme Court, has, however, construed the rather vague and spacious guaranty of due process of law embodied in the Fourteenth Amendment, as applicable to state action, so that certain of the privileges and immunities that are contained in the first eight amendments to the constitution are now also protected against infringement by the states. But the right to be free from unreasonable searches and seizures has not as yet been expressly included under the expansive wings of due process. The constitutions of forty-seven states, however, contain somewhat similar, in many instances identical, provisions in their bills of rights. New York, where the guaranty is embodied merely in a statute, is the only exception.

"Unreasonable searches and seizures" is manifestly an elastic phrase, subject to no precise definition and therefore to considerable latitude in interpretation. The result is that American law upon this subject offers considerable diversity and tendency to vagary. Even where searches and seizures are admittedly illegal the problem of the best means of giving effect to the constitutional guaranty presents itself. The federal courts as well as the courts of more than a third of the states have held the view that the only sufficient means by which the protection can be truly realized is by a refusal on the part of the courts to receive at trial evidence that has been acquired by the government as the result of an unreasonable search and seizure. This they hold is the only safeguard that will restrain overzealous government enforcing officers.

A majority of the state courts, however, take a different view. They hold that evidence of crime is evidence no matter how it has been secured and that the culprit should not go free because his constitutional rights have been abused. As it has been put by Justice Cardozo, the criminal should not go free "because the constable has blundered" [People *v.* Defore, 242 N.Y. 13 (1926)]. The courts point out that the aggrieved citizen has other remedies against the offending officer. He may, for example, resist the officer who illegally invades his privacy or he may sue him for damages or prosecute him for oppression or ask that he be removed or otherwise disciplined by his superiors. But manifestly these are remedies that are ordinarily so remote from practicality that they render the constitutional guaranty very nearly nugatory in operation.

The federal rule itself is not free from contradiction. While the government may not use evidence which its own officers have "unreasonably" gathered, it may use evidence which anybody else has unreasonably secured, whether by theft or any other devious means. In this there is manifest inconsistency; for the protection is clearly intended to safeguard private persons and not merely to insure the integrity and discretion of officials. Of course a thief of evidence may be sued for trespass; he may also be prosecuted, but he is not likely to be if the government is availing itself of the fruits of his illegal venture.

Some searches are reasonable without warrants. Where, for example, a person commits an offense in the presence of an officer, incidental search and seizure are legal. A vehicle of transportation—a vessel or motor car—may likewise be searched without a warrant provided the searching officer has "reason" in advance to believe that the law is being violated. The theory is that such a vehicle, unlike a building structure, has a quick chance to get away and there is in consequence no time to waste upon securing a warrant. But the theory also is that the officer

must have had good grounds to justify his invasion. His search must not be merely exploratory. He must not act upon mere curiosity or even suspicion, and the fact that his search proves fruitful is insufficient to make it legal. In other words, he must have much the same grounds for action as would have been necessary to sustain his application for a warrant. But obviously this is legal theory that cannot with the highest of intentions be applied with exactitude or result in even handed justice. Apart from other considerations courts will disagree as to what furnishes reasonable grounds for searches of this kind, and there is no question that in practise many illegal searches are made and many searches are not made that probably should be.

On the other hand, even with a warrant there are searches that may not be made. Generally speaking, a distinction is drawn by the courts between contraband and non-contraband goods or articles. Gambling paraphernalia, prohibited liquor, burglars' tools, are put in one class. Papers that are of evidential value only are placed in another. The former may be searched for and seized, even destroyed. The latter, except in special circumstances, may not be. The theory here is that the former are evil in themselves—dangerous weapons, for instance. The latter are not. Here again there is a considerable element of fiction. Playing cards or even roulette wheels are not necessarily harmful. Private papers may result in greater harm to society than burglars' tools. The United States Supreme Court recognizes this by admitting that certain private papers may be sequestered under a warrant and used in prosecution—a contract, for instance, under which a fraud would be continued against the government.

National prohibition, in effect from 1920 to 1933, naturally resulted in vastly expanding judicial pronouncements on the constitutional guaranty against unreasonable searches and seizures. Indeed there were in that brief period an enormously larger number of cases on the subject than there were in the entire previous history of the United States. The result of the prohibition cases has been to make the law governing the guaranty about as muddled as it could be, which was probably inevitable. In a prohibition case the Supreme Court even held that wire tapping by the government did not violate either the Fourth or the Fifth Amendment [Olmstead *v.* U.S., 277 U.S. 438 (1928)]. The issue, as in the case of most questions of criminal procedure, involves the balancing of the interest in the general security against the interest in the protection of the individual.

The principle of inviolability of domicile has been accepted also by European democratic states. It was given currency by the French Revolution. Although no such general requirement as that of reasonable search is recognized and there have been few attempts to prohibit general warrants, other procedural safeguards have been enacted. These include such requirements as that a crime must have been committed before a search may be authorized, that only investigating magistrates or public prosecutors may institute a search, that the accused or his representative must be present at a search, that objects seized must be officially sealed, that warrants authorizing the search of the premises of parties who are not themselves involved in a crime must be specific, that privileged communications may not be seized in any search, that domiciles may not be searched in the nighttime. Such regulations are often buttressed by criminal penalties and when neglected may result in the nullity of the proceedings. Even in England in recent decades some exceptions to the issue of general warrants have been created by statute.

HOWARD LEE MCBAIN

See: ARREST; HABEAS CORPUS; EVIDENCE; SELF-INCRIMINATION; PROSECUTION; CIVIL LIBERTIES; PROHIBITION.

Consult: Schwerin, C. von, *Die Formen der Haussuchung in indogermanischen Rechten*, Rechtsgeschichtliche Studien, vol. i (Mannheim 1924); Garraud, René, *Traité théorique et pratique d'instruction criminelle et de procédure pénale*, 6 vols. (Paris 1907–29), especially vol. iii, p. 201–28; Besnard, René, *Des perquisitions et des saisies en matière criminelle* (Paris 1904); Beling, E., *Deutsches Reichsstrafprozessrecht*, Lehrbücher und Grundrisse der Rechtswissenschaft, vol. xvii (Berlin 1928) sect. 106; Spitznagel, Anton, *Die Haussuchung im Strafprozess* (Tübingen 1896); Postgate, R. W., *That Devil Wilkes* (New York 1929); Cornelius, A. L., *The Law of Search and Seizure* (2nd ed. Indianapolis 1930); Wigmore, J. H., *A Treatise on the Anglo-American System of Evidence in Trials at Common Law*, 5 vols. (2nd ed. Boston 1923) vol. iv, para. 2183–84; Cooley, T. M., *A Treatise on the Constitutional Limitations*, 2 vols. (8th ed. Boston 1927) vol. i, p. 610–36; McBain, H. L., *Prohibition, Legal and Illegal* (New York 1928) ch. v; Johnston, Henry Alan, *What Rights Are Left* (New York 1930) chs. iv–v; Black, F. R., *Ill-Starred Prohibition Cases* (Boston 1931); Fraenkel, O. K., "Concerning Searches and Seizures" in *Harvard Law Review*, vol. xxxiv (1921) 361–87, and "Recent Developments in the Law of Search and Seizure" in *Minnesota Law Review*, vol. xiii (1928–29) 1–20; Atkinson, T. E., "Admissibility of Evidence Obtained through Unreasonable

Searches and Seizures" in *Columbia Law Review*, vol. xxv (1925) 11–29; Harno, A. L., "Evidence Obtained by Illegal Search and Seizure" in *Illinois Law Review*, vol. xix (1925) 303–14; Black, F. R., "Burdeau *v.* McDowall—a Judicial Milepost on the Road to Absolutism" in *Boston University Law Review*, vol. xii (1932) 32–40, and "A Critique of the Carroll Case" in *Columbia Law Review*, vol. xxix (1929) 1068–98.

SEASONAL FLUCTUATIONS. *See* TIME SERIES; STATISTICS.

SECESSION. *See* STATES' RIGHTS.

SECKEL, EMIL (1864–1924), German jurist. Seckel studied in Tübingen and Leipsic, and after several years of private research and visits to the libraries of Germany, Italy and Switzerland he settled in 1895 at the University of Berlin, where in 1901 he became professor. His chief interest, from the very beginning of his career, was the investigation of the manuscripts of the early mediaeval Roman and canon law. His numerous discoveries brought him recognition as one of the major authorities on mediaeval law.

In the field of the canon law Seckel devoted himself principally to Benedictus Levita, for the issue of whose work in the *Monumenta Germaniae historica* he worked thirty years and concerning whom he also published a long series of studies. He achieved fame as the result of the publication of the first volume of his *Beiträge zur Geschichte beider Rechte im Mittelalter* (Tübingen 1898), which is concerned with the role of the "popular literature" of the Roman-canon law in the period of the reception. His plan of an edition of the literature of the gloss was unfortunately made impossible by war and inflation. In the field of the classic Roman law his reputation rests upon his new edition of H. G. Heumann's *Handlexikon zu den Quellen des römischen Rechts* (9th ed. Jena 1907) as well as upon his co-editorship of Eduard Huschke's *Jurisprudentiae anteiustinianae reliquias* (2 vols., 6th ed. Leipsic 1908–11). Although primarily a historian, Seckel was interested also in dogmatic studies and published a celebrated essay, "Die Gestaltungsrechte des bürgerlichen Rechts" (in *Festgabe . . . von Richard Koch*, Berlin 1903, p. 205–53), which dealt with the power to create legal obligations by unilateral acts.

In Seckel's time the investigation of the classic Roman law had been initiated primarily by means of the technique of interpolation. For this very reason, however, as Seckel perceived, the study of the history of the Roman law in the early and late Middle Ages, which had been inaugurated by Savigny, was being neglected. Thus while assisting in the recreation of the classic Roman law, Seckel concentrated upon its history after the Justinianian codifications. His interest in both the Roman and the canon law as well as some phases of Germanic law was the result of his emphasis upon the close interdependence of all three systems in the mediaeval period. He aimed at the mastery of the whole mediaeval law, but his scientific ideals were so rigorous that he felt constrained to confine himself largely to the critical investigation of detail.

FRANZ SOMMER

Consult: Genzmer, Erich, in *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung*, vol. xlvi (1926) 216–63; Abraham, Paul, *Emil Seckel*, Bio-bibliographische Beiträge zur Geschichte der Rechts- und Staatswissenschaften, Abteilung Rechtswissenschaften, no. i (Berlin 1924).

SECKENDORFF, VEIT LUDWIG VON (1626–92), German cameralist. Seckendorff studied at Strasbourg and in 1646 entered the service of Ernest the Pious, duke of Saxe-Coburg-Gotha, holding various offices until his appointment to the chancellorship in 1663. Between 1664 and 1681 he served as chancellor under Duke Moritz of Saxe-Naumburg-Zeitz and eventually became privy councilor under Frederick III of Brandenburg.

In the eighteenth century Seckendorff's principal work, *Teutscher Fürsten Stat* (Hanau 1656; new ed. by A. von Biechling, Jena 1754), was the most popular manual of German politics, and even today he is commonly rated the most important of the German cameralists. It seems clear, however, that he is significant for his elaborate discussion of administrative organization rather than as a formulator of economic policy. In general approach a moderate absolutist, he viewed government as a patriarchal relationship between the people and the prince, who reigned by divine grace and was obligated to rule directly and personally. After discussing government under four major aspects—the preservation of power, the introduction of good laws, the maintenance of the judicial system and the utilization of all agencies of coercion—the *Fürsten Stat* proceeded to a systematic analysis of public finance. It explicitly denied the right of the prince to all wealth in his domain and drew a distinction between the regalia, which were owned exclusively by the prince, and

property belonging to the state. Taxes might be levied, but only to provide extraordinary income, and justice should be insured by the drawing up of a tax register and the observance of the principle of ability to pay. Seckendorff also advocated the establishment of a special bureau to control both princely and state revenues and expenditures.

Although an enthusiastic proponent of mercantilism and an antagonist of guild organization, Seckendorff still echoed the mediaeval solicitude for plentiful subsistence, stressing from this point of view the dangers inherent in the policy of promoting an unlimited increase of population. In denouncing the debasement of coinage he arrived, by an empirical process of reasoning, at the principle of Gresham's law. Characteristically he disapproved both of alchemy and of the export of money for luxury purposes.

Seckendorff's second important work, *Der Christen Stat* (Leipsic 1685, new ed. 1743), represented an indictment of atheism written under the strong influence of Pietism. Here he developed his defense of the Erastian doctrine concerning the subordination of church to state. In a supplement entitled *Unmassgeblich Bedencken von der Beschaffenheit und Gebrauch der Landes-Defensioner* he was the first German to embrace the idea of universal and compulsory military service. Seckendorff is notable also as the outstanding cameralistic advocate of general education; in the *Fürsten Stat* he outlined a complete system of graduated national instruction.

KURT ZIELENZIGER

Consult: Nasemann, O., in *Preussische Jahrbücher*, vol. xii (1863) 257–72; Roscher, W., "Zwei sächsische Staatswirthe im sechzehnten und siebzehnten Jahrhundert" in *Archiv für die sächsische Geschichte*, vol. i (1863) 376–97; Pahner, Richard, *Veit Ludwig von Seckendorff und seine Gedanken über Erziehung und Unterricht* (Leipsic 1892); Small, A. W., *The Cameralists* (Chicago 1909) ch. iv; Nielsen, Axel, "Den tyske Kameralvidenskabs Opstaaen i det 17. Aarhundrede" in K. Danske Videnskabernes Selskab, *Skrifter*, Historisk og Filosofisk Afdeling, 7th ser., vol. ii (Copenhagen 1911) p. 55–159, tr. by Gustav Bargum as *Die Entstehung der deutschen Kameralwissenschaft im 17. Jahrhundert* (Jena 1911); Zielenziger, Kurt, *Die alten deutschen Kameralisten*, Beiträge zur Geschichte der Nationalökonomie, no. 2 (Jena 1914) p. 335–71, and "Veit Ludwig von Seckendorff und die Idee der allgemeinen Wehrpflicht" in *Bibliographie der Rechts- und Staatswissenschaften*, vol. xxxvi (Berlin 1927–28) p. 117–28.

SECOND CHAMBERS. *See* BICAMERAL SYSTEM.

SECRET SERVICE. *See* POLICE; POLITICAL POLICE.

SECRET SOCIETIES. In the light of recent data the assumption of the evolutionary and comparative schools of anthropology that the secret society represents a recurrent or unavoidable stage in the development of culture, among all ethnic groups, cannot be substantiated. The evidence points to three centers of occurrence and perhaps diffusion of the typical secret society, considered as an integral constituent of primitive life. These are respectively Asia (Melanesia, New Guinea and eastern Indonesia), the west coast of Africa, and North America, especially among the Zuñi and Pueblos of the southwest and the Kwakiutl of British Columbia. Related institutions among widely dispersed peoples exhibit parallelisms of great variety, such as clubs, bachelor lodges, guilds, initiation groups, bush schools, age groups and totemic organizations, to the degree that they are characterized by a surrounding cloak of secrecy, at least as regards other members of the same tribe, clan or other more inclusive unit of social allegiance and relationship. As a rule secrecy is employed for more effective control over nonmembers and the uninitiated or for more stringent maintenance of the internal solidarity of the group of individuals who have discovered or built up common interests. In this way the secret society eventually comes to represent unique and discrete interests which are in conflict with the traditional bonds of allegiance of the individual or with vested interests in the case of the more highly developed economies. Admission to the society is usually in the nature of a voluntary act for the individual, at least as compared with his inclusion in a consanguineous union as the basis of social organization. Rivers' theory that secrecy is necessarily superimposed upon groups entering alien cultures or practising prescribed rites has a limited application, as the esoteric is often the badge of defense of a challenged or expiring culture.

Secret societies take on diverse functions in different areas, depending largely upon the major orientation of the cultures. Frobenius and others posit magical or religious prepossession as the basic motivating force behind secret societies. The influence of the supernatural power of ancestors and of totems is, however, usually invoked only as a sanction or as a more potent avenue of approach to the solution or alleviation of more material and mundane problems, such

as the quest for food and the maintenance or restoration of fertility, health and general welfare. The ceremonial of the cult is introduced as a reenforcement to some more worldly concern of the members of the fraternity or as a prophylactic measure to insure success for its desires. Connection with magic and religion cannot be regarded therefore as unconditionally basic to secret societies, except in instances where charms, spells and the whole paraphernalia of the technique of magic become forms of wealth offered for sale and purchasable from the group which has surrounded its exploitation with jealously guarded secrecy. In the case of the Ibo of west Africa the blacksmiths have formed a guild which is hedged about with all manner of magical appurtenances, but the prestige of membership inheres chiefly in the title of smith; many secure membership and the title without understanding the practise of the craft, but a unique, discrete interest still underlies membership and is the *raison d'être* of the group. In the case of modern fraternal societies, with their trappings of esoterism, the ceremonial becomes the chief function of the organization, because the latter has lost its position in the culture of the society in which it is found.

Van Gennep selected as the chief token and import of the secret society the rites and ceremonies of separation from the former social allegiance and the aggregation to the fraternity—a sort of death and resurrection of the personality. Hutton Webster somewhat similarly is led to identify this form of social organization as a lineal descendant of ceremonies of initiation into manhood which have lapsed into degenerate or rudimentary forms. In the majority of cases the outward form of initiation into the secret society is closely imitative of the maturity rites in its solemnity and in the sense of a definitive rupture with the nucleus of past social obligations. Both occasions are formalized by the *rite de passage*; yet the similarity in the initiation formalities hardly reveals the true functioning of the secret society, nor does it resolve the quandary of the common coexistence of initiation schools and secret societies in the same culture complex.

Secret societies are repeatedly organized by men to terrorize and intimidate the women and thus to secure prerogatives and a weapon of predominance over the other sex. Thus among California Indians the men used their fraternity to keep the women in subjection, to protect husbands' rights and to inculcate related virtues, such as chastity, obedience and industry. Women's secret societies are not unknown; they represent the affirmation of female rights and are presumably organized in response to the exclusion of their sex from the societies for men. In west Africa there are such groups which function in the maintenance of the vestal fires, the detection of thieves and the protection of wives against harsh treatment by their spouses. The ultimate decline of the secret society is held by Webster to be due to the inclusion of the women, while Briffault ascribes it to the subsequent inclusion of the men.

Secret societies seem to grant definite economic advantage or consequent political prerogative, the attainment or maintenance of which necessitates a constant resort to all the paraphernalia of esoterism. As Boas has pointed out, membership later creates its own added advantages through the hierarchical organization of degrees whereby the newcomer pays allegiance to the older. The economic privileges include such things as possession of trade secrets, exclusive knowledge of the art of writing, the handling of money, the collection of debts and the exaction of contributions. In the Banks Islands the right to private ownership of property may be secured, in the face of the traditional communal form of ownership, only through membership in the secret society. Among the Yorubas of west Africa, the society acts as a refuge for harassed debtors. The Duk-Duk society of New Britain prevents the women from acquiring too much wealth. The germs of government, at least of policing and maintenance of law and order sufficient to protect economic interests, are taken over as a function of the secret society. Often the societies serve as the principal instruments of power of the chief or as the foundation of an aristocracy. Through their power to invoke dread on the part of the uninitiated, they sometimes impose peace upon quarreling parties by means of fines and thus take over juridical functions; in New Britain, for instance, the Duk-Duk society acts as judge, constable and executioner. Among the Blackfeet Indians analogous associations maintain order on the march, in camp and in hunting parties. Occasionally these societies transcend tribal limits and approach a sort of Freemasonry, as in the Zambezi region in Africa. The power of the fraternities at times leads their members to practise oppression, extortion and terrorism upon excluded persons.

Subversive fraternities have been legion in all civilizations, historical as well as primitive, checking or challenging existing authority and

providing a nucleus of incipient dissidence or revolt. Conspiratorial clubs have revived in recent years as instruments of revolutionary or of reactionary groups. The preservation of coherence, the identification of loyalty and mutual aid in a dangerous task of upsetting authority, have led the minorities to resort to secrecy to attain their purposes. The symbolism of marks of identification, like the swastika, the esoterism of antique rituals and dress, especially the efficacy of masks, contain a compelling attraction which enhances the prestige of the individual in his own estimation and in that of his fellows, members and non-members alike. On the other hand, the popular use of ceremonialism and esoterism by modern fraternal, friendly and mutual aid societies indicates merely survivalistic forms and functionless trappings. In the case of college and purely convivial societies the rudiments of the psychology which govern the true secret society become irrelevant and gratuitous.

NATHAN MILLER

See: SOCIAL ORGANIZATION; GROUP; INITIATION; MYSTERIES; AGE SOCIETIES; GERONTOCRACY; CASTE; CLUBS; CLUBS, POLITICAL; GANGS; GUILDS; FRATERNAL ORDERS; MASONRY; FRIENDLY SOCIETIES; CARBONARI; CAMORRA; MAFIA; KU KLUX KLAN; CONSPIRACY, POLITICAL; ANTIRADICALISM.

Consult: Frobenius, Leo, *Die Masken und Geheimbünde Afrikas*, Kaiserliche Leopoldinisch-Carolinische Deutsche Akademie der Naturforscher, Abhandlungen, vol. lxxiv, pt. i (Halle 1898); Schurtz, H., *Altersklassen und Männerbünde* (Berlin 1902); Webster, Hutton, *Primitive Secret Societies* (2nd ed. New York 1932); Rivers, W. H. R., *Social Organization*, ed. by W. J. Perry (New York 1924); Sumner, W. G., and Keller, A. G., *The Science of Society*, 4 vols. (New Haven 1927) vol. i, p. 525–39, and vol. iv, p. 215–27; *Societies of the Plains Indians*, ed. by Clark Wissler, American Museum of Natural History, Anthropological Papers, vol. xi (New York 1916); Loeb, E. M., *Tribal Initiations and Secret Societies*, University of California, Publications in American Archaeology and Ethnology, vol. xxv, no. 3 (Berkeley, Cal. 1929); Simmel, Georg, "The Sociology of Secrecy and of Secret Societies" in *American Journal of Sociology*, vol. xi (1905–06) 441–98.

SECRET TREATIES. *See* TREATIES.

SECRÉTAN, CHARLES (1815–95), Swiss philosopher and social theorist. Secrétan came of a family which had long been prominent in Swiss political life. He studied philosophy with Vinet at Basel and with Schelling and Baader at Munich, but he was most influenced by Karl Christian Krause and through him by Fichte. He taught philosophy in his native Lausanne from 1838 until 1846, when he was removed as a result of his criticism of the government set up after the Vaud revolution. In 1850 he went to the college at Neuchâtel, remaining there until 1866. He then resumed the chair at Lausanne, retaining it until his death. Throughout his life he was an active defender of political and religious freedom.

Secrétan in his writings sought to reconcile individualism with ethics without sacrificing that ethical autonomy which to him was identical with creative, progressive liberty. This he did by setting up as the subject of collective liberty the "we" of humanity, "a very specific [whole] not reducible to any other kind of totality," "a unity of communion in liberty" which "permits the simultaneous affirmation of both the substantiality of the species and the substantiality of the individuals." This attempt to produce a synthesis between universalism and individualism, on the basis of a specifically ethical union, led Secrétan to attack Hegel violently. "To seek to realize the unity of the moral being by restraint is the contradiction of contradictions, since the being unified by this means would no longer be a moral being."

In his application of these considerations to social problems Secrétan became the inspiration for the solidarist movement in France, which through Fouillée and Bourgeois utilized the ideas of Secrétan to a great extent. Secrétan sought to reconcile the justice of love with that of solidarity and to deduce social duties therefrom. These social duties are best realized not by the state with its coercion but by free and voluntary associations of a quasi-fraternal nature. In his last works Secrétan revealed himself as an advocate of a type of associationist socialism reminiscent of Fourier and Proudhon. The organized, or solidarized, economic society should consist of a vast confederation of producers' and consumers' cooperatives, which in turn would be confederations of "cells." Secrétan was very hesitant about advocating methods of introducing this regime: at one time he based his hopes upon intervention by the state; at another on the action of free contracts among individuals and among groups.

GEORGES GURVITCH

Works: *La philosophie de la liberté*, 2 vols. (Lausanne 1848, 3rd ed. Paris 1879); *Le principe de la morale* (Lausanne 1883); *Études sociales* (Paris 1889); *Les*

droits de l'humanité (Paris 1890); *Mon utopie. Nouvelles études morales et sociales* (Lausanne 1892).

Consult: Pillon, F., *La philosophie de Charles Secrétan* (Paris 1898); Richard, G., *La question sociale et le mouvement philosophique au XIXe siècle* (Paris 1914) ch. iii; Gurvitch, G., *L'idée du droit social* (Paris 1931) p. 569–76.

SECTARIANISM. *See* SECTS.

SECTIONALISM. *See* REGIONALISM.

SECTS. All of the great religions are represented by a variety of forms which in popular usage are called sects. Thus Pharisaism and Sadduceeism, Essenism, Reform Judaism, as well as ancient Babylonian and Egyptian forms of Judaism, may be regarded as sect variations of a common faith. A similar process may be observed not only in the great division of Moslemism into Sunnite and Shiite forms and the numerous subdivisions of the latter but also in the separation of Buddhism into Hinayana and Mahayana, with the division and proliferation of the latter into many divergent monastic groups and schools. The three great sections of Christianity —Roman Catholic, Eastern Orthodox and Protestant—and the numerous subdivisions of the last two are sectarian in the same sense. Sectarianism thus defined becomes only another name for differentiation. Its causes are multitudinous and while certain general patterns may be discerned, such as the adjustment of a religious tradition to a changing culture, a clear cut distinction between various types of such groups is a prerequisite to sociological analysis. For in such a broad sense sect is applied not only to churches but also to parties, schools of thought, associations and unorganized popular movements. A narrower use of the term limits it to those groups or organizations which although not recognized by an established church are still regarded as belonging to the same major religious tradition. Thus the established churches of Germany and England designated all dissenting groups as sects, while Roman Catholicism regards as sectarian all forms of the Christian faith which set themselves up independently of the hierarchy. Used in this way the term is derogatory and implies moreover that there is a standard and true form of religion to which all believers should conform. Furthermore it groups together widely divergent types of organization.

In recent years the sociological analysis of religion has led to adoption of the term sect for one particular type of division and organization. It has come to denote a religious conflict society which arises in opposition to an institutional church: based on the definite commitment of mature individuals to a definite set of principles, such an association is a contract society rather than an institution. Whereas the church is inclusive, tending to regard all members of a parish, a community or a nation as its wards and serving as an educational and sacramental agency, the sect is exclusive, setting up definite requirements for membership and exercising missionary and disciplinary functions. While the church is either organically related to the state or closely identified in practise with the established social order, the sect tends to be critical of or antagonistic to prevailing political and economic institutions. The church accommodates itself to the mores of the community, while the sect is rigoristic. For the former a religious doctrine of salvation and the participation of individuals in the means of grace are primary; the latter emphasizes conduct rather than faith. To the priestly and professional leadership of the church and its hierarchical organization the sect opposes a lay leadership and a democratic organization. Whereas the former is usually allied, in its leadership at least, with the socially powerful classes, the latter finds its support most frequently among the politically disfranchised or economically weak. As a final and inclusive distinction it may be said that the church is always interested in the principle of continuity whereas the sect emphasizes discontinuity, whether between church and state, between the converted and the unconverted or between present and future.

While the study of the sectarian type of religious organization has been carried on principally with reference to Christian history, the same type is recognizable in the development of other faiths. The various secret societies with religious interests, exclusive membership and revolutionary programs of action which have arisen at frequent intervals in Chinese history seem to belong in this category. The Society of Heaven and Earth (Hung Society) is especially noteworthy; the Lung-hua, the White Lotus Society (Pai-lien) and the so-called "God worshipers" of the Taiping rebellion are other examples. The religious beliefs of these groups are syncretistic, arising out of a combination of Taoist and Buddhist or Christian ideas. Religious and moral discipline or, as in the case of the Lung-hua, elaborate ritualism is designed to

lead the adherents to an early salvation. Strict vegetarianism, derived from Buddhism, is a frequent requirement. Suspected of political designs and of revolutionary programs, these societies were subjected to vigorous persecution and were driven underground. Moslemism has given rise to numerous organizations of the sect type, notably the Wahhabis, the Druses and the Bahais. The first of these was a strongly rigoristic movement which arose in protest against the tendency of orthodox Moslemism to accept popular customs, while the last two groups introduced a messianic element. Messianic and mystic strains combined with ethical rigorism in the Jewish Chassids of the seventeenth and eighteenth century, who were characterized also by a dependence on the directly inspired leader.

The sectarian tendency in Christianity may be traced back to the origin of this faith as a separatist movement in Judaism. Beginning apparently as a party or free association the Christian sect found its primary authority in the sayings of Jesus and in the direct inspiration of the Holy Spirit rather than in the religious customs and Scriptures of the parent religion. Moreover it was strongly messianic in its outlook and developed a self-sufficient religious community within the nation. Economic communism of a sort, in consumption rather than in production, and indifference to the political life of the nation were also characteristic. Subjected to persecution, this association began at the same time to find adherents among gentiles as well as Jews and so increased the conflict between itself and Judaism. In the Roman world Christianity preserved its character as an exclusive society which not only forbade its members to participate in the popular worship and exercised strict discipline over their conduct but also tended to separate them from the political and economic society. The identification of social institutions with the "world," which was evil and which was soon to pass away, and the development of a rigoristic ethic and of close fellowship within the Christian group led to the formation of a relatively self-sufficient society within the empire: the resulting antagonisms increased the separation of church and "world."

Although the process of accommodation likewise began at an early time and led to the merging of church and state, the literature produced in the sectarian origins of the Christian movement, much of which was gathered in the New Testament, became the source of repeated revivals of sectarianism in later centuries. Montanists and Donatists early directed their protests against the growing power of the clergy, the relaxation of discipline and the substitution of doctrine for inspiration. Messianic expectations also colored their attitudes. From the third century to the eleventh sectarian tendencies in Christianity were in large measure absorbed by the monastic movement, which combined with a dualistic asceticism the sectarian protest against the secularization of church and priesthood as well as the sectarian interest in a rigorous morality, in exclusive membership based on voluntary commitment and in a self-sufficient Christian society. While monasticism remained largely individualistic and mystical in the east, its western form from the sixth century onward was social and missionary. Mediaeval Catholicism, however, was able to unite this sectarianism with the ecclesiastical movement and to place monasticism in the service of the inclusive church.

From the twelfth century there began to develop new sect movements which were less successfully integrated with the ecclesiastical system. Four main periods of this development may be distinguished. The first of these in the twelfth and thirteenth centuries was still largely under the influence of dualistic and monastic conceptions. Although the chief organizations resulting from it, the mendicant orders, became a part of the Catholic system, one group, the Waldenses, retained its sectarian character. The sectarian interest of this period came to expression in the Cathari, who professed doctrines derived in part from an extreme oriental dualism, sought individual perfection apart from the church, rejected the official clergy, abstained from oaths and from the use of force and attempted in general to reintroduce primitive Christian fellowship and apostolic poverty. This group and the closely related Albigensian sect flourished particularly among artisans in the towns of southern France and in Lombardy. Their protest was directed against the feudal system as well as against its ecclesiastical representatives, but instead of engaging in open revolt they aimed to set up within the framework of feudal and hierarchical society a partly independent religious, economic and political organization. Since the movement was directed against the secular and ecclesiastical territorial princes, it resulted indirectly in the strengthening of the papacy and the centralized church. The Franciscan and Dominican orders, which emerged out of the sectarian fermentation of the time, contributed to the same result. But in the so-

called "spiritual Franciscans" and in the Waldenses the revolt against the church continued. The latter maintained themselves in southern France and Italy despite repeated persecutions. They strove to realize the ideal of the primitive church, were devoted to the Scriptures, accepted the teachings of Jesus as a new law, emphasized poverty and equality in the fellowship and rejected oaths, capital punishment and participation in war and government. In both the French and Italian wings of the sect the urban, artisan class seems to have predominated.

A second manifestation of sectarianism, connected with the names of Wycliffe and Huss, occurred during the fourteenth and fifteenth centuries. While Wycliffe's opposition to the Roman church appealed to the familiar ideal of apostolic poverty and simplicity, it was free from those mystical and apocalyptical ideals which marked earlier and later sectarianism and was directed more toward the independence of the English churches than toward the organization of a separatist community of avowed Christians. The movement drew less upon the ideal of apostolic community than upon the ideal of the natural law derived from Roman stoicism. While the subversive doctrines of Lollardry did not issue directly in the formation of a sect, they combined with Waldensian practise in Bohemia to generate a movement directed not only to the reform of the church and to independence from Rome but also, in one of its phases, to the formation of a separatist Christian community. The Taborites, who formed the extremist wing of the Bohemian movement, constituted a party rather than a sect, in the strict sense of these terms; they sought the reform not only of the church but also of civil society in conformity with the gospel which like Wycliffe they explained in terms of "natural law." Demanding the abolition of private property, of class distinctions and of taxes, they continued to think in terms of the national society and to use the ideal as a program of general social reform rather than as the pattern for a separate Christian community. Consequently they could reject the gospel principle of non-resistance and counsel violence in the overthrow of the existing ecclesiastical and political organizations. Out of the defeat of this movement a definite sect, the Bohemian Brethren, or Moravians, emerged. This group accepted the ethics of the New Testament not as a program to be forced upon civil society but rather as the constitution of a separate religious community. It rejected all forms of violence, required its members to withdraw from public life and trade, to content themselves with agriculture and manual labor and to develop among themselves a fellowship of love. The principle of individual commitment was not, however, consistently applied and when the birthright members entered into closer relations with the public life, doctrines and practise were largely accommodated to the new situation. In the eighteenth century as a result of persecution, migration and the influence of the Pietist movement the organization was reconstituted in Germany and in America. The American branch succeeded in establishing for a time a "general economy" in which all members participated in common property and common work, largely for the sake of supporting missionary enterprise.

The third period, in which modern Christian sects originated, coincides roughly with the time of the Reformation. At the outset a protest against the Roman system of government, doctrine and practise, the Reformation tended to display sectarian characteristics and its organization in the Lutheran and Calvinist churches embodied certain sectarian features, such as recognition of the priesthood of all believers. But orthodox Protestantism was not sectarian; it sought rather to organize national churches of the inclusive and institutional type, closely associated with the state. The sectarian movement of the time was more closely related to the revolutionary tendencies which were directed not only toward the reform of the church but also toward the radical reconstruction of the political and economic system. These tendencies were found among the lower economic classes, peasants and artisans rather than among the princes and the commercial groups who supported Protestantism. So long as the Reformation remained a protest, the revolutionary groups seemed to form only the extremist wing of the general movement; but as soon as the work of organization was undertaken, the divergence of interests began to appear and the conflict of the extremists with Protestantism became quite as severe as their conflict with Catholicism.

The radical, or Anabaptist, movement was by no means united and did not manifest uniformly sectarian tendencies. As in the earlier Taborite revolt, two divergent philosophies and strategies were present. Both were revolutionary, seeking a new society rather than a reformed church; both were directed primarily to the proletariat and the peasantry; and both were individualistic and mystical, although with a difference. After

a period of confusion the divergence between the two sets of interests and ideas made itself manifest in the period of organization and of persecution. One tendency came to expression in the Peasants' War (1524–25) and in the effort to establish the kingdom of God in Münster (1533–35). The leaders of this movement, Thomas Münzer, Melchior Hoffmann, Jan Matthijsz and John of Leyden, were millenarians who interpreted the New Testament in the light of its messianic hopes rather than of its ethics; they were visionaries whose mysticism was more a matter of direct revelation through apparitions than of communion with spiritual reality. Like the Lollards, they derived their ethics from the idea of natural law rather than from the New Testament and were able to ignore the counsel against resistance. The community of property which they sought was to be based upon the natural rights of men rather than upon the apostolic idea of love. The other, definitely sectarian, tendency appeared first of all among the Swiss Anabaptists. Opposed to all violence and rigoristic in their discipline, they were regarded as enemies of the church and state by both Protestants and Catholics on account of their opposition to the institutional church and their tendency toward communist principles.

Swiss sectarianism and German millenarianism were intermingled in the confused movement in northern Germany and Holland, but after the failure of various revolts and under civil persecution the sectarian tendency maintained itself and led to the formation of various independent groups. Led by Dirk Philips and Menno Simons, the non-resistant Anabaptists organized themselves into societies which held to the principles of believer's baptism, rejection of the sacraments as means of grace, rigorist discipline, non-participation in war and government and refusal to take oaths. But they united with these separatist ideas the early Christian counsel of obedience to the civil magistrates. Extreme simplicity in costume and manner of life and the prohibition of marriage with non-members of the society were other features of the organization. Variations in the practise of local groups as well as the tendency of succeeding generations to relax the restrictions, because of persecution or increase of contact with public life, led to numerous schisms and to the founding of new communities in North and South America. In the course of time the Mennonites in Holland have lost much of the sectarian character. The lay ministry has been replaced by a theologically trained, professional clergy; the principle of non-participation in war and government has for the most part been abandoned. Small groups of the sect, especially in the American communities, maintain a rigid discipline and resist the tendency to accommodation by confining their economic activities to agriculture and thus reduce their contacts with the public life. Besides Mennonites other minor sects, including Collegiants and Familists, grew out of the Anabaptist movement, while the Baptist churches in general trace their origin to this phase of the Reformation. It is characteristic of sixteenth century sectarianism that the principles of voluntary membership and of the separated community were symbolized in the practise of adult or believer's baptism and that this symbol has been retained while the more radical elements in the original system have been dropped or greatly modified.

Like the Protestant Reformation itself, sectarianism of the Anabaptist type did not appear in developed form in England until the seventeenth century. It arose partly under the influence of Anabaptist groups in Holland and England but more largely in response to conditions similar to those which had prevailed on the continent. In England also the sectarian tendency manifested itself first of all as a phase of the Protestant movement, then as an element in the revolutionary opposition to ecclesiastical and political institutions and only in the last stage as a separatist, community building movement. Sharing with Puritanism the antagonism to Roman and Anglican churches, Independency—to use this name for the amorphous movement—became aware in the civil war and Commonwealth that its interests were not identical with those of the Puritans. But Independency itself was composed of the two divergent strains, the revolutionary and the separatist. While both were interested in more radical reforms than Puritanism contemplated and both stood for the interests of lower economic classes, one of them, as represented by Levellers, Fifth-Monarchy Men and Diggers, was definitely millenarian. It emphasized equality, sought the reorganization of civil life as a whole on the basis of natural rights and natural law and interpreted the New Testament in this sense, rejecting non-resistance and demanding separation of church and state not for the sake of a free church but for the sake of a free state.

Other groups, Familists and Brownists among them, represented the separatist principle. Their

mysticism was of a less visionary type than that of the more extreme millenarians and their dependence upon the New Testament was greater. The Society of Friends emerged as the sectarian result of the double movement, including within itself the mystical groups and those who, disappointed with the failure of the revolt, reacted against the violent measures of the millenarians. In this movement the characteristic features of earlier sects were reproduced: simplicity, rigorous discipline, non-resistance, rejection of oaths, mutual aid, democracy and lay leadership. In the course of time, however, the usual process of accommodation set in with the usual consequences—schisms and revivals as well as institutionalization. In the Baptist groups of England and America which arose in the seventeenth century only the principles of separation of church and state, of voluntary membership and moral discipline were retained, while efforts to separate the individual members to any extent from political and economic society were abandoned. Finally out of the movement Congregationalism emerged as a church with certain sectarian characteristics. In so far as it emphasized the independence of the local church, it was no more than a home rule Presbyterianism; but it adopted in part the principle of voluntary membership and this feature, stressed anew and reenforced in the later period of the evangelical revival, gave to some of its groups, usually for short periods, a semisectarian character.

The fourth and last phase of sect organization was connected with the Pietist and Methodist revival in Europe and America. It differed from the previous movement, on which it was partly dependent, in its comparatively conservative attitude on political and economic questions and in the lack of radicalism in its opposition to the church. Neither millenarian revolt nor withdrawal from political and economic life were characteristic features. But although it showed little revolutionary temper in its attitude on social questions, it was greatly interested in the promotion of humanitarian reforms and its adherents in general supported the democratic movement in England and America. While Pietism and Methodism were critical of the institutional church, they endeavored to remain within it and separate sects were formed as matters of expediency rather than in conformity with a principle. Yet the movement was sectarian. In the sphere in which it was particularly interested, the individual life, it preached revolution rather than reform or improvement. The idea of a radical break with the past in conversion was of primary importance. Furthermore it protested against the secularization of the church, particularly in the sphere of dogma and preaching, where it was offended by the accommodation of revelation to reason and philosophy. It sought to substitute for the theologically trained clergy converted and inspirited leaders, whether ordained or not, and tended to replace the sacramental and teaching church with the society of converted, disciplined Christians striving after perfection. The interest in personal religious experience, as opposed to assent to dogma and participation in sacraments, was derived largely from mysticism. Jakob Böhme, whose writings influenced many of the leaders, must be regarded as a chief source of the movement. The mystic strain represented a sharp antithesis to the scholasticism of the Protestant churches and to the rationalism of the eighteenth century, which reduced religion to a set of valid propositions; but it was related to the latter in so far as it shared the interest in personal conviction rather than in collective authority.

In Germany Pietism organized conventicles in the churches for the sake of Bible study and the promotion of "practical Christianity," by which was meant the regular practise of prayer and meditation and the application of Christian ethics, in a rather patriarchal version, to the secular life. It did not affect the lower economic classes but was bourgeois and in part aristocratic in its appeal. Charitable, missionary and educational enterprises, including reforms of the traditional educational system, were promoted in a manner foreign to the spirit of the state church. Pietism achieved no definite organization, although its influence continued to manifest itself down to the nineteenth century. One of its by-products was the reorganization of the Bohemian Brethren under the leadership of Count Zinzendorf, a leading Pietist.

The Methodist movement in England, which in its origins was in part dependent on German Pietism, organized classes in a similar manner and concentrated also upon conversion, devoutness and religious discipline. But it was more energetic than the German movement in its prosecution of missionary activities, and it carried its appeal directly to the urban poor, who to a large degree had lost contact with the churches. Its effectiveness in arousing among these groups a sense of personal worth and dignity and in teaching them to practise a strict

self-discipline, of which moderation, diligence, piety and charity were the main features, is frequently said to have prevented the reproduction of the French Revolution in England. However that may be, the effect of Methodism was neither to found separatist communities practising non-resistance and some form of communism nor to foster millenarian hopes but rather to adjust men to existing society and to promote humanitarian reforms. While it did not seek separation of the new society from the church, the opposition of the latter and the exclusive character of the former led eventually to separation.

In North America the revival movement, which was the counterpart of German Pietism and English Methodism, issued in the organization of numerous new religious societies of a somewhat sectarian character. The first result of the great awakening in the eighteenth century was the strengthening and reassertion of the sectarian element in New England Congregationalism. Conversion was now required for church membership and the Half-Way Covenant and Stoddardism, which admitted the unregenerate to the sacraments, were rejected in many of the churches. It led in the second place to the organization of separatist religious societies closely akin to the Baptist groups. The major evangelical movement arose in the United States at the beginning of the nineteenth century. Influenced by Methodist preaching, it arose also as a direct reaction against rationalism and as a product of frontier conditions. Despite the difference in philosophy there was a close relation between evangelicalism and Jeffersonian and Jacksonian democracy. In a new area there developed an alliance and a differentiation not unlike the two tendencies in Anabaptism. Both movements, democratic and evangelical, stressed the priority of the individual to the social institution and both cultivated a mildly millenarian attitude in their expectation of the early realization of an ideal society and of individual perfection.

The prevalent panegyrics of democracy and promises that in the United States the ideal of history was to be realized received a decidedly religious coloring from the revival movement. Furthermore revivalism appealed particularly to those groups, both in the cities and on the frontier, in which the democratic sentiment was strongest. The conviction that the revolution had inaugurated a new era in which perfection might be attained was at least partly responsible for the failure of evangelical sectarianism to develop any radical antagonism to social institutions, while the separation of church and state and the freedom to found new churches prevented radical antagonism to the religious institutions. On the social side the movement was directed into channels of humanitarian reforms. Societies for the abolition of slavery, for temperance, for peace propaganda, educational institutions, asylums for the care of defectives and dependents and missionary organizations sprang up in the wake of the revival and to some extent under its auspices.

The movement produced not only these organizations but also various religious sects. Some of these, notably the Cumberland Presbyterian church, the Church of the United Brethren, the Disciples of Christ and the Methodist Protestant church, were the result of conflicts and divisions within older churches. On the other hand, the Methodist Episcopal churches and the Baptist connections, recognizing the principle of exclusive membership based upon conversion and maintained by discipline, profited greatly by the movement. Two organizations of a more narrowly sectarian type and more closely akin to the Anabaptist and monastic developments also arose in consequence of the revival. The very names of the Shakers, or the United Society of Believers in Christ's Second Appearing, and the Mormons, or Society of Latter-Day Saints, indicate their millenarian character. The leaders of the former group were English Quakers, but the society received its definite form in the United States. In its celibacy and communal life it reproduced some of the features of mediaeval monasticism. In its pacifism and spiritualism it was like the Anabaptists. The Mormons, on the other hand, accepted neither the monastic nor the Anabaptist ideal; but in their organization of the common life, strict discipline and obedience to the superior and in their separation from the "gentile" world they showed their extreme sectarian tendency. Both Shakers and Mormons indicated, as some Anabaptists had before them, the extent to which revolt against the institution of the monogamous family formed a part of the sectarian rebellion against social customs. In both cases also the idea of direct inspiration or of vision was represented and in both the Christian tradition had been supplemented by doctrines imported from foreign sources. While the Shakers, in view of their rejection of the family, were able to resist the usual process of accommodation, they failed to

maintain their numbers and have well nigh disappeared. The Mormons, on the other hand, have adjusted themselves by sacrificing much of their sectarian character.

Among later products of pietist-evangelical sectarianism in England and America the Salvation Army, the Catholic Apostolic Church (Irvingites), the Plymouth Brethren and the Pentecostal sects may be mentioned. A new form of sect is appearing in non-Christian lands in which the converts of Christian missionaries are organized in exclusive groups subject to the discipline of the society. Occasionally a separate economic life is provided for these groups.

The Christian sects of Russia require separate treatment. Although they were influenced by developments in Roman Catholic and Protestant countries, their history has on the whole been independent. Prior to the Russian Revolution they formed an active and numerous element in the religious and political life of the nation and helped to prepare the country for the reception of communist principles. One group of comparatively ancient origin includes ritualists who rejected changes in the official worship. Although not sectarian in principle, they were subject to sectarian and revolutionary influences as a result of their persecution. A second group, the spiritualist sects, comprises the Khlysty, the Skoptsy, the Dukhobors and the Molokany. Their common characteristic is their mysticism and rejection of the orthodox ritual and hierarchy. Dualistic principles seem to have influenced them, especially in their attitude toward sex relations, the Khlysty prohibiting all sexual intercourse and the Skoptsy practising castration. The Dukhobors reject the oath and every form of violence. A third group of Russian sects represents the Pietist movement. The Stundists were organized first among German Russians, but the movement spread rapidly among members of the Orthodox church. Under the influence of Baptist missionaries and of native leaders several branches of the sect adopted the principle of adult baptism and became known as Baptists. The members of this group are characterized by their dependence upon the Scriptures, with which they deal in very literal fashion, and by their interest, prior to the revolution, in a communism of economic goods. Minor sectarian movements of a similar sort arose in the latter part of the nineteenth century in reaction against the state church and in response to revolutionary political movements.

Sectarianism has been regarded as the inevitable product of Protestant individualism and as an evidence of the disintegration of Christianity. Its history indicates, however, that it is a recurrent phenomenon which is by no means confined to Protestantism. Furthermore the various manifestations of the sectarian spirit, in Christianity at least and probably in other religions as well, have led to a number of important social consequences. They have called back the church from its accommodation to existing social customs and conditions and have been more important in the indirect influence which they have exercised in this way than in the effectiveness of their own organizations. They have provided, in the second place, for the rejection of religious sanctions of social customs which had become onerous and thus have helped to pave the way for radical reforms. Finally, the sects have emphasized individual conviction in religion and ethics and have offered a counterbalance to the system of collective dogma and authority.

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See: RELIGIOUS INSTITUTIONS, CHRISTIAN; REFORMATION; PROTESTANTISM; PURITANISM; QUAKERS; MORMONISM; CHRISTIAN SCIENCE; JUDAISM; BUDDHISM; ISLAM; TAOISM; MESSIANISM; MYSTICISM; MONASTICISM; RELIGIOUS FREEDOM; SECULARISM; COMMUNISM; COMMUNISTIC SETTLEMENTS; INDIVIDUALISM; SOCIAL CONTRACT; DEMOCRACY; PASSIVE RESISTANCE AND NON-COOPERATION; PACIFISM.

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SECULAR TREND. *See* TIME SERIES.

SECULARISM. If secularism be defined as the attempt to establish an autonomous sphere of knowledge purged of supernatural, fideistic presuppositions, its modern origins are to be traced to the later Middle Ages of western Europe. The distinction drawn up by the scholastics between faith and knowledge, while it left room for revealed theology, was also capable of eventuating in a type of philosophical, or natural, theology, which placed its chief emphasis on the truths perceptible by the human reason—a broad category which subsumed not only all physical knowledge but even the metaphysical knowledge of God. Although the school of Aquinas, by interpreting reason as merely the preliminary to faith, minimized the antagonism between rational knowledge and revelation, the more radical contention of Duns Scotus and Ockham that all doctrines of faith are permeated with contradictions which the reason is incapable of accepting led to the conclusion that reason can operate only in the realm of verifiable experience and not in the supernatural world. In the eyes of the nominalists therefore a line of demarcation had to be drawn between the sphere of knowledge accessible to the human reason and the sphere of faith posited on ecclesiastical authority. It was no longer a question, as in the case of Aquinas, of a difference in degree as between natural and revealed theology but of a difference in kind as between theology and science. The distinction between faith and knowledge was given a new and even stronger emphasis by the Protestant reformer Luther, who, in accordance with his conception of faith as an immediate relation between the individual seeker after salvation and God as revealed in Christ, rigidly excluded from the religious experience all knowledge even of supernatural matters and all metaphysical rational knowledge of God.

The increasingly pronounced divergence between religion, which sought to cut free from the confusion of rationalistic speculation, and scientific inquiry, which felt the necessity of discarding fideistic presuppositions, prepared the way for the development of modern science. While the success of the Reformation movements in the various countries of northern Europe served to strengthen the hold of nonrationalistic faith, the spirit of reasoned inquiry which Duns Scotus and Ockham had dimly foreshadowed was developed to a far higher point by the scholars and philosophers of the Italian Renaissance (*q.v.*). Their indefatigable interest in the manifold phenomena of the immediate world of nature and of man served to dim the prestige of theological otherworldliness and fideism. But in spite of the rich contributions of the Renaissance the advance of secularism was not permanently consolidated until the seventeenth century. The comprehensive metaphysical systems of Descartes, Hobbes, Spinoza and Leibniz represented the first sustained attempt to construct a rational picture of the universe on the basis of scientifically established knowledge. In perpetuating and amplifying this type of inquiry the eighteenth century gradually shifted the emphasis of secularism from explanation in metaphysical terms of universal ultimates to a more empiric and intensive quest of knowledge in its concrete practical manifestations. This striving to push back inch by inch the limits of knowledge found its fullest expression not so much in a comprehensive system as in the *Encyclopédie* of Diderot and d'Alembert.

If therefore secularism in the philosophical sphere may be interpreted as a revolt against theological and eventually against metaphysical absolutes and universals, the same trend may be charted in the attitudes toward social and political institutions. Aquinas, breaking away from the traditional Augustinian conception which regarded the state as at best a negative institution, insisted that on the contrary this institution was entrusted with the positive function of perpetuating in this world the particular social conditions that are necessary for the

attainment of religious salvation in the next. Moreover in the later stages of the protracted contest between *imperium* and *sacerdotium* a number of secularly minded thinkers, like Dante, formulated the thesis that the temporal ruler was entitled to exercise power in his own right. In general, however, the idea prevailed to the very end of the Middle Ages that the church, by virtue of its exclusive guardianship over the eternal welfare of man, was entitled to priority over the state, which regulated merely his transitory existence on this earth.

As in the philosophical sphere, so in the political, the Renaissance marked a distinct stage in the direction of secularism, while the Reformation tended to perpetuate older ecclesiastical and otherworldly attitudes. While Machiavelli and his numerous disciples emphasized the duty of the prince to rule independently according to his own canons, Luther advocated the subordination of temporal institutions to the religious, and Calvin, drawing upon Old Testament models, succeeded in reestablishing a theocratic type of government. The seventeenth century in turn was predominantly secularistic in its political as well as its metaphysical systems. The most powerful force in this direction was the revival and systematic elaboration of stoic natural law by Althusius, Grotius and Hobbes. According to the new rationalistic interpretation, which proceeded from more or less universalistic premises regarding the nature of man, the essence and function of the state is determined, in immanent rather than transcendental terms, by its own inherent characteristics and aims. Thus in place of the older doctrines of a universal mediaeval empire existing as a counterpart to the universal church, there emerged the conception of an independent, sovereign state. The universally valid laws of nature are utilized by the state in the pursuit of its own particular aims, which are at marked variance with those of rival states. Therefore these national objectives are the crucial determinants in the actual application of rational political principles, in the sense that these principles undergo modification in the process of adaptation to the genius of a particular political system. This new approach eventuated, with Montesquieu, in a type of political relativism, which in striking contrast to the theological claims to absolute and universal truth declared that political maxims are valid only in so far as they take account of shifting and changing local variations. Thus, after a metaphysical-natural law period which witnessed the emergence under secular auspices of rationally grounded philosophical correlations, of self-contained and self-evident political principles and of systematically formulated conceptions of the world, the forces of secularism, repudiating the universalistic formulae characteristic of mediaeval thought and placing their reliance on a more precise methodology, turned to the investigation of individual phenomena and to a more specialized type of inquiry into particular social problems.

But alongside this particularism there emerged during the second half of the eighteenth century a new and secularized type of universalism known as the Enlightenment. Mankind was conceived as a unit, in pursuit of the same objectives and evolving under the influence of the same environmental factors. On the basis of this humanitarian philosophy the seventeenth century doctrines of natural law were developed into a systematic pattern of ideas and values, which proceeded from the basic premise of a set of legal principles valid for all peoples and applicable throughout the world. This juristic-humanitarian universalism was perpetuated in the socialistic theories of the nineteenth century, particularly in the attempts of the proletariat to build up an organization operating on international lines and including all mankind. At the same time the relativist and environmentalist doctrines regarding the basic disparities and inevitable rivalries between the different nation states were carried over into the theories of nationalism which have bulked increasingly large since the French Revolution.

The various phases through which secularism has passed, both in its intellectual and in its political aspects, must be correlated in sociological terms with the emergence of lay groups in the different countries and with the varying forms in which this process manifested itself. The clear cut distinction between the layman and the cleric as regards their status in the church goes back to Thomas Aquinas and the popes of the thirteenth century. The cleric as accredited teacher and expounder of church doctrine was in the nature of the case required to be intimately versed in the various dogmas. This was much less necessary for the layman, who was not expected to be overly learned in theological matters. So long as he was actually familiar with a few essential dogmas and in other matters, which exceeded his powers of comprehension, heeded carefully the voice of the church and gave "implicit" obedience, there was no

complaint. The comparative incompetence of the layman in spiritual matters was taken for granted.

This situation was radically altered by the Reformation. On the one hand, the contraction of church doctrine to the pronouncements of the Bible and the consequent elimination of the body of involved tradition brought the entire doctrine within the range of the average layman; and, on the other hand, the monopoly of the priests over the sacraments was entirely eliminated. The process whereby the interpretation of church dogma was taken out of the hands of a particular social group and turned over to the congregation as a whole is indicated most strikingly in the case of Calvin, who enjoined upon each and every member of the flock a thorough and precise familiarity with the articles of faith. The basic contrast in this respect between the Protestant and Catholic churches is indicated further by the fact that the theorists of the Counter-Reformation, particularly the Jesuit Suarez, reemphasized the traditional attitude that the layman could be content with a smattering of doctrinal knowledge provided he concurred implicitly in the broader truths proclaimed on the authority of the church.

Because of the contrasting attitudes of the church toward its laymen secularism in Protestant countries was different in form from that in Catholic. In the former there developed a new type of layman, who strove to carry over the Old Testament doctrines which he had absorbed as a member of the religious community into the everyday world where he moved as citizen and member of the social community. At the outset this process of identifying the ideals of the social and religious communities retarded the spread of secularism. Soon, however, as a result of the bitter struggles between the various sects and confessions it became imperative to discover certain basic elements of social control on which all citizens, whatever their ecclesiastical affiliation, could agree. In some cases these basic elements were found in the philosophical theory of a society based on natural law; in other cases, in a naturalistic-deistic religion; or again in a rationalized form of Christianity, in which all branches of the Christian church might acquiesce. Grotius evolved a set of general principles of jurisprudence, for which he claimed validity irrespective of religious convictions. Herbert of Cherbury formulated criteria for a universal rational religion. Sebastian Franck in Germany and Coornhert in the Netherlands endeavored to isolate the essentials of the Christian faith and morality, so that Christians of every shade might find a common meeting ground. In all of these types of attempted compromise many of the same ingredients are present, particularly Renaissance humanism, stoic natural law formulae and the Erasmian conception of Christianity as primarily a system of ethics. By fusing these various elements into an integrated system Locke was able to provide a working agreement which was readily seized upon by his successors. Taking over his central premise that the real significance of the Gospels lay in the fact that they explained and substantiated the universally operative law of nature, they developed a spirit of genuine religious toleration which not only allowed hitherto antagonistic sects to work together peaceably in the common body politic but also extended to non-Christian religions.

In France and to a lesser degree in other Catholic countries secularism took a basically different course. Whereas the English layman carried over his sectarian convictions into the political and social sphere and gradually diluted them to the point where they did not offend the representatives of other sects with whom he was forced to deal in the new bourgeois economy, the French layman sought at the outset to create a more vital role for himself inside a church which was committed to a policy of ignoring him. Thus he aligned himself with the Jansenist movement and was an aggressive participant in the theological controversies which raged in the seventeenth and the early eighteenth century. The Catholic church, however, persisted in its refusal to accept a set of doctrines which would be as intelligible to the amateur as to the carefully trained priest; the body of explicit dogma might be whittled away, but that far larger body of implicit dogma which must be received on the authority of the church was held to be sacrosanct. Under the circumstances the only alternative for the Catholic layman who sought some form of individual self-expression was to transfer his questionings and activities to a sphere in which the church had no jurisdiction. Since in Catholic countries the older mediaeval dualism between the temporal and the spiritual had not been resolved, as was the case in England and other Protestant countries where the sectarian had carried over his religious convictions into secular life, the self-assertive Catholic layman turned to the social and political realm. And since the Catholic church had

denied him any part in theological matters, he was determined that the forces of clericalism should be rigidly excluded from participation in secular affairs. By way of final readjustment he refused to have recourse to theological preconceptions in the discussion of worldly questions. The development of secularism in France was profoundly influenced by the fact that the appearance of this worldly, antitheological, anticlerical point of view coincided with the rise of the middle class. The cultured bourgeois, unable to find a place for himself as a layman in the church and resenting the partiality shown by the ecclesiastical hierarchy to the clerical expounder of doctrine, broke away from the church altogether and became a prime mover in the increasingly radical attacks on the otherworldliness of the traditional theologians.

Up to a certain point the church, by virtue of its consciously perpetuated doctrine of the two spheres, could be tolerant of such secular movements. But as it became progressively more apparent that the new lay groups had no intention of respecting church dogmas and that the new secular science was casting doubts upon the most sacred tenets of religious tradition and revelation, a conflict inevitably arose. With the growing facility and precision of the secularists in their use of critical methods the most elementary presuppositions of Christianity, as they had been formulated, for example, by the English deists, were gradually attenuated into impersonal philosophical abstractions. Ecclesiastical and religious authority was powerless to prevent the spread of secularism into all spheres of thought and activity. But even in quarters where the laity did not resort to such aggressive measures the hold of the church was diminished. The more adept the members of the middle class became in regulating their lives according to fixed principles and the more they were made aware by their daily experiences in the economic realm that they could rely upon their own foresight, the less they felt moved to turn to the church for guidance or support. The traditional idea of an otherworldly sphere, over which the church exercised a divinely ordained monopoly, was gradually robbed of the bulk of its significance.

The spread of such secular attitudes frequently led to an exclusive emphasis on the practical and the immediately verifiable elements in life, as distinguished from the remote substances and modes of theology and metaphysics. Thus realistic philosophers, such as Fontenelle and Montesquieu and Helvétius, confining their inquiries to the field of immediate experience, ruled out all idealism and utopianism of the type propounded by the church in its forecast of the life beyond. But side by side with this realistic secularism there developed also a tendency to carry over into the secular realm a number of the older idealistic elements which had been identified with religion. This type of worldly idealism, which grew up in France during the decades preceding the French Revolution and which has since spread throughout the world, derives ultimately from the philosophers of antiquity, who postulated an absolute natural law that in the beginning had been in force everywhere but had since been modified by the prescriptions of positive law. In taking over this doctrine in its stoic form the Catholic church had attributed the disparities, which were to be observed at every turn, between the institutions prevailing in this world and those postulated by absolute natural law to man's original sin. But with the revival in the modern period of stoic natural law doctrines by secular philosophers and with the gradual dwindling of the notion of original sin both among the laity and among such influential church groups as the Jesuits, the conception of a more equitable natural order began to take on a new significance. At the hands of Rousseau and Mably the doctrines of natural law were given a revolutionary emphasis, exerting a deep influence on the political theorists and leaders of the French Revolution.

The ideal of human and social happiness, as proclaimed by the prophets and leaders of the French Revolution, has continued in the intervening period to mold the temper not only of the French bourgeoisie but also of larger and larger groups in all countries, Protestant as well as Catholic, who are resolved that mankind shall strive by the most enlightened methods at its disposal to establish the maximum of social justice and welfare in this world. The power of this secularized type of idealism derives in large part from its close connection with science; and in this union of social and scientific secularism the movement which since the Middle Ages has been gathering increasing momentum finds its logical climax.

B. GROETHUYSEN

See: RELIGION; RELIGIOUS INSTITUTIONS, CHRISTIAN; NATURAL LAW; SCHOLASTICISM; RENAISSANCE; RATIONALISM; JANSENISM; DEISM; ANTICLERICALISM; FREETHINKERS; RELIGIOUS FREEDOM; EDUCATION.

Consult: Dilthey, Wilhelm, *Gesammelte Schriften*,

8 vols. (1st–3rd ed. Leipsic 1921–33) vols. i–ii; Troeltsch, Ernst, *Aufsätze zur Geistesgeschichte und Religionssoziologie*, Gesammelte Schriften, vol. iv (Tübingen 1925); Lecky, W. E. H., *History of the Rise and Influence of the Spirit of Rationalism in Europe*, 2 vols. (new ed. London 1890); Borkenau, Franz, *Der Übergang vom feudalen zum bürgerlichen Weltbild*, Institut für Sozialforschung, Schriften, vol. iv (Paris 1934); Weber, Max, *Gesammelte Aufsätze zur Religionssoziologie*, 3 vols. (2nd ed. Tübingen 1922–23), vol. i tr. by Talcott Parsons as *The Protestant Ethic and the Spirit of Capitalism* (London 1930) pt. ii; Tawney, R. H., *Religion and the Rise of Capitalism*, Holland Memorial Lectures, 1922 (London 1926) p. 150–273; Robertson, H. M., *Aspects of the Rise of Economic Individualism*, Cambridge Studies in Economic History (Cambridge, Eng. 1933); Groethuysen, Bernhard, *Die Entstehung der bürgerlichen Welt- und Lebensanschauung in Frankreich*, Philosophie und Geisteswissenschaften, Buchreihe, vols. iv–v, 2 vols. (Halle 1927–30); Cassirer, Ernst, *Die Philosophie der Aufklärung*, Grundriss der philosophischen Wissenschaften (Tübingen 1932); Böhi, Hans, *Die religiose Grundlage der Aufklärung* (Zurich 1933); Belin, J. P., *Le mouvement philosophique de 1748 à 1789* (Paris 1913); Becker, C. L., *The Heavenly City of the Eighteenth-Century Philosophers*, Yale University, Storrs Lectures (New Haven 1932); Mornet, Daniel, *Les origines intellectuelles de la Révolution française* (1715–1787) (Paris 1933); Weill, G. J., *Histoire de l'idée laïque en France au XIXe siècle* (new ed. Paris 1929); Benn, A. W., *The History of English Rationalism in the Nineteenth Century*, 2 vols. (London 1906); Holyoake, G. J., *The Origin and Nature of Secularism* (London 1896).

SEDDON, RICHARD JOHN (1845–1906), New Zealand statesman. Seddon was prime minister of New Zealand from 1893 until his death in 1906, and led the Liberal-Labour party which carried through the experiments in state socialism. Born at Eccleston in Lancashire, England, he emigrated at an early age to Victoria. Arriving in New Zealand during the gold rush in 1866, he gained local influence as a storekeeper and after much experience of local government he was returned to Parliament for Hokitika. Thereafter, from 1881 to 1906, he represented the gold mining constituency of Westland.

Seddon's strength lay in political tactics based upon a minute knowledge of the electorate. Although he rose from the laboring classes he was never a socialist or a member of the Labour party. The legislation passed under his leadership included tariff protection, taxation of unimproved land values, graduated income tax, labor regulation including compulsory arbitration, and compulsory repurchase of land for closer settlement. Seddon introduced direct construction of public works by cooperative contracts of workmen, used government departments freely for social work and sponsored humanitarian policies, such as the provision of public maternity hospitals and old age pensions, which he regarded as his most important legislative effort. His attitude toward prohibition legislation and woman's suffrage, both carried through under his premiership, was one of doubtful assent. His share in the experimental program lay in judging political possibilities, securing popular support and driving through the legislation. He contributed little to economic or social thought but much to the art of politics.

From the Boer War Seddon became known as a strong imperialist. Having taken the initiative in sending contingents to South Africa, he played a leading role in the Colonial Conference of 1902. The following year he introduced imperial preference into the New Zealand tariff system.

J. B. CONDLIFFE

Consult: Drummond, James, *The Life and Work of Richard John Seddon* (London 1907); Reeves, W. Pember, *The Long White Cloud* (3rd ed. London 1924) pt. i, ch. xxiv, pt. ii, ch. i; Condliffe, J. B., *New Zealand in the Making* (London 1930) ch. vi, with bibliography.

SEDGWICK, WILLIAM THOMPSON (1855–1921), American biologist and sanitarian. After graduating from the Sheffield Scientific School in 1877 and receiving his doctorate in philosophy at Johns Hopkins in 1881, Sedgwick was in 1883 appointed professor of biology at the Massachusetts Institute of Technology, a position which he held until his death. As consulting biologist of the Massachusetts State Board of Health he played a leading role in the development and application of the new science of bacteriology to the study of water, sewage, milk and air and was a pioneer in the study of typhoid epidemics at Lowell, Lawrence, Springfield and other communities. These activities earned for him the title of "father of epidemiology" in the United States. His department of biology became the first important training ground for sanitarians in the United States, and in 1913 he was made chairman of the school for health officers created by joint action of Harvard University and the Massachusetts Institute of Technology. In 1914–15 he served as president of the American Public Health Association. Few works have exerted as significant an influence upon the teaching of the biological sciences in the United States as has Sedgwick's *An Introduction to General Biology* (published in collab-

oration with E. B. Wilson, New York 1886; rev. ed. 1896). His *Principles of Sanitary Science and the Public Health* (New York 1902) is one of the classics of the public health movement, and *The Human Mechanism* (Boston 1906, rev. ed. 1918), written in collaboration with Theodore Hough, is of major importance. Sedgwick will be chiefly remembered, however, through his personal influence on the men who have since become leaders in American public health.

C.-E. A. WINSLOW

Consult: Jordan, E. O., Whipple, G. C., and Winslow, C.-E. A., *A Pioneer of Public Health: William Thompson Sedgwick* (New Haven 1924).

SEDITION. The term sedition has come to be applied to practises which tend to disturb internal public tranquillity by deed, word or writing but which do not amount to treason and are not accompanied by or conducive to open violence. Stephen questions whether sedition itself is an offense known to English law, but the English courts have recognized as misdemeanors at common law seditious words, seditious libels and seditious conspiracies. The use of the adjective signifies that the practises are accompanied by a seditious intent, the legal definition of which has changed, however, with the development of toleration and political rights.

Offenses now described as seditious were originally punishable as treason. Thus in the fifteenth century it was treason to accuse the king of murder, call him a fool and suggest that his horse might stumble and break his neck; to make astrological calculations to predict the time of the king's death; or to publish poems and ballads to the disgrace of the king and his council. By the reign of Henry VIII treason was confined to more dangerous offenses and was no longer charged when men were indicted, and presumably convicted, for saying, "I like not the proceedings of this realm, I trust to see a change of the world"; or for answering a fellow drinker's "God save the King!" with "God save the cup of good ale, for King Henry shall be hanged!"; or for remarking when shooting at the butts, "I would the King's body had been there as the arrow did light!" By the reign of Charles I it was definitely held not to be treason to call the king unwise and say, "He is no more fit to be King than Hickwright," a simple old shepherd; or to describe His Majesty as "the greatest whoremonger and drunkard in the Kingdom." Henceforth it was no more than a misdemeanor to say, "Damn the Queen!" or to drink a health to the pious memory of an executed traitor. In Queen Anne's reign a tanner "in indifferent circumstances" was merely stood in the pillory twice for remarking that Charles I was rightly served in having his head cut off.

Trials for political libel were common in the sixteenth and seventeenth centuries and in the latter prosecutions for seditious words also took place frequently. During the eighteenth century the law governing seditious libel, which consisted of writing or printing matter found by the court to have been published with a seditious intent, became the chief weapon of the government against the advocacy of political reforms, and successful prosecutions were frequently directed against what would now be considered mild editorials in an opposition press. When Fox's Libel Act in 1792 gave the jury control over the issue of seditious intent, formerly decided by the judge, it was expected that ordinary political discussion would no longer be punished. However, during the excitement of the French Revolution and the Napoleonic wars juries showed themselves eager to convict men for urging parliamentary reform or for attacking flogging in the army. The first prosecution for seditious conspiracy took place in 1795.

Since the Reform Act of 1832 English prosecutions for seditious offenses have been very infrequent and usually unsuccessful. There were a few cases against the Chartists, and in 1886 John Burns, later a cabinet minister, was prosecuted for uttering seditious words at a large meeting of unemployed in Trafalgar Square which was followed by rioting. In his charge to the jury (Regina *v.* Burns, 16 Cox Criminal Cases 355) Judge Cave adopted Stephen's definition of seditious intention, which was based essentially on that of an act of 1819 as "an intention to bring into hatred or contempt, or to excite disaffection against the person of, Her Majesty, her heirs or successors, or the government and constitution of the United Kingdom, as by law established, or either House of Parliament, or the administration of justice, or to excite Her Majesty's subjects to attempt, otherwise than by lawful means, the alteration of any matter in Church or State by law established, or to raise discontent or disaffection amongst Her Majesty's subjects, or to promote feelings of ill-will and hostility between different classes of such subjects." In Stephen's *Digest of Criminal Law* (new ed. London 1926) this statement is accompanied by a qualifying sentence by the edi-

tor, also adopted by Judge Cave, which shows significantly the influence of political development since the Reform Bill: "An intention to show that Her Majesty has been misled or mistaken in her measures, or to point out errors or defects in the government or constitution as by law established, with a view to their reformation, or to excite Her Majesty's subjects to attempt by lawful means the alteration of any matter in Church or State by law established, or to point out, in order to their removal, matters which are producing, or have a tendency to produce, feelings of hatred and ill-will between classes of Her Majesty's subjects, is not a seditious intention." Burns was acquitted, and the latter definition has since been regarded as authoritative. It is so loose, however, that guilt or innocence must obviously depend on public sentiment at the time of the trial.

The recent English tendency is to ignore the common law of seditious offenses. For example, when Edward F. Mylius was prosecuted in 1911 for a printed statement that King George v had contracted a morganatic marriage before he married the queen, the charge was criminal and not seditious libel. The only reported English case of sedition since 1886 occurred in 1909 when Aldred was convicted for proclaiming a Hindu assassin a martyr in the cause of political independence (22 Cox C.C. 1). Although the common law of sedition has become almost obsolete in England, statutes still make punishable certain specific offenses of a related nature. During the World War pacifists were imprisoned under Orders in Council authorized by the Defence of the Realm Act. The Seditious Meetings Act, passed in 1817 (57 Geo. 3, c. 19, sect. 23) and directed against meetings of more than fifty persons within a mile of the House of Parliament for the purpose of considering political changes, was invoked in 1932 against Mann and Llewellyn. The Unlawful Oaths Act of 1797 (37 Geo. 3, c. 123, sect. 1) subjects to seven years' imprisonment members of a society who are bound by oath to obey its orders or not to disclose its secrets, unless the society is authorized by Parliament. Under section 1 of the Incitement to Mutiny Act of 1797 (37 Geo. 3, c. 70) anyone who endeavors maliciously to seduce from his duty any person serving in His Majesty's forces or to incite any act of mutiny may be imprisoned for life. Section 3 of the Police Act of 1919 (9, 10 Geo. 5, c. 46) makes it a misdemeanor for any person to cause or attempt to cause disaffection among the members of any police force Under the Aliens Restriction (Amendment) Act of 1919 (9, 10 Geo. 5, c. 92, sect. 3) it is a misdemeanor for an alien to attempt to cause sedition or disaffection among the forces of the crown or the civilian population or to promote industrial unrest in an industry in which he has not been engaged for the two preceding years. Unlawful drilling and the sale of arms for illegal purposes are common law offenses. The Incitement to Disaffection bill pending in the House of Commons in May, 1934, will, if enacted into law, considerably widen the scope of sedition and give the government drastic powers for its suppression. The bill has aroused widespread opposition among liberal thinkers and even among conservative lawyers.

In the United States the common law of seditious offenses has probably been abolished by the free speech clauses of the federal and state constitutions. The only case suggesting that seditious libel is a common law offense was tried in Pennsylvania in 1805, but the defendant was acquitted (Respublica *v.* Dennie, 4 Yeates 267). In any event there are no common law federal crimes, so that seditious practises cannot be punished by the United States government unless they are prohibited by specific statutes. Conspiracies to overthrow the government or to commit any offense against the United States are punishable under sections 6 and 37 of the Criminal Code, but the use of seditious words if unaccompanied by an overt act is not a conspiracy, nor do these statutes apply to the conduct of an isolated individual. Seditious language was made a federal crime by the ill fated Sedition Act of 1798, which expired in two years, but its constitutionality was never passed upon by the Supreme Court. During the period following the World War, which was characterized by a pronounced fear of radicals, several sedition bills were introduced in Congress and supported by Attorney General Alexander Mitchell Palmer and other officials, but these bills were successfully opposed by large newspaper organizations and by Samuel Gompers on behalf of the American Federation of Labor.

The question whether a general federal sedition law would be constitutional has aroused considerable discussion. Although no clause in the federal constitution expressly gives Congress power to enact such a law, it seems probable that it falls within the general powers of the federal government to protect itself. At the same time the government is limited by the free speech amendment to the constutition, which was his-

torically directed against the existence of seditious offenses. It is possible also that the constitutional definition of treason, which was intended to prevent the punishment of minor acts as constructive treason, would prevent Congress from punishing the same minor acts under another category.

Although there is no general federal sedition law, some forms of sedition are punishable. By the Articles of War (U. S. Code, title 10, sects. 1538, 1539) any person subject to military law may be tried by court martial and sentenced to death if he attempts to create or causes or joins any "mutiny or sedition" in the armed forces or if he neglects to suppress such a "mutiny or sedition" or to communicate his knowledge of it to his commanding officer. The Espionage Act of 1917 (U. S. Code, title 50, sect. 33) as interpreted by the courts renders civilians severely punishable during a war for questioning its justifiability or the methods of conducting it. In 1918 this act was amended by a wartime sedition law; the amendment was repealed in 1921. In 1917 Congress made it a crime to threaten the life of the president (U.S. Code, title 18, sect. 89). A woman was convicted for saying in conversation, "I wish Wilson was in hell, and if I had the power I would put him there." This was held to be a threat to kill the president, because, as the court reasoned, he could not be in hell unless he were dead (United States *v.* Clark, 250 Fed. 449).

Besides these criminal statutes the federal government can control sedition by administrative measures. Postal officials can exclude from the mails matter which violates the Espionage Act during a war or at any time tends to incite arson, murder or assassination or advocates treason, insurrection or forcible resistance to any federal law (U. S. Code, title 18, sects. 334, 344). Postal officials can also deny the low second class mailing rates to a newspaper which has published non-mailable matter in some previous issue [The Milwaukee Publishing Co. *v.* Burleson, 255 U. S. 407 (1921)]. Immigration officials can deport aliens for language and opinions of a seditious nature, although the word itself does not appear in the statutes. On similar grounds naturalized citizens can be denaturalized and deported. Administrative officials determine guilt in these postal and deportation cases, and their decisions are for the most part not reviewable in the courts.

Although the states have not adopted the common law of seditious offenses, definite incitement to the assassination of officials or to the serious destruction of government property seems punishable in all states under the common law or statutes penalizing criminal attempts, solicitation and conspiracy. In addition many states have legislation directed against various practises which would have been described as sedition under the English common law of the eighteenth century. Thus during the World War nine states enacted statutes making it a crime to use language opposing the war. Peacetime sedition laws of the states fall roughly into four groups. A common type comprises the criminal syndicalism (*q.v.*) acts passed in 1917–20. Criminal anarchy acts are directed against advocacy of "the doctrine that organized government should be overthrown by force or violence, or by assassination . . . or by any unlawful means." Membership in organizations teaching the doctrine as well as individual utterances is punishable. Such statutes were enacted in New York and New Jersey in 1902 soon after the assassination of McKinley, in Washington in 1909 and in Colorado in 1919. The New York statute remained a dead letter for twenty years, and then its definition of anarchists was found to be sufficiently broad to include several communists. The New Jersey statute was limited by the courts to its original purpose. A few prosecutions have been brought in Washington. Sixteen states and territories in 1917–20 enacted broad sedition acts, which do not follow a single model as do the criminal syndicalism and anarchy acts. For example, Connecticut punishes public advocacy of "any measure, doctrine, proposal or propaganda intended to injuriously affect the government"; New Jersey punishes inciting to insurrection or sedition or attempts to do so and also any book encouraging hostility to the government of the United States or the state; and Rhode Island punishes language intended to incite "a . . . disregard of the Constitution or laws." There have been very few prosecutions under these statutes. The New Mexico law and part of a New Jersey law were held unconstitutional on the ground that they violated the rights of free speech and assembly. The display of a red flag and other radical insignia was made criminal in at least thirty states in 1919–20. A similar Massachusetts statute of 1913 was repealed in 1915 because it made the Harvard banner illegal. The California red flag law was invalidated by the United States Supreme Court as a denial of liberty of speech under the Fourteenth Amendment [Stromberg *v.* California, 283 U. S. 359 (1931)]; this decision renders doubtful the

validity of most other red flag laws. On the basis of the Supreme Court decision the Appellate Term of the New York Supreme Court in 1934 held the state red flag law unconstitutional.

A few states have attempted other methods of controlling sedition besides criminal prosecutions. The New Hampshire sedition law allows injunctions against the importation, publication, distribution or possession of printed or written matter advocating the forbidden doctrines and also injunctions against the use of halls for unlawful meetings. New York in 1921 adopted the Lusk laws, requiring all public school teachers to obtain a certificate of loyalty and all private schools to obtain a license. Such certificates and licenses were not to be issued to advocates of specified radical doctrines. The statute also allowed unlicensed private schools to be enjoined. These laws were repealed in 1923 after being invoked to close the Rand School of Social Science in New York City.

The sedition law of important dominions in the British Empire differs at least in its administration from the English common law of seditious offenses. Sections 132 and 134 of the Canadian Criminal Code, against seditious words, libels or conspiracies, were harshly interpreted to suppress opposition in Canada to the World War. An Alberta judge remarked in 1916: "There have been more prosecutions for seditious words in Alberta in the past 2 years than in all the history of England for over 100 years and England has had numerous and critical wars in that time" (Rex *v.* Trainor, 27 Canadian Criminal Cases, 241). In recent years there have been a number of prosecutions of communists and other radicals for seditious offenses. Section 124-A of the Indian Penal Code, which punishes as sedition any attempt to excite disaffection toward the government of British India, has been invoked in recent years in a considerable number of cases. The Union of South Africa makes sedition a crime under the Roman-Dutch common law, but this law defines sedition more narrowly than does the English common law, and the offense must involve something in the nature of an insurrection.

ZECHARIAH CHAFEE, JR.

See: TREASON; ALIEN AND SEDITION ACTS; LIBEL AND SLANDER; CRIMINAL SYNDICALISM; ESPIONAGE; LESE MAJESTY; CENSORSHIP; ANTIRADICALISM; DEPORTATION AND EXPULSION OF ALIENS; POLITICAL OFFENDERS; FREEDOM OF SPEECH AND OF THE PRESS; CIVIL LIBERTIES.

Consult: FOR THE BRITISH EMPIRE: Stephen, J. F., *History of the Criminal Law of England*, 3 vols. (London 1883) vol. ii, ch. xxiv; Paterson, James, *The Liberty of the Press, Speech, and Public Worship* (London 1880), especially p. 73–104; May, T. E., *The Constitutional History of England*, 3 vols. (ed. and continued by F. Holland, London 1912) vol. ii, chs. ix–x; *Halsbury's Laws of England*, vol. ix (2nd ed. by D. M. Hailsham, London 1933) p. 302–10; Neep, E. J. C., *Seditious Offences*, Fabian Tract no. 220 (London 1926); *The Law of Public Meeting and the Right of Public Search*, New Fabian Research Bureau, pamphlet no. 13 (London 1933); Scott, F. R., "The Montreal Sedition Cases" in *Canadian Bar Review*, vol. ix (1931) 756–61; Donogh, W. R., *The History and Law of Sedition and Cognate Offences* (3rd ed. Calcutta 1917); Gardiner, F. G., and Lansdown, C. W. H., *South African Criminal Law and Procedure*, 2 vols. (2nd ed. Cape Town 1924) vol. ii, p. 741–47; Anders, P. C., and Ellson, S. E., *The Criminal Law of South Africa* (Johannesburg 1915) ch. xxviii.

FOR THE UNITED STATES: Bishop, J. P., *Bishop on Criminal Law*, 2 vols. (9th ed. by J. M. Zane and C. Zollmann, Chicago 1923) vol. i, p. 324–30; Chafee, Z., Jr., *Freedom of Speech* (New York 1920) ch. iv, containing bibliography and lists of statutes and decisions, and *The Inquiring Mind* (New York 1928) p. 40–88, 99–107, 117–33; Biklé, H. W., "The Jurisdiction of the United States over Seditious Libel" in *American Law Register*, n.s., vol. xli (1902) 1–26; Wallace, H. G., "Constitutionality of Sedition Laws" in *Virginia Law Review*, vol. vi (1919–20) 385–99; Walsh, J. H., "Is the New Judicial and Legislative Interpretation of Freedom of Speech, and of the Freedom of the Press, Sound Constitutional Development?" in *Georgetown Law Journal*, vol. xxi (1932–33) 35–50, 161–91; Corwin, E. S., "Freedom of Speech and Press under the First Amendment; a Résumé" in *Yale Law Journal*, vol. xxx (1920–21) 48–55.

SEDUCTION is distinguished from other offenses against female chastity in that it does not involve violence. The woman seduced has consented, although her consent may have been gained by allurements, false promises, deceits, the deliberate rousing of sexual passion or the suggestion of advantages to be gained if she yields to illicit intercourse. Because of the effect on the victim's will it is assumed that she has suffered a definite deterioration of character and consequently of reputation. She is spoken of as "ruined," "corrupted."

In the Old Testament it is commanded that the seducer of a virgin must purchase her of her father as his wife at the price of fifty shekels of silver. This provision apparently was intended to protect the property right of the father rather than the purity of the woman. In Athens the concept of seduction arose as an extension of the offense of adultery. A law attributable to Draco (seventh century B.C.) sanctioned self-help against the seducer as against the adulterer but also allowed, instead, compensatory damages, which here more than elsewhere had the charac-

ter of ransom. In Rome an action of seduction seems to have developed from the right to recover damages for tampering with the loyalty of a slave, *actio de servo corrupto*, and this became the basis of the civil action in continental Europe. The Roman criminal concept of seduction was *stuprum*, based on the *lex julia de adulteriis*, which punished the seduction of a free and respectable unmarried woman.

In England the action of seduction was derived from the relation of master and servant—apparently quite independently of Romanistic influences—in which the basis of the complaint was the loss of services, not the deterioration suffered by the woman or the impairment of her loyalty to her master. The father came into court as a man who had lost valuable services, but he was allowed to recover a great deal more than their value. In other words, although he was heard as a master, he was compensated as a father.

Thus the family was assumed to have a definable interest in the chastity of its female members distinct from the property interest which a husband in ancient times had in his wife's body and different again from the family's interest in the property of any of its female members. This last interest was secured by the laws of ancient communities giving the male kin the right to marry an heiress and by the severe penalties imposed in English law for the abduction of an heiress. Abduction was generally made a crime sooner than seduction, probably because as long as the movement of women in society was restricted the former was a necessary preliminary to the latter.

Family pride is closely connected with the sentiment of honor, which as one of the chief constituents of the system of chivalry was of enormous importance in Europe during the Middle Ages. Later, when a high sense of family honor was regarded as the distinguishing mark of the upper classes, seduction was treated as the worst conceivable offense against it. Vengeance on the seducer of a wife, sister or daughter, especially the last two, became a romantic convention. The factors of honor and family pride were fortified by the Christian emphasis on chastity as the characteristic virtue of women.

The development of seduction as a crime was, however, slow. Since the woman consented, the principle of *volenti non fit injuria* intervened. At present the basis of the penalty is either the fact that the woman seduced is very young or that at the time of seduction she was in a position of dependence on the seducer. In the former situation the consent may be disregarded in view of the victim's inexperience and immaturity, so that the act may be treated as tantamount to rape. In the latter there is a suggestion of duress. A third point of view also assimilates the arts used in seduction to fraud. This is particularly the case when the seduction takes place under a promise of marriage which is in fact not kept, and which it may be assumed the seducer never meant to keep. The minority of the woman is here usually immaterial. Other forms of allurement are evidently in the same category, but the promise of marriage is chiefly in the minds of legislators because of the still existing vestiges of the widespread custom which treats betrothal as a kind of marriage.

The seduction of a woman in a position of dependence is strongly emphasized in continental law. The Italian law punishes seduction under promise of marriage only when the seducer is already a married man and his victim is a minor. The law of some continental countries, for instance France, is confined to the punishment of the seduction of youth. This is also the case in English law. Seduction under promise of marriage was not a crime at the English common law but it has been made so by statute in most states of the United States, where the seduction of youth is punished as "statutory rape." Many American statutes also punish seduction in relations of dependence, especially where the seducer is a guardian or teacher. The English law punishes only the seduction of a female lunatic in an asylum.

The introduction of the notion of fraud into the criminal law of seduction has affected the civil action. Since the fraud is practised on the woman and not on her family or her employer, it is she who should be heard to complain of it. Statutes in most modern countries—England is an important exception—have accorded the woman the right to sue her seducer directly, especially if there was a promise of marriage. Under these circumstances the woman will normally be adult and not a minor, and as far as the civil law is concerned that is taken for granted. The action for seduction became in France one of the means of qualifying the famous provision of the French Civil Code, *la recherche de la paternité est interdite*.

The interest which the action for seduction now seeks to conserve is the integrity of the family rather than its honor or its property rights. Whatever there may be of the factitious

and conventional in the association of honor with female chastity, there can be no question that seduction causes very real unhappiness both to the victim's family and to herself and that despite her consent much the greater responsibility for this unhappiness rests with the seducer. One of the elements involved, however, remains after all the community's interest in chastity as an independent moral value, since the right to recover is almost always dependent on the previous chastity of the woman, which is not to be taken to mean merely her previous reputation for chastity.

The social attitude toward the seducer has rarely gone as far as most legal and religious condemnations would suggest. The seduction of girls of the lower classes by gentlemen of the upper classes certainly seemed in English eighteenth century life almost a perquisite of their rank and, if the seducer was prepared to be generous, was not too harshly regarded by the class to which the victim belonged. The Don Juan might even aspire to the seduction of women of his own class. The great extension of the sexual freedom of women in modern times has not quite eliminated, however, the so-called double standard. On the other hand, it is coming to be recognized that enticement to sexual relations is not always the act of the man, although the Shavian paradox is not accepted in its extreme forms. At any rate, the complaint of seduction, where there are no really serious consequences, is not presented so often by mature women, and the "wronged maiden" has lost her importance in popular literature.

MAX RADIN

See: ABDUCTION; BREACH OF MARRIAGE PROMISE; FAMILY LAW; CHASTITY; MORALS; SEX EDUCATION AND SEX ETHICS; WOMAN, POSITION IN SOCIETY.

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SEEBOHM, FREDERIC (1833–1912), historian, lawyer and banker. The son of Quakers and himself a member of the society, Seebohm was deeply influenced by their doctrines. His earliest historical studies were concerned with the development of Protestant and practical Christianity and the evidence of moral purpose in history. Seebohm's important contribution, however, was in the field of economic history. Although continuously active in business, local government and education, he produced three influential works: *The English Village Community* (London 1883, 4th ed. 1890), *The Tribal System in Wales* (London 1895, 2nd ed. 1905) and *Tribal Custom in Anglo Saxon Law* (London 1902), and was engaged upon a study of weights and measures at the time of his death. In the first, to the question "whether the hams and tuns of England with their open fields and yard-lands, in the earliest historical times were inhabited and tilled in the main by free village communities, or by communities in serfdom under a manorial lordship" (p. ix and 423), he gave the answer that they were "practically manors with communities in serfdom upon them." Here he challenged contemporary scholarship and dominant theories of the village community and promoted the detailed study of the origin of the manor. He made English history less provincial and identified it more clearly with general economic evolution. In the second work he gave as vivid a picture of tribal organization as in the first he had given of the open field system. He attempted to separate the elements of original tribal custom from the changes which came upon it almost everywhere in western Europe under Roman and ecclesiastical influence. The third was a study of the solidarity of the kindred under tribal custom. The lucid and concrete style of all his works added greatly to their effectiveness.

Seebohm's central idea was that the open field system of the village community acted as a shell under which the common village life of an agricultural people was kept alive through the period of anarchy which followed the break up of the Roman Empire. He was well aware of the dangers of his own method: "The method of enquiry from the known to the unknown is essentially a tentative method." His real fault was a tendency to accept as contemporary in the past

rules and customs collected from many different periods. Too frequently he ventured on inferences from analogies between facts which were often themselves little more than conjectures.

K. SMELLIE

Other important works: *The Oxford Reformers: John Colet, Erasmus and Thomas More* (London 1867, 3rd ed. 1887); *The Era of the Protestant Reformation* (London 1874, new ed. 1894); *The Spirit of Christianity* (London 1916).

Consult: Vinogradoff, P., in his *Collected Papers*, 2 vols. (Oxford 1928) vol. i, ch. xv; Ashley, W. J., *Seebohm's "Tribal System in Wales"* (Boston 1896); Maitland, F. W., "The Tribal System of Wales" in his *Collected Papers*, ed. by H. A. L. Fisher, 3 vols. (Cambridge, Eng. 1911) vol. iii, p. 1–10.

SEECK, OTTO (1850–1921), German classical historian. Seeck was born in Riga, studied under Theodor Mommsen and taught at Berlin, Greifswald and Münster. Under the influence of Mommsen he concentrated upon the political organization of late antiquity, beginning his researches with his dissertation *Quaestiones de notitia dignitatum* (Berlin 1872). His teaching activities and the need of acquiring a unified picture of the general history of antiquity led him to undertake critical study of early Roman traditions, of the origins of Greek history and of the development of ancient historiography. He wrote many articles on the history of officials, on political organization, on church history and even on numismatics and mediaeval painting.

Seeck's most important work, however, was his *Geschichte des Untergangs der antiken Welt* (6 vols., Berlin and Stuttgart 1897–1920), on which he was engaged for over thirty years. His investigations were carried out on a wide scale and he always sought to penetrate to the deepest roots of the culture of late antiquity. His contributions are most valuable for their minute detail, but his historical picture is one-sided. He was essentially a rationalist positivist who gathered impressions in extensive travels and who, attracted toward the theories of natural science as well as to the ideal of the later humanists, considered that the historical process had declined to the point of complete decay. The "extinction of the best," he held, was responsible for the disintegration of the ancient world. Seeck failed to comprehend the powerful movements leading to a reconstitution of the ancient world and its culture which were already operating in the second and third centuries. He lacked insight into the religious and philosophical transformations of the period, into the enormous influence of the Orient and oriental religious culture on the Mediterranean world and into the force of Christianity, which can be understood only in relation to these currents. "Decline" meant for him the death of the rationalist culture of the upper layer of Greco-Roman society. He overlooked the fact that a new way of life was being fashioned by forces from the provinces, from the Orient and from the younger nations of the north and that this way of life permitted the continued existence of those forms of classical culture which still retained their vitality.

WILHELM WEBER

Consult: Radermacher, Ludwig, in *Biographisches Jahrbuch für Altertumskunde*, vol. xlvi (1926) 50–60.

SEELEY, SIR JOHN ROBERT (1834–95), British historian. Although Seeley was a classical student, academic in his tastes and occupations, his reputation and his influence have sprung from three books, no one of which lies in the classical or academic sphere. The first, *Ecce Homo; a Survey of the Life and Work of Jesus Christ* (London 1866), presented a purely secular treatment and aroused an intense controversy, in which Gladstone, Newman, Stanley, Kingsley and other prominent men participated. The second, *The Life and Times of Stein* (3 vols., Cambridge, Eng. 1878), was one of the first sympathetic studies in England of the rise of modern Germany. The third and most famous was *The Expansion of England* (London 1883, 2nd ed. 1895), two courses of lectures given at Cambridge in 1881–82. The popularity and wide influence of this work in England and abroad were due largely to the rising interest in the idea of imperial unity. It coincided with awakening imperial sentiment, as revealed in Kipling's Indian *Barrack Room Ballads* (1892) and the *Seven Seas* (1896); in Dilke's *Problems of Greater Britain* (2 vols., 1890); in the formation of the Imperial Federation League in 1884; in the gathering of representatives of India and the dominions at the Queen's Jubilee in 1887; and in the first Imperial Conference of Colonial Premiers, held on that occasion. *The Expansion of England* was not only an indication of the changing attitude of Great Britain toward its colonies and dependencies but itself one of the most important influences in bringing about that change. It was a vigorous defense of British imperialism from the historical point of view. It was simple, clear, animated and well calculated to further a movement already under way.

Seeley's advocacy of the unity of the empire earned him in 1894 the honor of knight Commander of the Order of St. Michael and St. George.

Seeley had no compunctions about writing history with a preconceived purpose. The opening words of this work are: "It is a favorite maxim of mine that history, while it should be scientific in its method should pursue a practical object. That is, it should not merely gratify the reader's curiosity about the past but modify his forecast of the future." He was neither a profound historical scholar nor even a historical investigator. He took his history ready made, in its conventional form and its general statements. His interest was rather in skilful presentation and in making explanations and drawing lessons. In this spirit and still in the interest of imperial unity he devoted the later years of his life largely to the preparation of a lengthy essay, published after his death as *The Growth of British Policy* (ed. with memoir by G. W. Prothero, 2 vols., Cambridge, Eng. 1895; 2nd ed. 1897). Notwithstanding its excellence of style, originality of interpretation and insistence on imperialism this book attracted little attention.

EDWARD P. CHEYNEY

Consult: Bodelsen, C. A., *Studies in Mid-Victorian Imperialism* (Copenhagen 1924) p. 149–76; Gazeau, Jacques, *L'impérialisme anglais: son évolution* (Paris 1903) pt. ii, ch. ii; Rein, Adolf, *Sir John Robert Seeley* (Langensalza 1913); Tanner, J. R., in *English Historical Review*, vol. x (1895) 507–14; Fisher, H. A. L., in *Fortnightly Review*, vol. lxvi (1896) 183–98; Filon, Augustin, "Le théoricien de l'impérialisme anglais, Sir J. R. Seeley" in *Revue des deux mondes*, vol. cxlvii (1898) 585–610.

SEGREGATION. In sociology segregation represents that form of isolation in which social distance is based upon physical separation. The physical barriers and spatial distances that set individuals apart from the mass and group from group are sociologically significant only to the extent that they become obstacles to communication and inhibit social contact.

Segregation is both a basis and a product of social isolation. Its most obvious function is taxonomic. Through competition and conflict natural and social selection goes on, and in its course each individual and group acquires a habitat, a function in the division of labor and a position in the social order. The selection proceeds on the basis of individual and group differences, and through the resulting specialization and segregation the distinctive characteristics of each are accentuated and reenforced. As a final result of this struggle social types emerge.

Unconscious selection and segregation based upon competition should be distinguished from deliberate attempts, arising out of conflict, to keep individuals apart. The former is represented by immigrant colonies or ethnic groups which in the course of their history have unwittingly and often voluntarily built up segregated communities. This process may be designated as passive segregation as contrasted with active segregation, which may be exemplified by the forced and often legal setting apart of individuals and groups, such as in leper and penal institutions and colonies; or by Jim Crowism in the southern United States. In a given case one or the other of these two types may predominate at different periods of historical development. Thus segregated vice districts have generally come into existence spontaneously, have subsequently been confined within legally prescribed boundaries under public supervision and have finally persisted unofficially, although no less visibly, in much the same areas even after their formal abolition by ordinances.

Segregation of differently specialized groups implies aggregation of similarly constituted individuals. Common and compatible characteristics tend to draw persons together, just as dissimilar and conflicting traits tend to set them apart. This suggests the distinction between positive and negative segregating factors. Mutual attractions, common interests and special but similar needs operate positively to draw individuals into segregated groups, even in the absence of any attitude of conscious avoidance of outsiders. Aversions, prejudices and conflicts are negative factors which through the influence of social distance and repulsion drive groups apart. Where segregation continues for any considerable period of time, both sets of factors operate.

Race, culture, religion, morals, status, language, caste, class, wealth, occupation, sex, physique and mentality, talent, taste, attitude, interest, in fact any set of characteristics in which the members of a group may be similar to one another and different from outsiders may become the basis of segregation. In the attempt on the part of a dominant racial or cultural group to live with a minority group segregation offers an alternative mode of adjustment to forcible incorporation on the one hand and to extermi-

nation of the subordinate minority group on the other. One of the most dramatic historic instances of this sort is the segregation of the Jews in the ghetto and the pale. At first voluntary, on the basis of social heritage, ritualistic need and preference, the ghetto in the late Middle Ages became compulsory, being imposed upon the Jews as a stigma and as a device to prevent contamination of Christians. In modern times the ghetto survives partly as a voluntary and partly as a compulsory form of segregation. It is voluntary in so far as it seems to offer a more tolerable and congenial habitat in view of the disadvantageous status of the immigrant, his need for distinctive communal institutions and the tradition and usage of old, which cannot be shaken off at will; but it is compulsory in that prejudice and antipathy toward the Jew prevent him from enjoying free contact with Christians.

A more thoroughgoing case of segregation is represented by the relations of Negroes and whites in the United States. Despite the caste system which developed during the period of slavery the separation between these two races was far from complete. Under the static, feudal order of the plantation system the Negro and the white group each lived within a separate and distinct social world, and each accepted the order which this world imposed. But the definitions and norms of conduct implicit in slavery did not prevent the growth of friendly and even intimate relations between the races, including interbreeding. In the course of the dissolution of this caste order, of which the legal emancipation of the slaves was merely the outward sign, the Negro was brought into competition with the white man. In the attempt to improve his condition and especially his social status the Negro aroused the prejudice and animosity of the whites. Out of these prejudices and antipathies, which represented the resistance of the dominant white group to the disorganization of the traditional social order, emerged the philosophy of the color line which assigns every Negro to an inferior position and insists on keeping him "in his place." The result has been the development of a biracial organization providing for the strict maintenance of race distinctions and separation in almost every phase of community life.

Despite federal constitutional amendments and civil rights bills, which were designed to secure for the Negro equality of citizenship, legal and extralegal formulae were found under which his rights of citizenship could be abridged and nullified. With his right to vote and to hold office limited the Negro has been driven into a more distinctly segregated political grouping, and this in turn has been instrumental in paralyzing his effort to protect himself against discrimination. During the slavery epoch in the United States the economic interdependence of the two races and the lack of race solidarity and pride among the slaves, which may be attributed to their restricted opportunity to congregate and to the atomization of their African culture and tradition, may be considered responsible in large measure for the absence of a pronounced segregation policy. The breach between the two races widened after the Civil War and during the reconstruction period. Urbanization and northward migration of the Negro extended and intensified the white policy of discrimination and segregation.

A federal civil rights bill passed in 1875, ordaining that "all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law and applicable alike to citizens of every race and color, regardless of any previous condition of servitude," was declared unconstitutional by the United States Supreme Court. Laws prohibiting miscegenation and permitting the separation of races in trains, street cars, schools and places of public assembly and amusement, hotels and restaurants, toilets, depots and public institutions were then enacted throughout the south. A law passed in South Carolina regulated the association of the races in industry and had the effect of barring the Negroes from the growing textile industry in that state. In 1932 intermarriage bans were in force in thirty states including all of the southern and many of the western states. In certain Pacific coast states some of the disabilities to which the Negro is subjected in the south apply also to orientals. Segregation in schools was in force in eighteen states in 1931. In Mississippi the advocacy of social equality between colored and white is subject to legal penalty. While these segregation laws were being passed in the south, a number of the northern states were enacting civil rights bills. Some of the legislation limiting the rights of citizenship and social equality was upheld by the courts on the doctrine of "reasonable classification," providing for separate but equal accommodations and facilities [United States *v.*

Buntin, 10 Fed. 730 (1882)]. In actuality, however, the effect has been to compel the Negro to pay first class fare for third class accommodations, to offer him inferior public schools and frequently to deprive him altogether of public facilities which the white citizen takes for granted, such as parks, playgrounds and bathing beaches.

Next to the struggle for the franchise the attempt to defeat residential segregation laws has perhaps been the most important racial issue in the courts. Beginning about 1910 laws forbidding either colored or white persons to move into a house or block inhabited in the main by people of the other race were passed in many southern border cities. In theory such laws—and most segregation ordinances are of this character—apply equally to both races, but actually they are enforced only against Negroes. In a unanimous decision in the Louisville segregation case the United States Supreme Court held unconstitutional legislation which would prohibit Negroes because of their color from purchasing any real property they might be able to buy and from occupying any property they could buy or rent [Buchanan *v.* Warley, 245 U. S. 60 (1917)]. Since this decision, however, various indirect methods have been employed to achieve the same end. One of them is the practise among white property owners of making agreements not to sell, lease or rent to Negroes and of writing such agreements into deeds and contracts. Where these measures of indirection have failed, threats and violence have sometimes been resorted to. Since residential segregation is general in some measure in all American cities, it has come to be one of the major issues in race relations. The Negro as a rule pays higher rent and lives in the least desirable quarters, frequently in rapidly deteriorating areas showing high morbidity, mortality and delinquency rates. His attempts, especially during the northward migration after the World War, to find suitable living quarters, have sometimes led to large scale unrest and bloody race riots.

Racial segregation is also found in some degree, although in diverse forms, in other parts of the world. In those regions of Central America and the West Indies where the Negro represents numerically the dominant group race separation has been introduced by white administrators and particularly by white employing corporations. There is one important distinction, however, between the United States on the one hand and Central and South America on the other: while in the former the mulatto, or mixed, blood is regarded as a member of the Negro group, in the latter he generally belongs to the white group. In Central and South America furthermore the color line, where it is drawn, seems to represent economic and cultural differentiation and stratification rather than racial segregation. In west Africa the whites as a rule are not in competition with the colored group; for this reason and also because the whites are relatively few in number, the problem of racial segregation has not become acute. Legal provision for segregation is employed to prevent physical rather than social contact. For the latter the whites rely largely on custom, tradition and personal reserve, which seem sufficient to obstruct free racial intermingling. In South Africa race relations are complicated by the presence of five contending groups: the British, the Boers, the mixed blood Cape colored people, the Indians and the natives. In addition to civil and economic disabilities the natives are subjected to residential segregation and are confined to native reservations.

The caste system of India represents the classic instance of segregation rooted in and sanctioned by tradition. Membership in a caste is based on birth; and a society dominated by this principle tends to be more rigid in its social organization, to be more highly segmented and to give rise to a more thoroughgoing segregation of the population than a social order based upon a class or individual achievement. Since the members of a caste can live and eat with and marry only members of the same caste, segregation in such a society leads to inbreeding, residential separation, occupational differentiation and a minimum of social contacts between the members of different castes. Each caste avoids any relations with the one beneath it, and the out-caste is reduced to the state of a pariah. The untouchables of India suffer from the most severe civil, social and religious disabilities. They are regarded as impure and contact with them is considered a contaminating influence. Not only are they housed in separate quarters, restricted to the humblest occupations and deprived of the skilled services monopolized by the higher castes, but they are excluded from the temples, the highways and the village wells. The development in India of a factory system and the disintegration of the folk culture have made it difficult to maintain the caste lines intact. The emerging new urban and industrial order tends to weaken the ceremonial and ritualistic ob-

servance of caste distinctions and to engender social and political mass movements which seek o undermine if not to abolish the caste hierarchy and the segmented division of society.

A unique instance of segregation is presented by the exterritoriality which foreign settlements enjoy in certain Chinese cities. In this case segregation has been sought as a special privilege. In the foreign settlements of Shanghai, for instance, the non-Chinese enjoy political autonomy and exemption from the jurisdiction of the native courts. This privilege has been wrested from the Chinese by armed intervention and is sanctioned by treaties. A comparable situation exists among the Indians in the United States, who, although segregation was imposed upon them by the whites through the reservation system, have had a certain measure of autonomy under the supervision of the Indian Office.

A segregation policy may spring from a variety of motives and causes. Aside from the voluntary withdrawal arising out of ethnocentrism, the desire to perpetuate an actual or fancied purity of racial stock or to avoid assimilation or contamination, the convenience or general wish to maintain an accustomed existence free from the intrusion of strangers, segregation may be and often has been rooted in the attempt to avoid or limit competition and conflict, in the fear of a subordinate group's retarding or disruptive influence, in the feeling of exclusiveness and superiority, in the striving to maintain a dominant status and in the desire to discipline, control, punish or humiliate a group toward which there exists a prejudiced or contemptuous attitude. Segregation policies have sometimes been reactions to the failure of a program of assimilation and forcible incorporation as well as to personal feelings of inferiority. The factors which account for the original development of segregation are not always identical with those which explain the perpetuation of the policy after its adoption.

Segregation is more likely to be resorted to if the minority group is relatively large and if it is in competition with the dominant group. It is more effective and probably more permanent if the group to be segregated has distinctly visible physical characteristics, such as color, than if its only distinguishing features are cultural. Acute group consciousness, established traditions, sentiments and mores are apparently more powerful segregating influences than transient interest groupings and formal laws.

The general effect of segregation has been to create an ever widening gulf between the segregated peoples. The absence of social contacts has increased mutual ignorance, suspicion and social distance and has decreased mutual understanding, appreciation and the development of common interests. It has had a narrowing and stunting effect and has intensified the unique features of each group. It has frequently resulted in the development in the subordinate group of a feeling of frustration and resignation and in the dominant group of a condescending and patronizing attitude. On the other hand, it has sometimes led to an awakening of the minority into a racially or culturally self-conscious body either defiant toward the dominant group or tending to build up a separate world of its own. More frequently, however, it has led to sycophancy and servility, at least among the masses of a segregated group. Such a form of segregation as is found in the southern United States, which virtually calls for duplication of every facility of social life for the two races, has through its enormous cost been influential in retarding the cultural advancement of both groups. Segregation represents a segment of a vicious circle: group differences lead to separation and separation in turn accentuates the differences, thus resulting in intensified conflict, which gives further impetus to segregation. While segregation may have been a useful historical means of establishing a modus vivendi in a static social order, under modern conditions of life and communication it seems at best a costly and temporary makeshift in the struggle against an irresistible process through which peoples and cultures are blended.

LOUIS WIRTH

See: ISOLATION; SOCIAL DISCRIMINATION; ETHNIC COMMUNITIES; NEGRO PROBLEM; NATIVE POLICY; GHETTO; ANTISEMITISM; CASTE; EXTERRITORIALITY; MINORITIES, NATIONAL; MISCEGENATION; ASSIMILATION, SOCIAL.

Consult: Park, R. E., and Burgess, E. W., *Introduction to the Science of Sociology* (2nd ed. Chicago 1924) p. 228–33, 252–57, 525–45; Park, R. E., and others, *The City*, University of Chicago, Studies in Urban Sociology (Chicago 1925); McKenzie, R. D., "Cultural and Racial Differences as Basis of Human Symbiosis" in *Social Attitudes*, ed. by K. Young (New York 1931) p. 136–65; Bruce, P. A., "Race Segregation in the United States" in *Hibbert Journal*, vol. xiii (1914–15) 867–86; Reuter, E. B., and Hart, C. W., *Introduction to Sociology* (New York 1933) p. 225–27; Spencer, Herbert, *First Principles* (6th ed. New York 1900) ch. xxi; Young, Donald, *American Minority Peoples; a Study in Racial and Cultural Conflicts in the United States* (New York 1932); Bogardus, Emory S., *Immigration and Race Attitudes* (New York 1928);

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SEGUIN, EDWARD (1812–80), French physician and psychologist. Seguin was the first scientific leader in work with the feebleminded and an important forerunner of modern progressive education. A pupil of Itard, he was impressed, as Itard was not, with the educational results which had been achieved with an obviously feebleminded boy by Itard's program of physiological education. Seguin intensively applied the principles of physiological education to the training of the feebleminded with gratifying results. He did not succeed in curing feeblemindedness, as he set out to do, but he secured remarkable improvements in numerous cases formerly regarded as entirely hopeless. Seguin's physiological method consisted of activities directed toward training the muscles and developing the senses of the defective child with a view to improving coordination and thereby stimulating the fullest use of his limited intellectual equipment. He was the first to show that feeblemindedness could be dealt with constructively. The result was a significant change of emphasis from the sterile concept of custody to the more fertile concept of constructive training. This in turn reflected itself in the more humane and understanding treatment of the feebleminded, first in institutions and much later, after Seguin's time, in the community.

In 1850 Seguin came to the United States as a political refugee, having incurred the disfavor of Louis Napoleon because of his support of the provisional government of 1848. Here he accepted the invitation of early leaders in institutional work with the feebleminded who had already been inspired by his writings, to assist them personally in the development of their institutions. The rest of his life was spent in this country. It was the Seguin program which animated all of these early American institutions and which still animates in large part the best work now carried on with the feebleminded. The methods which Seguin devised for the education of the feebleminded have likewise had a wide acceptance in modern educational theory and practise as related to normal children.

STANLEY P. DAVIES

Important works: *Traitement moral; Hygiène et éducation des idiots* (Paris 1846); *Idiocy; and Its Treatment by the Physiological Method* (New York 1866).

Consult: Fynne, R. J., *Montessori and Her Inspirers* (London 1924) ch. iii; Holman, Henry, *Seguin and His Physiological Method of Education* (London 1914).

SEIGNIORAGE. *See* COINAGE.

SELBORNE, FIRST EARL OF, ROUNDELL PALMER (1812–95), English chancellor and law reformer. As solicitor general from 1861 to 1863 and attorney general from 1863 to 1866 Selborne was the principal legal adviser of the British government upon the important questions of international law which arose during the American Civil War, and was counsel for the crown at the Geneva arbitration which followed the Treaty of Washington.

His greatest achievement was the complete reform of the judicial system. While attorney general he introduced legislation which transferred all the existing courts to a new building in the Strand, and in 1867 he obtained the appointment of the Judicature Commission to report on their reform. In 1873, having become lord chancellor, he introduced the Supreme Court of Judicature Act, which he himself had drafted on the basis of the commission's report. This act removed masses of ancient technicalities and inconveniences, fused law and equity and set up a logical system of courts. Selborne was, however, unable to prevent the passage of a later amending act (1875) which restored double appeals (abolished by his original project). He also reformed the official staff of the chancellorship and secured the passage of some cautious real

property reforms. One project he failed to realize: the reform of legal education by the establishment of a general school of law in London. At one moment he proposed the abolition of patents of inventions.

Selborne's strong convictions as a churchman led to his breach with Gladstone over the Irish church question; he was willing to see a moderate reform of the older universities but deplored the elimination of the religious tests. He wrote several works on ecclesiastical subjects, notably an able history of tithes (*Ancient Facts and Fallacies concerning Churches and Tithes*, London 1888, 2nd ed. 1892).

THEODORE F. T. PLUCKNETT

Consult: Atlay, J. B., *The Victorian Chancellors*, 2 vols. (London 1906–08) vol. ii, p. 377–432; *Memorials, by Roundell Palmer, Earl of Selborne*, ed. by S. M. Palmer, 4 vols. (London 1896–98).

SELDEN, JOHN (1584–1654), English jurist, historian and political theorist. Selden was perhaps the most notable of those English lawyers and parliamentarians who in the earlier part of the seventeenth century strove by means of scholarly investigation and political agitation to reconstruct a constitution which, while not democratic, should provide adequate safeguards against the prerogative. In common with his contemporaries he considered change not in terms of progress, but as a reinstatement of certain idealized elements of the past.

Born of yeoman stock in Sussex, he was educated at Chichester Grammar School and at Hart Hall, Oxford; later he was admitted to the Inner Temple and was called to the bar in 1612. He was returned to Parliament in 1623; but already he had served the Commons as a consultant in matters of historical and legal precedent. Among the occasions on which he argued on behalf of the subject against the policy of Charles I were the misconduct of Laud, the violation of parliamentary privilege, the arbitrary imposition of ship money, the imprisonment of the subject without cause and the muzzling of the press by the Star Chamber. His resolute conduct caused him to be imprisoned for a short period in 1629. But the more violent course of the opposition after 1643 and the intrusion of Presbyterian, Independent and Leveller elements served to dissociate Selden from public life and after 1649 he remained in scholarly seclusion. He was respected as much by the Lords as by the Commons, as much by the Stuarts as by their more respectable opponents; at times he might have acted as mediator, but a certain aloofness of manner and dislike of publicity prevented him from playing a more prominent part in the politics of his time. By nature a scholar, he had more interest in books and manuscripts than in humanity; and he is one of the few Englishmen to have acquired fame by sheer weight of erudition, although his learning was generally greater than his acumen. Nevertheless, despite his lack of critical sense he rendered great service to the causes of constitutionalism and scholarship. By his advocacy he gave dignity and weight to the claims of the Commons, and by his antiquarian zeal he directed attention to the great wealth of original material available for the student of English institutions.

Most of Selden's extremely voluminous literary works are, however, obsolete; this is true of his oriental treatises, relating mainly to rabbinical law, and his *Mare clausum* (London 1635; tr. by M. Nedham, 1652), written in refutation of Grotius and containing historical "proofs" of England's claims to dominion in the narrow seas. There was a more modern note in his *History of Tithes* (1618), wherein he contended that the tithe is not of divine institution; and his *Of the Judicature in Parliament* (first published 1681) and *Priviledges of the Baronage of England* (1642) as well as his *Titles of Honour* (1614) may still be consulted with profit by the antiquary. On the other hand, Selden accepted the semispurious *Mirror of Justices*—a curious mixture of fact and myth written by a London fishmonger of Edward I's reign who intended to demonstrate the rights of the subject against the crown—and ranked its authority with that of Bracton. Much of Selden's historico-legal material came from the great collection of mediaeval manuscripts housed by his friend Sir Robert Cotton, and many of his sources have been critically edited since his time by the society which is appropriately named after him. Selden appears to have been a good conversationalist, as may be seen from the pungent remarks collected by his secretary, Richard Milward, and published as *Table Talk* (London 1689).

DAVID OGG

Works: *Opera omnia*, ed. by D. Wilkins, 3 vols. (London 1726); this edition is merely a reprint of seventeenth century texts and contains many misprints.

Consult: Johnson, G. W., *Memoirs of John Selden* (London 1835); Introduction to *Ioannis Seldeni ad Fletam dissertatio*, ed. by David Ogg (Cambridge, Eng. 1925) p. xix–lxvi; Gardiner, S. R., *History of England from the Accession of James I to the Outbreak*

of the Civil War, 1603–1642, 10 vols. (new ed. London 1893–95), especially vols. iii, iv, vi and vii; Gooch, G. P., *English Democratic Ideas in the Seventeenth Century* (2nd ed. by H. J. Laski, Cambridge, Eng. 1927) p. 101–04, and *Political Thought in England from Bacon to Halifax* (London 1914) p. 68–76; Hazeltine, H. D., "Selden as Legal Historian" in *Harvard Law Review*, vol. xxiv (1910–11) 105–18, and 205–19; Herzog, Isaac, "John Selden and Jewish Law" in Society of Comparative Legislation, *Journal*, 3rd ser., vol. xiii (1931) 236–45.

SELER, EDUARD GEORG (1849–1922), German ethnologist. Seler, who was director of the American division of the Berlin Museum für Völkerkunde from 1891 to 1922, became interested in American ethnology as a result of his work in preparing a German edition of two books by Marquis de Nadaillac on European and American prehistory. His dissertation *Das Konjugationssystem der Maya-Sprachen* (Berlin 1887) was the first of numerous papers presenting the scientific results of his extensive studies and travels in South and Central America. Seler's researches and lectures covered the entire field of the aboriginal civilizations of America, including those of the northwest coast, the pueblos, the Sonoran nations, Mexico and Central America, Colombia, Ecuador, Peru and Bolivia, as well as the history of the Spanish discoveries and conquests. His study of Peruvian ceramics is recognized as an especially noteworthy contribution in this field. He was able through his command of the Aztec tongue to translate the difficult Sahagun text written about the middle of the sixteenth century. He also deciphered the most important Mexican picture writings, in connection with which he clarified the calendar and the complex system of divinities of Mexico. To Seler is due a significant share of present knowledge of Mayan hieroglyphs, the computation of the length of the Mayan year, of the Calendar-Round and of the synodical revolutions of Venus. He was able to establish Toltec influences in Mayan regions, and he recognized that the basic ideas of Mexican and Mayan religions are closely related and cannot be studied separately. He rejected vague hypotheses as to the origin of American civilization and strongly emphasized its independent development. By virtue of his application of philology and archaeology and his cautious methods of historical criticism, Seler may be said to have been the first to set the scientific study of Mexican history on a solid basis.

WALTER LEHMANN

Consult: Lehmann, Walter, in *Deutsches biographisches Jahrbuch, 1923*, vol. v (Berlin 1930) p. 410–16, and "Verzeichnis der Schriften von Eduard Seler" in *Festschrift Eduard Seler*, ed. by Walter Lehmann (Stuttgart 1922) p. 3–18; Preuss, K. T., "Die wissenschaftliche Lebensarbeit Eduard Selers" in *Zeitschrift für Ethnologie*, vol. lv (1923) 1–6.

SELF-DETERMINATION, NATIONAL. As a principle the right of peoples to determine their own sovereignty has underlain the entire history of the plebiscite (*q.v.*) and has long been invoked by subject nationalities for their own liberation; but the expression self-determination became current only during the World War. At that time numerous liberal and labor groups, particularly in Great Britain, France and the United States, advocated the principle as the proper basis for a just and permanent peace. President Wilson after his address of May 27, 1916, was looked upon as its leading exponent. It is clear from later events that the president had no intention of endorsing secession but meant merely to condemn conquest and to assert the right of national groups to autonomy within the state to which they belonged.

In the light of the known contents of the "secret treaties" the reply which the Allied Powers issued on January 10, 1917, to Wilson's request for a statement of war aims proved unsatisfactory to the supporters of self-determination, while the evasive response of the Central Powers strengthened the conviction that they meant to retain Belgium. Wilson's vigorous reaffirmation of the principle on January 22, 1917, had a profound influence on the subsequent statements of war aims by both sides. The first echo came on April 10 in the form of a declaration made by the Lwów government to satisfy the Petrograd Soviet. By its subsequent reassurance to the Allies that the engagements of the czarist government would be respected, the Lwów government gave Lenin an opening for his assault upon its power. The first official pronouncement of the Soviet government, the Decree of Peace of the All-Russian Convention of Soviets of Workers', Soldiers' and Peasants' Deputies, on November 8, 1917, endorsed both the principle of self-determination and the method of the plebiscite.

The Central Powers, forced by the entrance of the United States into the war, by pressure from certain sections of the German people and by the threatened exhaustion of war material to repudiate plans of conquest in more definite terms, assented to the Reichstag resolution of July 19, 1917, which declared for "a peace of

understanding" and against "forced acquisitions of territory and political, economic or financial oppressions." But the terms which the Central Powers dictated at Brest Litovsk aggravated the fear of neutrals as well as of the Allies that the Central Powers still had designs not only on parts of Belgium and France but also on Lithuania, Kurland and Poland. This distortion of the principle of self-determination, in which the Soviet government in its relations with the Ukraine and Georgia later showed itself an apt pupil, greatly augmented the prestige of the Allies with their own labor groups and with the neutrals. Prime Minister Lloyd George on January 5, 1918, declared that one of the three bases of the just and lasting peace for which Great Britain was fighting was "a territorial settlement . . . based on the right of self-determination." President Wilson, who, in his address on January 8, 1918, containing the Fourteen Points, had emphasized the rights of nationalities, on February 11 declared self-determination to be "an imperative principle of action, which statesmen will henceforth ignore at their peril," and reiterated the warning in his speech at Mount Vernon on July 4.

The declarations of Wilson, echoed by Lloyd George, Pichon and other allied statesmen, were effective in awakening opposition to the government in Germany and Austria-Hungary. The request of the German Republic for peace on the basis of the Fourteen Points and of the subsequent Wilson addresses was formally accepted, with reservations here irrelevant, by the Allies. Austria, Hungary, Bulgaria and Turkey, on the other hand, surrendered before receiving from the Allies a formal acceptance of their appeal to the Wilson principles. Hence in the case of the latter countries the European Allies recognized no legal obligation to follow the Wilson principles when they conflicted with the secret treaties, although the American delegation to the Peace Conference considered the principles binding on all the Allies toward all the belligerents. The Italian delegation made a reservation regarding Point IX of the Fourteen Points, which called for "a readjustment of the frontiers of Italy . . . along clearly recognizable lines of nationality," and while claiming Fiume under self-determination entered a reservation in principle regarding every plebiscite in the treaties.

The draft treaty with Germany made provision for plebiscites in Schleswig, Allenstein, Marienwerder and the Saar and accorded to the inhabitants of Eupen-et-Malmédy the right to protest against cession to Belgium. The Allies held that self-determination was the principle underlying the cession of Alsace-Lorraine, which was made under Point VIII of the Fourteen Points, and that of Upper Silesia, Poznań and part of West Prussia (the Corridor) under Point XIII, the language statistics and pre-war votes for the Polish party being interpreted as showing the population to be "indisputably Polish."

The German delegation protested that the draft treaty disregarded the "new and fundamental law" of self-determination. Upon the insistence of Lloyd George the final text of the Treaty of Versailles provided for a plebiscite for Upper Silesia. Despite the strong demand of the Austrian delegation for plebiscites, only one—the Klagenfurt basin—was included in the Treaty of Saint-Germain, while the similar Hungarian and Bulgarian pleas were denied. Although Czechoslovakia based its national existence on the right of self-determination, its delegation opposed any fixing of its own boundaries by plebiscite. Efforts of Lloyd George and Wilson to secure from the Italians plebiscites for Fiume and Dalmatia were unsuccessful, as were those of Balfour and Lansing regarding eastern Galicia. Suggestions for votes in the Banat and in Bessarabia were also abortive. Possible plebiscites in Smyrna and Kurdistan were provided in the Treaty of Sèvres, but this was never ratified. More plebiscites would probably have been written into the Paris treaties had it not been for communistic movements, pressure of time and lack of troops to police the areas.

The plebiscite in Schleswig was held in the northern zone on February 10, 1920, and in the southern zone on March 14. In the first zone, where the treaty had called for a vote en bloc, there was a majority for Denmark. The second zone, where the vote was by communes, was retained by Germany, which won a majority in almost every commune. On July 11 the Allenstein and Marienwerder areas voted by communes, Germany winning almost all of the communes and retaining the areas with minor changes along the frontiers. On October 10 the vote was taken in the first zone of the Klagenfurt area; and since Austria obtained the majority, the vote in the second zone was abandoned, as the Treaty of Saint-Germain had provided. In Upper Silesia, where the plebiscite was held on March 20, 1921, Germany won 59.6 percent of the total vote and a majority in 844 communes as against 678 for Poland. The treaty had provided

that the vote be determined by communes; but so inextricably mixed were these communes, so important the political issues to the powers and so threatening was the third Polish insurrection in the area, that the Supreme Council appealed to the League of Nations for a recommendation as to the frontier, which was made and followed. While Poland was given large German enclaves, it had actually won the majority of the total vote as well as of the communes in the area allotted to it. Because Hungarian bands of patriots had prevented Austria from taking possession of Burgenland (west Hungary) in accordance with the treaties of Saint-Germain and Trianon, a plebiscite was finally arranged in Sopron under the Protocol of Venice. In the vote which was held on December 14–16, 1921, Hungary received a majority and retained the area.

The plebiscite arranged by the Supreme Council between Poland and Czechoslovakia in Teschen, Spiš and Orava had to be abandoned as well as that planned by the Council of the League of Nations to decide the Vilna dispute. The unsuccessful effort to hold a plebiscite in Tacna-Arica between Chile and Peru, under the Arbitral Award of President Coolidge, in 1925–26 marks the last attempt to apply the instrument. The only plebiscite now in prospect is that to be held in the Saar basin in 1935.

In spite of the many outright cessions, some indefensible under the principle of self-determination, the Paris treaties register greater respect for the principle and for the method of the plebiscite than any previous peace treaties. All the formal plebiscites under the Versailles and Saint-Germain treaties were held under the direction of the Conference of Ambassadors and mark a great advance in the neutralization of the areas involved, pending the outcome of the vote; the treaties stipulated that troops of both parties be withdrawn and that an international commission be given complete control over the administration of the area as well as over the vote. In each case except Klagenfurt the commission had a military force at its disposal to maintain order. In Tacna-Arica, while the president of the Plebiscitary Commission was a neutral, the other features of neutralization were absent. In all the post-war plebiscites the secret ballot was required. Except in Tacna-Arica women were qualified to vote. In the Versailles plebiscites and in Tacna-Arica the suffrage was granted to all native born whether resident or not.

Although the most convincing plebiscites were those of Schleswig and Klagenfurt, there can be little question that the results of the German-Polish plebiscites reflected the wishes of the inhabitants with a fair degree of accuracy. History since the Peace Conference has proved that as a means of applying the principle of self-determination the plebiscite is infinitely more exact than are language statistics or commissions of inquiry.

SARAH WAMBAUGH

See: PLEBISCITE; MINORITIES, NATIONAL; WORLD WAR; AUTOCRACY; CESSION; FEDERALISM.

Consult: House, Edward M., *The Intimate Papers of Colonel House*, ed. by Charles Seymour, 4 vols. (New York 1926–28); Royal Institute of International Affairs, *A History of the Peace Conference of Paris*, ed. by H. W. V. Temperley, 6 vols. (London 1920–24); Wambaugh, Sarah, *Plebiscites since the World War*, 2 vols. (Washington 1933); Buell, R. L., *International Relations* (rev. ed. New York 1929) ch. ii.

SELF-INCRIMINATION. The privilege of a witness or person accused of crime to refuse to give evidence on the ground that he would thereby be giving evidence of his own criminality, although firmly rooted in the American constitutional system, is of comparatively recent origin. In early criminal procedure there was great reliance on compurgation, an exculpatory oath taken by the accused assisted by a number of oath helpers. Compurgation was in no sense a procedure for giving evidence. It was rather the decisive act in the procedure. The accused having accepted the challenge and taken the oath, decision in his favor followed. With the rise of the jury system compurgation, or wager of law, even while dying of atrophy, came to be cherished as a privilege and it was so considered in various royal charters. But there is no trace of a historical connection between the privilege of wager of law and the modern privilege against self-incrimination. The antecedents of the latter must be sought in the field of ecclesiastical jurisdiction.

The thirteenth century marked the introduction of inquisitorial procedure into the canon law. With the adoption of a system for questioning the accused it became obvious that he would be sworn to speak truly. Thus there was introduced under Innocent III the oath *jusjurandum de veritate dicenda*. On the continent this coincided with the displacement of the system of private prosecution by public prosecution, and the canon law procedure *per inquisitionem* was quickly adapted to secular criminal procedure.

In England such adaptation was barred at the time by the flourishing state of the king's courts and by the conflicts over the limits of ecclesiastical jurisdiction. But by the reign of Elizabeth this jurisdiction had been effectively restricted to matrimonial and testamentary causes and the inquisitorial oath had already been incorporated into the practise of the newly created Court of High Commission and the older Star Chamber.

Throughout the next two reigns controversy centered about the method of administering the oath, there being no question of its legality. The canon law originally required either some form of presentment before the oath could be administered or else bad repute of the accused as a condition to administering the oath without presentment (i.e. ex officio). Inevitably the exercise of the power to administer the oath ex officio brought with it an increasing disregard of the preliminary conditions with the result that popular agitation against the oath in any form continued to increase. This agitation culminated in 1641 when the Star Chamber and the High Commission were abolished and the ecclesiastical courts were forbidden to administer any oath ex officio in matters penal. In the same year the claim of a privilege against self-incrimination in any court made its appearance. Although there had been no inkling of such a privilege in the procedure of the common law courts, the struggle against the administration of the inquisitorial oath ex officio had given rise to a new claim against compelling a man to convict himself out of his own mouth. Resistance to illegal testimonial compulsion had gone through a psychological transmutation by which it became resistance to any testimonial compulsion. By the end of the seventeenth century the privilege had become firmly established and had become available not only to the accused in a criminal cause but to ordinary witnesses in both criminal and civil causes.

The history of the introduction of the privilege into the American colonies is still unknown. Apparently it did not obtain in the earlier years of the Massachusetts Bay Colony; it is expressly mentioned, however, in the Virginia, North Carolina and Pennsylvania declarations of rights of 1776, and when the revolution ended it had become hallowed in constitutional bills of rights. At present a constitutional privilege against self-incrimination obtains in all but two states.

The scope of the privilege is very wide indeed. While it does not protect against exposure to civil liability, it does extend to facts in a civil proceeding, which may incidentally involve criminal liability, as in the case of libel, adultery, fraud and bankruptcy. Some courts have extended it to acts which would be criminal under a foreign sovereignty; the recent tendency, however, is against such extension. An officer of a corporation may not refuse to produce the corporate books on the ground that it may expose the corporation to criminal liability, but he may refuse to do so if he would himself be exposed to such liability. It has long been settled that protection is to be given against facts which tend to incriminate. But while the earlier cases required these facts to be essential parts of the crime, the recent tendency has been to extend the privilege to cover any facts which may indirectly furnish a clue to crime.

Since the essence of the privilege is the denial of compulsion of testimonial utterance, it does not protect against compulsion to exhibit bodily movements or perform bodily acts (submission to fingerprinting or physical examination). Formerly in all jurisdictions the privilege was applied only to documents brought into court in response to a subpoena. The federal courts, however, have formulated a rule excluding documents illegally seized and this is now being followed by many state courts.

The most difficult problem involved is that of the inference to be drawn when the privilege is claimed. In the United States it is generally provided that neither judge nor counsel shall refer to a refusal to testify and sometimes the judge is required to direct the jury not to draw any inference unfavorable to the person refusing to testify. Nevertheless, such artificial precepts do not in fact prevent juries from drawing the inference.

A number of jurisdictions have adopted the rule that where an accused person takes the stand he should be held to have waived the privilege and should be open to any question. In others the waiver applies only to subjects dealt with on direct examination, and in a few jurisdictions the waiver extends only to the criminal acts charged. Supplementing the privilege against self-incrimination are the privilege against disclosing facts involving disgrace or infamy and the rule excluding involuntary confessions. Both of these principles arose independently, but they are often confused with the privilege against self-incrimination.

The fact that the privilege arose from the historical accident of resentment against the procedure of the Star Chamber lends a quality

of ex post facto rationalization to any attempt to establish a basis in policy. No one can deny the popular feeling that it is fundamentally unfair to compel a man to convict himself out of his own mouth. The more modern defense is based on the demoralizing effect on the police and prosecutors of the opportunity to secure evidence easily. Unfortunately the consequence in the United States has been to drive the police to the use of the "third degree" to secure evidence and extract confessions. Little can be said, however, in favor of the rule forbidding the drawing of inference from silence.

It has often been suggested that provision be made for preliminary examination of the accused before a magistrate, but continental experience has shown how easily this device may degenerate into an adjunct of the prosecutor's office. In the ordinary criminal trial the major evils of the privilege can probably be eradicated by permitting the court and counsel to comment on the refusal to testify. The greater evil lies in the destructive effect of the privilege on legislative and grand jury investigations of business practises and government corruption. This situation is usually met by statutes granting immunity from prosecution to testifying witnesses, which results, however, in permitting malefactors to escape prosecution. The only solution for such cases would be to limit the privilege to persons accused of crime. Such a solution would also aid litigants in civil cases, who are often hampered by the claim of the privilege.

Continental criminal procedure is often held out as a model by critics of the privilege. In France the inquisitional oath *de veritate* incorporated into the Ordonnance of 1670 was abolished in 1789. Since 1897 the examining magistrate has been required to inform the accused that he may refuse to make any statement. In the trial itself, however, the privilege is of little consequence. In Germany it is expressly provided that the accused may refuse to testify, but the judge may draw an inference from the refusal. A witness may refuse to answer questions if an answer would expose him or a relative to the danger of criminal prosecution.

Although in the United States the privilege against self-incrimination has long been under attack, it is so firmly anchored in the constitutions that it seems hopeless to attempt to abolish it. Nor is its total abolition altogether desirable in view of the general feeling that the accused should have some measure of protection. It would be sufficient to limit the privilege only to the accused in a criminal case, were it not for the fact that the assertion of the privilege by witnesses has been supported on constitutional grounds. Short of constitutional amendment the only desirable remedy lies in statutory provision of a *right* of comment by court and counsel.

A. H. FELLER

See: EVIDENCE; PROSECUTION; COMPURGATION; PERJURY.

Consult: Wigmore, J. H., *A Treatise on the Anglo-American System of Evidence in Trials at Common Law*, 5 vols. (2nd ed. Boston 1923) vol. iv, sects. 2250–84, and Anglo-American and continental authorities there cited; Gerland, H. B., *Der deutsche Strafprozess* (Mannheim 1927) sects. 48, 66; Glaser, J., *Beiträge zur Lehre vom Beweis im Strafprozess* (Leipsic 1883); Limburg, H. R., "The Privilege of the Accused to Refuse to Testify" in American Academy of Political and Social Science, *Annals*, vol. lii (1914) 124–31; Dunmore, W. T., "Comment on Failure of Accused to Testify" in *Yale Law Journal*, vol. xxvi (1916–17) 464–70; Boiarsky, M. E., "Right of the Accused in a Criminal Case Not to Be Compelled to be a Witness against Himself" in *West Virginia Law Quarterly*, vol. xxxv (1928–29) 27–45, and 126–45; Corwin, E. S., "The Supreme Court's Construction of the Self-Incrimination Clause" in *Michigan Law Review*, vol. xxix (1930–31) 1–27, and 191–207; Chafee, Z., Jr., Pollak, W. H., and Stern, C. S., "The Third Degree" in United States, National Commission on Law Observance and Enforcement, *Report on Lawlessness in Law Enforcement*, Publications, no. xi (1931) p. 13–261; Grant, J. A. C., "Self-Incrimination in the Modern American Law" in *Temple Law Quarterly*, vol. v (1930–31) 368–403; Rapacz, M. C., "Limiting the Plea of Self-Incrimination, and Recent Enlargement of the New York Immunity Statutes" in *Georgetown Law Journal*, vol. xx (1931–32) 329–55; "The Privilege against Self-Incrimination and the Scope of Statutory Immunity" in *Yale Law Journal*, vol. xli (1931–32) 618–24; Kauper, P. G., "Judicial Examination of the Accused —a Remedy for the Third Degree" in *Michigan Law Review*, vol. xxx (1931–32) 1224–55; Reeder, R. P., "Comment upon Failure of Accused to Testify" in *Michigan Law Review*, vol. xxxi (1932–33) 40–58.

SELF-PRESERVATION has been known to the cognoscenti of moral disputation, almost from the beginning of their discipline, as "nature's first law." The customary expression is "the instinct of self-preservation," and designates the endeavor of every living individual organism to maintain its existence in a world of change. The aboriginal instinct is the imputed foundation of the political idea that there is a natural right to life, and the ultimate premise of the legal convention acknowledging self-defense as the valid plea against the charge of murder.

The concept has its perceptual starting point

in generic modes of animal behavior, from simple reflexes to complexly patterned activities, with which there need go neither a sense of the unity of the body nor an idea of unembodied self. These behavior modes need be nothing more than physiological arrangements maintaining their relationships against centrifugal trends from within, or upsetting impacts from without, or both. In their light, self-preservation is of the same nature as the inertia of the physicists, and the philosophic tradition has on the whole assimilated the one to the other. In various language the stoics, the Christian fathers, St. Thomas, Hobbes, Spinoza, Darwin, Schopenhauer and others express the essential notion that whatever exists, be it mud or be it man, by the mere fact of existing tends to resist going or being put out of existence.

This, however, is only occasionally true of the self-preservation of human individuals. Not only do the activities which are often ascribed to it fail to resist change, or being put out of existence; they may seek precisely these ends. Instead of expressing inertia the instinctive drives suspend or overcome it. For they operate in a frame of reference which is sheerly human—that is, cultural and logical, implying, therefore, social inheritance and personal memory, and thence, a distinction between the self and the body.

The folkways and mores of primitive societies postulate much on this distinction. How the notion and name of a self other than the body—yet constant amid the body's changes, surviving its ultimate destruction in death—are arrived at is unimportant; the important thing here is its status as that which survives and is to be preserved in the activities of the daily life. Thus, death and the fear of death signify in quite other ways on the primitive level than on the civilized level. Since death is translocation and not destruction, killing cannot be murder. Suicide is an act like stepping from one room to another. Pain, hunger and other hurts have a sting. Not death.

Self-preservation acquires different meanings in those cultures where the prevailing mores evince a certain doubt about the existence of a self independent of the body, and thus a realization of physical death as personal annihilation. The doubt is signalized by two components of the mores: immortality cults with their elaborated symbolic ceremonials of the nullification of death and their myths of death and resurrection, and dialectically developed and refined proofs of immortality. From Plato's day until Galileo's both these components tended to pervade the mood of European civilization. The mood was widespread in the Hellenistic world; and suicide was consequently not uncommon, especially among the intellectual classes. Two philosophic cults, Epicurean and stoic, gave it characteristic expression. The Epicureans acquiesced: "Death," they declared, "that most dreaded of ills, is nothing to us. For while we are, death is not; and when death has come, we are not; . . . the wise man neither declines life nor shrinks from death, since life is not distasteful to him nor does he think it an evil not to live." The stoics, on the other hand, generally supplemented the arguments of Socrates and his followers against self-slaughter, calling it cowardice, desertion of one's post, disobedience to God, robbery of the state and the like. Many, following Hegesias the Cynic, who found death to be no evil and life no good, permitted suicide. And generally, the mores of antiquity admitted suicide as an escape from pain or disgrace. The coming to power of Christianity, which was essentially a syncretic immortality cult preoccupied with death, led to a widespread indoctrination against suicide for any cause. It taught that suicide is crime against God, against self, precluding repentance, violating the Commandments, and thus in effect a self-exclusion from the salvation to which Christian burial is a sine qua non. Of course, saints and martyrs seeking death for the glory of God or patriots risking it for their country's victory commit suicide with "God's consent," and belong to the categories of the saved.

To what degree the church view affected European mores cannot be measured. The claim is made that little suicide is recorded during the Middle Ages, but the maxim "rather Death than Dishonor" expresses something sanctioned by the mores to this day, although attempted suicide is still punishable by statute in many places. With the Renaissance, certainly, the classical conceptions of self-preservation and self-immolation came alive again and received a new currency and a new meaning deriving from the compenetration of Galilean physics. The lives of men were seen, as by Thomas Hobbes, to consist in a constant struggle of all against all, until the state is organized to overrule personal force and fraud by the irrevocable and absolute authority of its social compact for law and order. The authority stops, however, where it menaces survival, and every man has a right

to defend his life even against the state. Spinoza declared that an individual's *conatus sese conservandi* is the foundation of his happiness, and such institutions as the state are but means for the preservation of this self (now reassimilated to the body but still different from it) and depend on its consent. This view became a commonplace of the Enlightenment of the eighteenth century. It was the ground of the disputations about self-love and social love, self-assertion, self-expression and self-realization of that century and the next. It was a primary postulate of the individualism, naturalism and revolutionism in which the eighteenth century culminated. It persisted as the premise of the laissez faire programs of the early nineteenth century, and received support from the biological investigations of Darwin and the speculations of Spencer, emerging in the doctrine of struggle for survival and the survival of the fit. So indisputable did the postulate of self-preservation become to the intellectual classes of the nineteenth century that Schopenhauer's observation to the effect that suicide is the final self-affirmation of the will to live or instinct of self-preservation, retains a certain vogue. The import of Nietzsche's observation that beneath the struggle for survival was a self-transcending struggle for power was hardly realized.

The prevailing sentiment regarding the self-preservation of individuals later suffused characteristic views regarding the rights and status of groups and institutions which the social struggles of the nineteenth century brought to birth. During the Middle Ages self-preservation was a struggle of an immortal soul for salvation; only the church was felt as a social reality different from its members and its instrumentalities. During the Renaissance the state was merely an appanage of the personal Prince, and what he did for its aggrandizement was a function of his personal life. The nineteenth century inverted this view. As a consequence of the Napoleonic wars, state and nationality were first idealized, then hypostatized like the mediaeval church, especially by German metaphysics. As a consequence of the too slow progress of democracy, impatient humanitarians hypostatized social classes and their struggles; and as a consequence of the general nineteenth century dislocation and degradation of aristocracies, race and heredity were hypostatized like social classes. Thus the preservation of any individual self was made identical with actual or imputed supremacy of a racial stock or language group, a nationality, a form of government. Since the individual was presumed to live and move and have his being in and through one or another of these associative forms, he himself could survive only in so far as the hypostatic entity of which he was a part was supreme and victorious. Since he owed it, as formerly he owed God, his being, it was his duty to sacrifice to it everything: his life, his fortune and his sacred honor. To preserve it, everything forbidden might be required, including suicide. Its necessity knows no law.

This teaching is the governing principle in the conception of the insuperable paramountcy of institutions which the German sadistocracy, the Italian corporative state, the Russian Communist dictatorship, the constitution worship of certain classes of the United States of America, as well as the church universal and militant share equally. It fuses self-preservation and self-destruction. Which is which depends on how the self is conceived and by whom.

In terms of biology and psychology, self-preservation as a principle is an illusion. The organism is a cycle of changes; consciousness is a stream; the self is an integration of bodily activities focalized in a personality image whose incarnation is ever more an ideal, a gradient to follow, than a condition to maintain. The mere struggle to preserve the self—whether as body or psyche or both—so changes its inward qualities and outward conditions that, at the conclusion of the struggle, neither has remained what it was at its beginning. Diversification of individual character and social type is inherent in the activities conceived as self-preservation. That they are so conceived is due to a static illusion regarding the psychophysical self. The illusion is both magnified and intensified when it is transposed from the individual personality to the social group, and the issues it creates are correspondingly multiplied. The history of Egoismo Sacro not in Italy alone, but in any modern state, provides a sufficient illustration of this description.

HORACE M. KALLEN

See: ETHICS; MORALS; INDIVIDUALISM; NATIONALISM; GROUP; PATRIOTISM; CONSCIENTIOUS OBJECTORS; PACIFISM; INTOLERANCE.

SELF-SUFFICIENCY, ECONOMIC. Self-sufficiency is originally a moral concept: a family living on its own estate, from which it draws all the necessaries of life, is the ideal social unit; and the city composed of such units—which is thus independent of foreign commerce, while its citi-

zens lead a life of cultured leisure since their estates are worked by slaves—is the ideal form of the state. Such self-sufficient groups and commonwealths flourished in periods when means of communication were undeveloped; they claimed a kind of moral superiority over countries depending on economic intercourse with the outside world. Where sea borne or river borne trade was possible, the desire for wealth overruled the teachings of the moralists. As foreign trade stimulated the growth of population and the accumulation of riches, it served also to strengthen military power. As a country came to depend on oversea supplies, ethical standards changed, for naval supremacy and oversea territorial expansion now became essential to its security. The interplay of the desire for self-sufficiency and the trend toward interdependence based on foreign trade is brought out clearly in the history of Greece and of Rome.

Economically most mediaeval states were loose agglomerations of more or less self-sufficient units under a common political sovereign. Outside a few mercantile city-states provincial, even local, self-sufficiency was the order of the day. Local supplies were jealously guarded, but fear of famine prompted the encouragement of imports by all sorts of political measures. This striving for provincial self-sufficiency prevented a regular interprovincial grain trade in France until the eve of the revolution. There were, however, other factors at play. The trade activities of the Italian merchant republics, the crusades and the discovery of the Indies widened the range of available commodities, while the spiritual changes following the Renaissance removed the moral shackles which bound men's desires. As a result either the scope of self-sufficiency could be enlarged by the creation of an oversea empire, the component parts of which could satisfy one another's complementary wants, or the idea of self-sufficiency had to give way to that of a system of international interdependence based on foreign trade. While the Spaniards attempted to build up a closed world wide empire, jealously reserving the trade of the New World to the provinces of Castile and León, the Dutch and the English deliberately broke down its barriers in the effort to secure wealth from "the treasure of foreign trade." Mercantilist theory opposed the conception of international economic interdependence to that of national self-sufficiency. Thickly interlarded with elements of coercive manipulation, it could easily be converted into some sort of exclusive economic imperialism. By the end of the eighteenth century the financial burdens of colonization, of trade wars and of colonial revolutions were leading to widespread revival of demands for territorial self-sufficiency. According to the physiocrats the normal state was one large enough to be self-sufficient, foreign trade a mere emergency measure for the disposal of its harvest surplus; its social organization, based on the free play of individual forces, could be counted on to secure the proper circulation of goods and services. This self-sufficient, "liberal" state of the physiocrats was transformed under the impact of the continental blockade into the planned, socialistic "closed state" outlined by Fichte.

With the industrial revolution, the rapid growth of population and the even greater increase in manufactures made mass emigration, the export of manufactured goods and the import of foodstuffs and raw materials essential to the well being of an industrial nation. For the ideal of intraprovincial and intra-imperial self-sufficiency, which in the British Empire had been destroyed by the American Revolution, the Manchester school substituted that of international trade interdependence through international division of labor. By offering profitable markets for foodstuffs and raw materials to new countries England might retard their industrialization. A foreign policy of peace and good will, naval disarmament and the freedom of the seas in time of war were to safeguard the permanent security of such intercourse.

The failure of the Manchester school to impress its theory of international trade interdependence on leading powers other than Great Britain led ultimately to a revival of policies aiming at some sort of self-sufficiency. International interdependence and division of labor were feasible only on the basis of naval supremacy, which obviously could not be enjoyed by all countries, or on that of properly safeguarded international agreements for the freedom of the seas even in time of war. As these guaranties were not forthcoming, other countries were forced to seek self-sufficiency, either by developing their industrial resources for purposes of defense (one of the motives frequently underlying the "protection of infant industries" argument from Alexander Hamilton and Friedrich List to the Soviet Five-Year Plan) or by raising their agricultural production in order to prevent starvation. The efforts of agrarian countries to balance their economic system by "add-

ing an industrial wing," in most cases through a highly protective tariff, deprived the manufacturing nations of their accustomed markets, a danger which many of them tried to obviate by straining after a "balanced economy" of their own in which the top heavy industrial structure was to be supported by the (artificial) strengthening of the agricultural basis. At the same time the pressure of population and the growth of manufactures led to a renewal of colonial expansion, to provide national homes for emigrants as well as markets for products, while the rise of modern nationalism added a new emotional note to schemes of a colonial empire based on economic self-sufficiency.

Notwithstanding these various developments international interdependence was the order of the day before the World War. Even a country like England, with its world wide empire, transacted most of its trade with foreign countries, sent most of its emigrants to foreign states and employed a large part of its capital resources in the development of non-contingent, non-dependent lands. The World War showed fairly conclusively that naval supremacy can enforce a starvation blockade on the enemy and yet fail to safeguard a nation's own supplies, and that the nature of economic security may be changed by submarine warfare and by aircraft development. The immediate reactions to these lessons were the establishment and the protection of national key industries, the various plans for the control of the continental iron ore supplies and Naumann's grandiose Mitteleuropa scheme. But the peace treaties, devoted to satisfying the principle of nationality, broke up the old empires of Austria, Turkey and Russia into fragmentary states; economic rationalism had to give way to economic nationalism, seeking to complete national independence by self-sufficiency in foodstuffs as well as in industries and armaments. This trend toward empire breaking (counter colonization) and economic disintegration was accelerated in the post-war period, even in empires like the British where political separation was successfully prevented. Disillusionment as to the results of international political cooperation drove countries like the United States into an attitude of political isolation, which must lead ultimately to a greater or less degree of economic detachment, while in Germany a new tribalism tried to fit a racially pure nation into a social system which aimed at economic as well as spiritual self-sufficiency.

These tendencies, resulting in the almost complete cessation—or even reversion—of immigration and the necessity of finding food and work for increasing numbers at home, received a great impetus from the breakdown of currencies after the war and again during the crisis following 1929. For tariff protection is not half as effective in bringing about economic separation as is a depreciating currency, leading as it does to exchange control and to antidumping legislation abroad. A manipulated currency liberates a government from the trammels of international treaty obligations. International finance, which miraculously had survived the shock of confiscation of private property during the war and in the peace treaties, ceased to function as an economic tie between nations. Creditors were forced to submit to standstill agreements, moratoria and repudiations; debtors, liberated from their obligations, no longer needed to send goods abroad. The breakdown of credit and currency initiated a heavy decline of prices, which led in its turn to bankruptcy and widespread unemployment. The purchasing power of the world as a whole was greatly reduced; nations engaged in a deadly struggle for what remained, alternately forcing exports and preventing imports through improved governmental techniques. Since the safeguarding of home markets is easier than the control of foreign markets, necessity imposed a return toward autarchy, while nationalist sentimentalism discovered new beauties in this apparently inescapable penury.

The rise of Bolshevik power and the severing of Russia from the western world worked in the same direction. Repudiation of czarist debts destroyed the country's credit abroad, as far as investment loans were concerned, and compelled Russia to become fairly self-sufficient in the accumulation of capital. The resulting scarcity of capital forced the government to devise a system of priorities and to set up a plan for the development of the country's resources, in which the building up of an armament industry was accorded first place. The Five-Year Plan was originally a measure of national defense rather than a scheme for social reconstruction. It became a world wide advertisement for social planning and, incidentally, for self-sufficiency, which makes such planning necessary as well as possible.

A policy of self-sufficiency implies the cessation of migrations. Young countries may exclude immigration for racial or social reasons, thus retarding industrial development and raising labor costs and making necessary either pro-

tective measures against cheap imports or export subsidies for their too expensive surplus commodities, e.g. the white Australia policy and Australian sugar bounties. The cessation of emigration from a densely populated country, whether voluntary or compulsory, prevents its people from sharing directly and individually in the exploitation of the world's new areas. So long as such countries can export goods, thus providing employment and the means with which to buy cheap food and raw material, they can participate indirectly in such new found wealth. If these commercial outlets are closed by foreign tariffs or lost by a policy of protecting the home market to give more employment to the redundant population or to protect influential groups of products, they can still secure the necessary foodstuffs in foreign trade by spending a greater amount of labor and of capital on the production of fewer and less varied goods. But if population were to continue to increase rapidly, the struggle for existence might well become intensified until it led to a desire for annexation of neighboring territories. "We demand land and soil for the nutrition of our people and for the settlement of our surplus population. If it is not possible to feed the entire population of the state," the Nazi program declares, "the subjects of foreign states (non-citizens) must be expelled from the Reich."

In a technical sense the attainment of self-sufficiency is easier today than it has ever been in the past. War experience has shown the wide scope of rationing if control of consumption can be resorted to, and the chances of centralized coercive planning if it is supported by modern science with its ability to furnish substitutes (e.g. nitrate). For this reason natural advantages in the production of commodities are less important today than in the past. No perfect substitutes have yet been found for many commodities which play a large part in trade; but among them are items, such as coffee and tea, which are not indispensable and could be kept out of a country by rigorous control. The "divinely ordained" interdependence of countries variously endowed by natural bounty is becoming less and less significant.

It is not enough, however, to be able to produce certain goods; it must be possible to produce them in the quantities needed and at reasonable costs. In this direction too considerable progress has been made. As a result of modern agricultural technique countries like Germany have become almost self-sufficient in cereal foodstuffs, although prices have had to be forced considerably above world levels. Such agricultural self-sufficiency, even if but partial, is achieved at the price of an appreciable rise in the cost of living and ultimately in the costs of production; a program aiming at self-sufficiency not only must compensate for a deficiency caused by the stopping of imports but must also dispose of a surplus which can no longer be exported. Restriction of agricultural imports narrows markets for manufactured export goods and necessitates the shifting of production from foreign to home markets. Even assuming an increase, not a mere transfer, of purchasing power at home equal to the loss of purchasing power abroad, this shift is not automatic. Home farmers cannot consume the services of grain ships or the rails formerly needed for opening up new wheatlands.

The readjustment of a surplus production which foreign markets are no longer willing to receive may imply a reconstruction of the entire economic system. The United States cannot, through the most efficient organization, transfer its export surplus of cotton to the home market. It must, if self-sufficiency be the aim, curtail areas and output and make commercial farms self-supporting; this can be done only if these farms are not encumbered with mortgages and thus involves the whole credit system. Industries whose productive capacity is far beyond possible home consumption must scrap part of their plant; their workers must be transferred to other trades, if there is room for them, or returned to the land as self-supporting farmers. If there were to be no intra-imperial oversea trade, the world merchant marine would have to be abandoned and the capital invested in it would be lost.

Self-sufficiency cannot be achieved as long as international capital transfers continue. Large international credits imply big movements of commodities. No creditor country can become self-sufficient and give up imports without renouncing its claim on payment (in goods) for former investments. It may postpone receiving those imports (payments) by selling claims and goods abroad and lending the proceeds afresh to old and new debtor countries; but ultimately it must cash in these deferred claims or accept repudiation. Undeveloped countries, on the other hand, may choose between self-sufficiency coupled with a very slow growth and foreign loans which quicken development and imply early imports and, later, exports. Few countries

can, like Russia, squeeze vast capital sums from their own farmers and laborers by means of a high rate of exploitation of labor. Having secured their new equipment by international trade, they might of course turn to self-sufficiency by refusing to remit payments. Since they would then not need an export surplus for the payment of debts, they would no longer have to fight for foreign markets. Creditor countries like the United States, in defending themselves by high tariffs against payments, have provided their debtors with an excellent pretext for repudiation; and the opportunity to rid themselves of foreign debts has been a strong incentive for the advocates of self-sufficiency in overburdened debtor countries like Germany. For a long time international financial transactions bridged the gap between different nations made by import and export restrictions, but overlending and purposeful bankruptcy have greatly strengthened the tendency to economic isolation and self-sufficiency.

With capital transfers at an end or greatly reduced, interest rates in self-sufficient new countries would be very high and economic development, because of scarcity of capital, very slow. On the other hand, highly industrialized countries might have very low rates of interest; they would have to scrap old plant, but they could scarcely invest capital on a very large scale in new labor saving appliances, since they must employ a redundant population.

Notwithstanding the difficulties inherent in a policy of self-sufficiency a return to a fairly unhampered system of international economic interdependence of the nineteenth century form is not very probable. The absence of political and economic security, the disturbed equilibrium of capacity and consumption in agriculture and in industry, resulting in low prices and widespread unemployment, have made people willing to accept, if need be, reduced standards of living, provided some sort of stability can be reached. As long as surplus produce, agricultural as well as industrial, can be excluded, more or less arbitrarily, from foreign markets and as long as home production seeks protection against low costs abroad, the demand for self-sufficiency will persist. No country can hope to attain complete self-sufficiency. Most will be satisfied with some sort of relative independence, safeguarding their most important or most powerful industries from foreign imports. Large continental countries like the United States and empires like England, and to a lesser degree France, with possessions scattered throughout the world, might evolve some sort of continental or intra-imperial self-sufficiency. The strong regional tendencies toward a balanced economy in the dominions and the efforts of the mother country to achieve an artificial reconstruction of its agriculture have brought such intra-imperial complementary self-sufficiency into conflict with a narrower, more local concept of national self-sufficiency, to which some smaller European countries with colonial bases might aspire. Countries like Germany and Italy, both practically devoid of such bases, could achieve a large measure of self-sufficiency only by a severe restriction of their standards of living, qualitatively and quantitatively, and by a ruthless centralized reshuffling of agriculture and industry. And smaller political units could scarcely hope to balance agricultural and industrial wants successfully. Switzerland and the Scandinavian countries with their limited territories are not sufficiently diversified to undertake an experiment in self-sufficiency or strong enough for colonial expansion. Federation is a possible solution only where the states concerned complement each other's wants.

Results would differ with circumstances. But if some sort of permanent isolation could be attained by the various countries, the difference in the standards of comfort prevailing today would be greatly accentuated as international intercourse no longer reduced the wide margins in natural wealth existing between various nations. Technical progress would cease to be effective for raising standards, although it might offset further reductions. Ultimately the pressure on poor countries might be so strong as to lead to a new outburst of conquest, new shiftings of population, new efforts at empire making. In the meantime nationalistic coercive planning is likely to be resorted to; for without such planning a far reaching policy of self-sufficiency can scarcely be successful.

MORITZ JULIUS BONN

See: ECONOMIC POLICY; INTERNATIONAL FINANCE; INTERNATIONAL TRADE; COMMERCE; MERCANTILISM; PROTECTION; IMPERIALISM; RAW MATERIALS; NATIONAL ECONOMIC PLANNING.

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SEMBAT, MARCEL ÉTIENNE (1862–1922), French publicist and socialist. Sembat was born at Bonnières-sur-Seine, studied at the École de Droit and practised for five years as a member of the bar at Paris. He then turned to journalism and published in 1891 the *Revue de l'évolution*, a bimonthly political and literary review with socialist leanings. At the end of 1892 he became owner with Henri Pellier and Henri Turot of the newspaper *Petite république*, which had been founded fifteen years before by Gambetta, and made the paper outspokenly socialist. From 1905 to 1914 he collaborated actively on *Humanité*.

Sembat was a successful candidate on the Republican Socialist ticket in the legislative campaign of August, 1893; shortly after his election he joined the Comité Revolutionnaire Central, the Blanquist group directed by Édouard Vaillant. He was an active member of the Chamber of Deputies until his death and served at various times on the Budget Commission and as reporter on the postal budget. Although he had protested against the three-year term of military service and had published in 1913 *Faites un roi, sinon faites la paix*, declaring that militarism was incompatible with the republican regime, he participated actively in the war government as minister of public works in the cabinets of Viviani and Briand from 1914 to 1916.

After the unified *Parti socialiste* was formed in 1905 he took part in all its congresses. When the Communist split occurred in December, 1920, at the Congress of Tours, he took a vigorous stand against Bolshevik methods.

ALEXANDRE ZÉVAÈS

Important works: *Faites un roi, sinon faites la paix* (Paris 1913, 19th ed. 1916); *Perdons-nous la Russie?* (Paris 1917); *La victoire en déroute* (Paris 1925), translated by F. K. Turot as *Defeated Victory* (London 1925).

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SEMENOV, PETR PETROVICH (1827–1914), Russian geographer and statistician. Semenov was well known as a geographer and as the first explorer of the Tien Shan mountain system in central Asia, when in 1859 he was invited by the government to assist in drafting the peasant emancipation law. This work, as well as the compilation for the Imperial Russian Geographical Society of the *Geograficheskо-statisticheskу slovar Rossiyskoy Imperii* (Geographic-statistical dictionary of the Russian Empire; 5 vols., St. Petersburg 1863–85), based on an exhaustive study of primary sources and still a valuable guide to mid-nineteenth century Russia, made Semenov the logical person to head the Central Statistical Office. The office, reorganized in 1863, was to compile and publish material collected by provincial statistical agencies, to exercise technical supervision over the statistical work of the ministries and to carry out statistical investigations for the minister of the interior. From 1864 to 1880, when Semenov was thus in charge of the administrative statistics of the whole country, he was in a position to raise its technical performance to a fairly scientific level and to enlist the services of the most competent workers.

Semenov organized the Russian system of crop reporting, which remained virtually unchanged until the World War, and prepared the textual introductions to the statistical tables on landed property in Russia (Russia, Tsentralny Statistichesky Komitet, *Statistika pozemelnoy sobstvennosti i naselennikh mest Evropeyskoy Rossii*, 8 vols., St. Petersburg 1880–85), which has remained a classic. His major statistical contribution, however, is the census of 1897, the only exhaustive enumeration of the Russian population before the revolution. He raised this issue as early as 1870; and in the following decades he made several studies of general census principles and of their applicability to Russia, carried out preliminary surveys and submitted tentative projects. The census was taken under his supervision as vice chairman of the Chief Census Commission, but the tabulation of its results was turned over to the Central Sta-

tistical Office, with which Semenov was no longer connected.

P. I. GEORGIEVSKY

Consult: Kaufman, A., in *The History of Statistics*, ed. by John Koren (New York 1918) p. 469–86.

SEMEVSKY, VASILY IVANOVICH (1848–1916), Russian historian. In general outlook Semevsky was a populist of the 1870's; he repaid "the debt of the intelligentsia to the people" by an intensive study of the history of the peasantry during the century preceding the abolition of serfdom. Even before 1872, the year of his graduation from the University of St. Petersburg, he had begun an investigation of the conditions of the peasants under Catherine II which was completed only after many years of study in various archives. His *Krestyane v tsarstvovanie imperatritsi Ekaterini II* (2 vols., St. Petersburg 1881–1903; 2nd ed. of vol. i, 1903) was the first comprehensive treatment of the different categories of peasants in the several provinces of Great Russia in a period when serfdom was so oppressive that it was scarcely distinguishable from slavery; here he described the geographical distribution and the migrations of the peasantry, the amount of land held, the burden of feudal services, the manifestations of peasant discontent and their immediate causes. In another study, *Krestyansky vopros v Rossii v XVIII i pervoy polovine XIX veka* (2 vols., St. Petersburg 1888), he furnished an account of the numerous government measures and projects relating to the peasantry from the time of Peter the Great to the end of the reign of Nicholas I, recorded unofficial efforts to improve conditions and traced the development of public opinion as reflected in contemporary literature. Later he took advantage of an opportunity to study the position of labor in Siberian gold mines; the results, published in *Rabochie na sibirskikh zolotikh promislakh* (2 vols., St. Petersburg 1898), set a standard in labor history, a field neglected at that time by trained students. After the turn of the century he concentrated upon the history of the intelligentsia and the movements to bring about political and economic reorganization. Like his earlier works, Semevsky's *Politicheskiya i obshchestvenniya idei dekabristov* (St. Petersburg 1909), a study of the Decembrists beginning with Speransky, and two books, posthumously published, devoted to the Russian socialists of the 1840's—*M. B. Butashevich-Petrashevsky i petrashevtsi* (ed. by V. Vodovozov, Moscow 1922) and *Kirillo-Mefodievskoe obshchestvo 1846-47 gg.* (Moscow 1918)—were the product of laborious study of archive materials and broke new paths.

V. MIAKOTIN

Consult: Kiesewetter, A., in *Golos minuvshago*, 1917, no. i, p. 199–222; Kornilov, A., in *Vestnik Evropi*, 1916, no. xi, p. 282–301; *Golos minuvshago*, 1916, no. x, pt. i.

SEMPLE, ELLEN CHURCHILL (1863–1932), American human geographer. Coming under the influence of Ratzel in his early Leipsic days, Ellen Churchill Semple transplanted the authentic anthropogeography of Ratzel to the United States and with undiminished enthusiasm devoted her life to its propagation. In no other country did Ratzel's views find so active and successful an apostle. Through a wide range of stimulating lectures, given for many years at the University of Chicago and later at Clark University, she exerted an influence over virtually the entire living generation of American geographers and recruited to the field a large number of its present representatives. Prior to her time geography in the higher institutions of the United States was physical geography. She pioneered human geography so successfully that many geographers have completely dissociated themselves from physical geography, a result which Miss Semple always deplored.

The whole of her scientific philosophy is derived from Ratzel. She too dealt not with things but with a relationship between things; anthropogeography was a view of life. Her *Influences of Geographic Environment* (New York 1911) was undertaken originally as a translation of Ratzel's *Anthropogeographie*. The finished study differed from the original not in its concepts but in its illustrations; it was the master speaking through the pupil. Although it is the least original of Miss Semple's contributions, its effect was great because few Americans had read Ratzel.

Miss Semple defined her objective as "the study of the influence of geographical conditions on the development of society." This end is clearly expressed in her *American History and Its Geographic Conditions* (Boston 1903, rev. ed. by C. F. Jones, 1933). The volume broke new ground in American history and became the model of historical geography in the United States. It develops with spirit and skill the theme that the historical event is to be understood in terms of its physical environment. Miss

Semple was never concerned with the origin, content and succession of culture areas as the *Siedlungsgeographer* have been.

Her final work and most fully documented study, *The Geography of the Mediterranean Region* (New York 1931), is more strictly anthropogeography than historical geography. It deals with the ancient Mediterranean area without regard to historical sequences. Such themes as barrier boundaries, geographic conditions of ancient tillage, templed promontories and their relation to navigation are developed from a broad knowledge of classical literature. Miss Semple remained true to Ratzel in making no restriction as to kinds of cultural data taken under observation but in being interested in whatever data could be related to environmental conditioning. She did no more than Ratzel in solving the methodological difficulty as to how such a relationship could be evaluated scientifically.

CARL SAUER

SENATE. *See* LEGISLATIVE ASSEMBLIES.

SENECA, LUCIUS ANNAEUS (*c.* 4 B.C.–65 A.D.), Roman philosopher. Seneca was tutor and then for five years chief minister of the emperor Nero and was the leading literary figure of his age. His tragedies, greatly admired in his day and after, influenced Elizabethan drama and especially French classical tragedy. His *Dialogues* and the *Letters to Lucilius*, essays in epistolary form, are mainly ethical in content, while the *Natural Questions*, composed toward the end of his life, shows his deep interest in physical phenomena. His philosophy is an eclecticism in which stoic doctrines predominate. His condemnation of paganism, his theory that mankind had declined from a primitive state of innocence which was followed by the development of human institutions—a doctrine that could easily be extended to mean that human institutions were the result of sin—and a humanitarianism unique in his age and seen, for example, in his condemnation of gladiatorial shows, slavery and war won the approval of the Christian fathers. Regarded in the Middle Ages as a sage who had been almost if not quite a Christian, Seneca attained his greatest popularity during and after the twelfth century. Quotations from his writings became frequent, while longer extracts found a place in chrestomathies. His vogue lasted on into the seventeenth century. Seneca's ethical works, deeply admired by Montaigne and a consolation in misfortune to Sir Philip Sydney, directly inspired the neostoic movement, whose chief exponent was Justus Lipsius (1547–1606). Even in the eighteenth century, when a strong reaction against his thought had set in, Seneca still had ardent admirers in Rousseau and Diderot. His importance as a moralist and political thinker has again received wider recognition in more recent times.

M. L. W. LAISTNER

Works: *Opera quae supersunt*, ed by E. Hermes and others, Bibliotheca Teubneriana, 3 vols. and supplement (Leipsic 1898–1907). The *Tragedies*, *Dialogues*, and *Epistles* are translated in Loeb Classical Library, 7 vols. (London 1917–32). The *Quaestiones naturales* has been translated by John Clarke with notes by A. Geikie, as *Physical Science in the Time of Nero* (London 1910).

Consult: Waltz, R., *Vie politique de Sénèque* (Paris 1909); Faider, P., *Études sur Sénèque*, Université de Gand, Faculté de Philosophie et de Lettres, Recueil de Travaux, no. 49 (Ghent 1921); Holland, F., *Seneca* (London 1920); Gummere, R. M., *Seneca the Philosopher and His Modern Message* (Boston 1922); Arnold, E. V., *Roman Stoicism* (Cambridge, Eng. 1911).

SENEUIL, JEAN GUSTAVE COURCELLE. *See* COURCELLE-SENEUIL, JEAN GUSTAVE.

SENIOR, NASSAU WILLIAM (1790–1864), English economist. Senior was the most brilliant of those economists who in the quarter century after Ricardo's death made important innovations in the classical system. In contrast to that of his better known contemporary, John Stuart Mill, Senior's approach to accepted theories was essentially critical, based on an attempt at exact definition and classification, which led to highly significant results particularly in the field of value theory and the relation of costs to value. In effect Senior, as Jevons acknowledged, evolved a marginal utility theory of value, generalized the theory of rent to all cases of factors fixed in amount, including natural abilities, and hinted at the nature of quasi-rents. In this connection it is interesting to note that he perceived that the classical statements of the laws of increasing and diminishing returns were not logically symmetrical. He was less successful in dealing with wages; although he realized that Ricardo omitted to explain how the size of the wages fund was determined, he himself failed to supply the missing link. Senior's best known contribution to economic theory, the abstinence theory of capital, which was the direct result of an attempt to find a definition of capital coordinate with that of labor in the explanation of costs

of production, once and for all cleared up the Ricardian confusion on this point.

During his first tenure of the Drummond chair of political economy at Oxford (1825–30) Senior published the famous lectures on money and during his second occupancy (1847–52) five lectures on methodology, which have received little attention but which are remarkable for their attack on the hypothetical economic man of Ricardo's imagination. There are still other examples of his work scattered through contemporary periodicals, one of the most important being the review of J. S. Mill's *Essays* and *Political Economy* in the *Edinburgh Review* (vol. lxxxviii, 1848), which was based on the methodology lectures. Senior never fulfilled his ambition of systematizing his work into a comprehensive treatise, and much of his most penetrating analysis exists only in the form of unpublished lectures. His only book, *The Outline of Political Economy*, is a badly arranged collection of some of the first group of Oxford lectures hastily thrown together into the form of an essay. Undoubtedly this accounts for his comparative lack of influence, but it does not explain why the abstinence theory was the only contribution which passed into the general corpus of economic thought through Mill.

Senior was appreciated by his contemporaries more as a social reformer than as an economist, and he was far from being a strict supporter of laissez faire, as is commonly supposed. He was an active member of the commissions on the poor laws (1832), factory conditions (1837), hand loom weavers (1841), Irish poor laws (1844) and national education (1857) and an ardent advocate of government interference in matters of health, housing, education and colonization.

MARIAN BOWLEY

Works: *An Outline of the Science of Political Economy* (London 1836, 6th ed. 1872; first published in *Encyclopaedia Metropolitana*, vol. vi, London 1836); *Three Lectures on the Transmission of the Precious Metals* (London 1827), *Three Lectures on the Value of Money* (London 1840), and *Three Lectures on the Cost of Obtaining Money* (London 1830), are all reprinted in London School of Economics, Reprints of Scarce Tracts in Economic and Political Science, nos. 3–5 (London 1931); *A Lecture on the Production of Wealth* (London 1849); *Four Introductory Lectures on Political Economy* (London 1852); *Historical and Philosophical Essays*, 2 vols. (London 1865).

Consult: Levy, S. Leon, "Nassau W. Senior, British Economist, in the Light of Recent Researches" in *Journal of Political Economy*, vol. xxvi (1918) 347–65, 509–35; Senior, N. W., *Industrial Efficiency and Social Economy*, ed. by S. Leon Levy, 2 vols. (New York 1928); Cannan, Edwin, *A Review of Economic Theory* (London 1929) p. 187–88; Taussig, F. W., *Wages and Capital* (New York 1896; reprinted in London School of Economics, Reprints of Scarce Tracts in Economic and Political Science, no. 13, London 1932) p. 197–203.

SEPARATION OF POWERS. A comprehensive statement of the doctrine of separation of powers and of its implications under the Constitution of the United States has been given by the United States Supreme Court: "It is believed to be one of the chief merits of the American system of written constitutional law, that all the powers intrusted to government, whether State or national, are divided into the three grand departments, the executive, the legislative and the judicial. That the functions appropriate to each of these branches of government shall be vested in a separate body of public servants, and that the perfection of the system requires that the lines which separate and divide these departments shall be broadly and clearly defined. It is also essential to the successful working of this system that the persons intrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others, but that each shall by the law of its creation be limited to the exercise of the powers appropriate to its own department and no other" [Kilbourn *v.* Thompson, 103 U. S. 168, 190–91 (1880)].

As is usual in political theory, the doctrine was the product of a long evolution, and it was only toward the close of this evolution that it received clear formulation. Together with the related theory of checks and balances it may be considered implicit in the theory of mixed government stated by Polybius in his attempt to generalize from the Roman constitution upon the basis of the classification established by the earlier Greek philosophers. But only the western Christian world, starting from its preoccupation with law as valid generalization upon established matter of fact, undertook to analyze political processes from a functional point of view and in so doing hit upon the distinctive features of certain basic functions or "powers." In the definitive form which Locke gave it, it was an attempt to generalize the results of the struggle of the English Parliament for an equality of status with the crown. To be sure, the governments of some of the great city-states, like Strasbourg, had evolved a fairly subtle separation of powers between three councils, each charged with more

or less distinct functions (see Schmoller, Gustav, *Deutsches Städtewesen in älterer Zeit*, Bonn 1922, p. 214 ff.); for a while territorial states were moving in the same direction, but the religious disturbances of the sixteenth century led to a concentration of powers in the hands of the monarch.

In England and Sweden the development followed a rather different course. In the former the function of interpreting the law in a high court of Parliament was transformed by a very gradual process into the function of making the law. Early statutes were conceived of as stating what the old law was rather than as creating new law. From the time of Fortescue, who, in the fifteenth century, praised the rule of law as the outstanding feature of English government, this function of creating the law became increasingly important. The efforts of James I to challenge explicitly the supremacy of the law—in itself a reasonable challenge, since the law was rapidly becoming man made legislation instead of eternal custom—gave rise to a violent opposition which claimed absolute parliamentary supremacy and divided the prerogative. The rapid succession of royal and parliamentary absolutism, Cromwellian dictatorship and a return to royal absolutism, which marks the phases of this struggle, impressed upon English minds the need for some harmonious balance between those who make the law and those who execute it. This harmony the Glorious Revolution of 1688 tried to achieve, and in the fashion of the age Locke's essay gave it the halo of general and eternal truth.

When Montesquieu came to rewrite the doctrine, the Act of Settlement of 1700 (para. 3) had already undertaken to guarantee to English judges tenure during good behavior. Since Montesquieu himself was, as a result of the contemporary situation in France, primarily interested in the problem of securing an independent status for judges, it was natural for him to rename Locke's executive power judicial power, inasmuch as the executive's function as described by Locke had been to execute the laws. This transformation was accompanied by another, whereby Locke's federative power emerged as the executive power with Montesquieu. By elaborating the importance of maintaining internal as well as external peace and by thus assimilating the police functions to those of defense and foreign policy, Montesquieu constructed the modern executive power, which included also the prerogative that English lawyers had always carefully kept apart for special purposes. In this wise there arose a picture of the ideal balanced state, guaranteeing liberty, which fascinated the eighteenth century with its passion for dynamic symmetry and constructive speculations. It was of the greatest moment that these constructions happened to fit the constitutional experience of most of the American colonies, where a governor, a distinct colonial legislature and a fairly independent judiciary had come to constitute the essential organs of government and where after the Declaration of Independence a brief experiment with legislative supremacy leading to majority tyranny had made the people ripe for a practical application of the celebrated theme.

While many American state constitutions contain explicit statements of the doctrine, the federal constitution refers to it only by its designation of a legislative, an executive and a judicial establishment. The Supreme Court, however, has correctly derived therefrom the doctrine, which it has repeatedly called a fundamental tenet of the constitution. A persistent opposition to this principle has existed in the United States for some time. The development of administrative agencies, such as the Interstate Commerce Commission, which Justice Holmes has characterized as performing "legislative, judicial and executive acts, only softened by a *quasi*," has served as a point of departure for the attack, which has charged the doctrine with being impracticable and even absurd. Many who today belittle the doctrine in their clamor for governmental and administrative efficiency seem scarcely aware of the fact that the fusion of powers, which is the alternative, leads easily to a one-party dictatorship and therefore threatens constitutional government. The most important argument advanced against this point of view is the example of England, where an increasing fusion of executive and legislative powers does not seem to have destroyed the foundations of free government.

In the first place, this argument omits the judicial power, although the separate status of this power appeared to Montesquieu the most important feature of the doctrine and the recent tendency of administrative agencies to invade the judicial field has given rise to heated controversies. While some maintain that a new tyranny has arisen, others point to the inherent need for such administrative justice. Both sides agree, however, as to fundamentals, for the latter simply anticipate the extension of the

"judicial attitude of mind" to new domains. They agree also on some ultimate coordination through more or less extensive judicial review.

As regards the fusion of the other two branches in England, the consequent monism and relative absolutism have been endurable because of a constitutional safeguard which no one clearly envisaged until long after Montesquieu's time: the regular alternation of two large parties in controlling this broad power. These parties are a traditional growth built upon human groupings, usually of long standing, in each local district. It is in this connection that the distinctly aristocratic organization which English society has retained exerts its deepest influence upon political life. And it is upon the neglect of this traditional basis of English parliamentary government that the failure of European systems presumably modeled after the English pattern is at least partly to be blamed. On the continent the confusion of small parties militated against clearly recognizable leadership and contributed in some countries to the development of one-party systems. Under a presumably growing threat of an allegedly impending communist dictatorship, a complete fusion of governmental powers occurred, without either the safeguards for the judiciary or the constitutional practise of a recognized opposition, safeguards which had been won by centuries of human sacrifice and bloodshed, hardly less on the continent than in England and America.

For it is often forgotten that the doctrine was as important, if not more important, in molding the constitutions of nineteenth century monarchies in Europe as in shaping the fundamental law of the United States. Following the solemn declaration of the *Charte constitutionnelle* of Louis XVIII (1814), most of these constitutions were built upon a separation of powers in fact, although they denied it in theory, until by the middle of the nineteenth century it could be considered one of the most prevalent European institutions. Everywhere there prevailed a more or less unstable yet subtle equilibrium on a dualistic basis. In France, however, the fusion of legislative and executive powers progressed steadily along the lines of English development; but since the firm rock of the two-party system was lacking, this transformation, so admirably traced by Barthélemy, produced repeated upheavals and ended in Caesarism, later abandoned for a republican scheme once more modeled at the outset upon the separation of powers, but tending toward parliamentary monism.

A rather unique development occurred in Sweden. There experience with parliamentary as well as royal absolutism during the seventeenth and eighteenth centuries led to the elaboration in 1809 of a constitutional system based upon a dualism of king and representative assembly which even the evolution of cabinet responsibility to parliament did not abolish. In a sense, an administrative power became separated from the executive power. The administrative bodies conduct the great public services with a great deal of independence. This arrangement holds out considerable promise as a model for constitutional government, for there is a strong indication that some sort of separation of powers remains the only effective guaranty of government according to law.

If the theories of Locke and Montesquieu are examined, it is found that the doctrine of separation of powers has an implicit double meaning. On the one hand, it contains a generalization, theory or hypothesis; on the other hand, it contains a practical suggestion, a proposal for the organization of the government. For the doctrine declares that governmental powers can be separated into three categories: executive, legislative and judicial; it also holds that the exercise of these same powers should be entrusted to three separate persons or bodies.

The theory that there are three major divisions of governmental power would seem to be a valid generalization. It may be assumed that political theorists, when speaking of power, mean function. But this is by no means evident. Montesquieu and *The Federalist* give no definition of power at all, while Locke operates with two diametrically opposed concepts of power (as comparison of paragraphs 3 and 99 of the second essay will show: *Two Treatises concerning Government*, London 1690). For the present purpose it is sufficient to realize that wherever there is power there is the right to command and therefore the right to decide in a situation requiring decision. The number and variety of such situations are infinite, but there are two primary kinds of command and decision: those directed toward one particular given instance and those which involve an indefinite number of instances. If two basic types of command can be distinguished, powers or functions also can be so classified. These of course are the executive (administrative) and the legislative. As for the third, or judicial, function, Locke did not speak of it specifically but he may be said to have meant it when he spoke of the internal administration of

justice. Montesquieu made this explicit by working out the judicial power as such, but he was rather uncertain about this power, calling it *dans une façon nul*. When a general command is given or a general decision has been made, there still remains the further decision as to whether a given, concrete situation is to be subsumed under this general command. Here then is involved a decision of still another type, more intellectual, less active than the other two. This decision, no longer a command, is the prototype of the judicial power. It is needed in order that the general decision may be transformed into a concrete decision.

The practical proposal contained in the doctrine of separation of powers requires that each of these powers be attributed to a separate person or body of persons. It was, however, never proposed that the exercise of all of each power be entrusted to one person or body. The doctrine of checks and balances requires, on the contrary, that after the main exercise has been attributed to one person or body care should be taken to set up a minor participation of all in all, by way of budget and impeachment, judicial review of ordinances and laws and, finally, pardon (*see* CHECKS AND BALANCES).

Those critics who cite the Interstate Commerce Commission and similar bodies as proof of the disintegration of the doctrine overlook a number of important points. In the first place, the practical proposal which the doctrine contains is in no wise affected; for in order to split up the "power" of government, it would be quite feasible to distinguish pragmatically between agriculture, railroads and the like and then to attribute the power over each to separate bodies. What is more important is that, in the second place, these bodies operate on the basis of a separation of powers, in that their personnel is subject to the president's power to remove individual members, their rule making and other functions to change by Congress and their judicial decisions to constitutional review. As a result investigation of the inner working of these bodies would reveal that they evolve an administrative, a legislative (rule making) and a judicial branch. In other words, the Interstate Commerce Commission is itself organized according to the doctrine of separation of powers.

In short, the proposal that the making of rules and their application and the adjudication of controversies regarding the applicability of rules should in the main be entrusted to different bodies or hierarchies of bodies is still pertinent, although possibly it is modified by the older English doctrine of the prerogative, which would keep a separate person or body charged principally with the representative function and therefore with foreign relations as well. At any rate, the distinction between the executive and the administrative functions will have to be clarified and perhaps broadened by a recognition of the distinction between government and administration which the Conseil d'État has taken such pains to elaborate. Such a recognition of a governmental function exercised in common by the legislative and the administrative branch would insure the degree of integration which must be maintained for the safety of the state, without leading to a complete fusion of all powers. On the other hand, experimentation with such concentrated power may prove to those nations now attempting it that the obvious short range advantages of such concentration are more than offset in the long run by strategic losses. As to those other and more fortunate nations which have already achieved a measure of lasting order and unity and some balanced scheme of separated powers, perhaps the Roman precedent will persuade them that it is best to retain such separation as the true guaranty of their freedom and well being.

CARL JOACHIM FRIEDRICH

See: CHECKS AND BALANCES; GOVERNMENT; CABINET GOVERNMENT; CONGRESSIONAL GOVERNMENT; EXECUTIVE; LEGISLATIVE ASSEMBLIES; JUDICIARY; JUDICIAL REVIEW; COURTS, ADMINISTRATIVE; ADMINISTRATIVE LAW; PARTIES, POLITICAL; DICTATORSHIP; DEADLOCK; INVESTIGATIONS, GOVERNMENTAL; IMPEACHMENT; MANDAMUS.

Consult: Klimowsky, Ernst, *Die englische Gewaltenteilungslehre bis zu Montesquieu*, Archiv für Rechts- und Wirtschaftsphilosophie, Beiheft xxii (Berlin 1927); Dedieu, Joseph, *Montesquieu et la tradition politique anglaise en France* (Paris 1909); Jannsen, H., *Montesquieu's Theorie von der Dreitheilung der Gewalten im Staate auf ihre Quellen zurückgeführt* (Gotha 1878); Gierke, Otto von, *Johannes Althusius und die Entwicklung der naturrechtlichen Staatstheorien* (4th ed. Breslau 1929); Ranke, L. von, "Zur Geschichte der Doctrin von den drei Staatsgewalten" in his *Sämmtliche Werke*, vol. xxiv (Leipsic 1872) p. 237–66; Finer, Herman, *Theory and Practise of Modern Government*, 2 vols. (London 1932), especially vol. i, p. 153–80; McIlwain, C. H., *The High Court of Parliament and Its Supremacy* (New Haven 1910); Gerland, Heinrich, *Die Beziehungen zwischen dem Parlament und den Gerichten in England*, Beiträge zum ausländischen öffentlichen Recht und Völkerrecht, vol. x (Berlin 1928); Saint Girons, Antoine, *Droit public français: essai sur la séparation des pouvoirs* (Paris 1881); Esmein, A., *Éléments de droit constitutionnel français et comparé*, 2 vols. (8th ed. Paris 1927–28) vol. i, ch. iii; Carpenter, William S., "The Separation of Powers

in the Eighteenth Century" in *American Political Science Review*, vol. xxii (1928) 32–44; Wright, Benjamin F., Jr., "The Origins of the Separation of Powers in America" in *Economica*, no. 40 (1933) 169–85; Greene, E. B., *The Provincial Governor in the English Colonies of North America*, Harvard University, Historical studies, vol. vii (New York 1898); Labaree, L. W., *Royal Government in America*, Yale University, Historical Publications, Studies, no. vi (New Haven 1930); Friedrich, Carl J., "Zur Problematik der unabhängigen Präsidialgewalt; Die Gesetzgebung in den Vereinigten Staaten" in *Jahrbuch für politische Forschung*, vol. i (1933) 151–70; Vossler, O., *Die amerikanischen Revolutionsideale in ihrem Verhältnis zu den europäischen untersucht an Thomas Jefferson*, Historische Zeitschrift, Supplement no. xvii (Munich 1929); Hasbach, W., "Gewaltentrennung, Gewaltenteilung und gemischte Staatsform" in *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte*, vol. xiii (1916) 562–607; Smend, Rudolf, *Verfassung und Verfassungsrecht* (Munich 1928); Bettmann, Hans, *Die Gewaltenteilung im demokratischen Rechtsstaate. Eine Untersuchung zum geltenden deutschen Staatsrecht* (Altenkirchen 1931); Hippel, Ernst, *Die Lehre Montesquieu's von der Dreiteilung der Gewalten und der Grad ihrer Verwirklichung in den Verfassungen des Deutschen Reichs von 1871 und 1919 und den Verfassungen des preussischen Staates von 1850 und 1920* (Göttingen 1921); Fahlbeck, Pontus E., *La constitution suédoise et le parlementarisme moderne* (Paris 1905); Brusewitz, Axel, "Maktfördelning och demokrati i den konstitutionella utvecklingen" in *Statsvetenskaplig tidskrift*, vol. xxvi (1923) 293–310; Herlitz, Nils, "Charakteristische Züge des schwedischen öffentlichen Rechts" in *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht*, vol. iii (1932) 95–117.

SERFDOM is a very general type of hereditary half free status existing in combination with peasant tenures, which despite variations as to details are more or less typical; the cases of half free status independent of tenure are not numerous or important enough to warrant treatment in the present context except as they throw light upon the decline of serfdom. The term itself arose in mediaeval Europe, but it can be applied without serious extension of meaning to many different regions and times. As a rule serfdom has been rural, flourishing in periods marked by the absence of strong central governments, of organized legal systems and of any considerable trade or monetary circulation. It has generally been a feature of feudal societies.

Rural labor organization in economies emphasizing status rather than contract has tended on the whole toward slavery rather than serfdom where conditions were unfavorable to the widespread use of draft animals, and vice versa. For example, the settled agriculture of the ancient Mediterranean leaned heavily upon hand labor, the long summer droughts militating against large numbers of livestock particularly in densely populated areas, where because of plowing fallow was made useless for pasture. Transalpine Europe with better distributed rains was suited to a combination of grain and stock farming. In a deep belt along the Atlantic even the winters are not cold enough to curtail livestock production very seriously. Farther inland the problem of wintering was gradually solved by the storage of hay and feedstuffs. European serfdom reached the height of its development not only in connection with feudalism but also in a geographical environment favoring the use of animal power. As frontier conditions disappeared and the low grade economy improved, this factor made for a swing toward freedom rather than toward the ancient Greek division into freedom and slavery.

Explanations of serfdom vary in accordance with the countries and times on which they are based and also in accordance with the amount of stress which is placed upon ruling class legal theory on the one hand or upon customary practise on the other. Mediaeval jurists like Azo and Bracton took the extreme theoretical position of identifying the unfree with the slaves of the Roman law—men must be *aut liberi aut servi*. However useful this classification may have been to lawyers and judges in analyzing cases so as to satisfy the landed and literate classes, it had little in common with the customs which still mainly controlled status and tenure in thirteenth century rural Europe. Of more consequence in the historical development of serfdom was the ruling class assumption that all customary rights originated in grants from lords. This implied the lords' right of cancellation, to "recover" the use of land either at will or for alleged breaches of the unwritten conditions.

Of the many distinctions between serfdom and slavery the most illuminating would seem to be the fact that whereas characteristically serfdom is group servitude regulated by custom, personal servitude is dependent upon the whim of an owner. Attachment to the soil is not a reliable criterion. Many of the late Roman coloni who were forbidden under severe penalties to move were not subject to the kinds of dues and fines accepted then or in later feudal times as marks of servile status and tenure. Social classes regarded as free in the Middle Ages were restricted as to displacement. The *vilains francs* and sokemen who lived in French and English manorial villages were rarely allowed to commend themselves to other lords or to leave, at least with such property as livestock. Yet, on the

other hand, where an economic shortage of laborers existed, a powerful lord might induce even serfs to desert other manors under his protection, and with specific improvements in their status. By and large, serfdom has been the mark of low grade economies, where the ruling classes were more anxious about the labor supply than the land supply. Feudalism, transplanted by conquest, tended to simplify peasant class structure at the expense of its privileged elements. For example, the Normans in England practically eliminated the alodium, reduced most of the free villeins to serfdom (the word villein in English is nearer in meaning to serf than to *vilain* in French) and gave the manorial lord a tight grip on local justice. The inheritance of the lesser customary rights was not so secure as on the continent.

From the point of view of the practise rather than the upper class legal theory of mediaeval serfdom, it is apparent that the lord's exactions were not so much arbitrary as customary, even where he managed to infringe upon and wear down the rights of peasants. Since the ruling classes were composed of fighters and priests and not of business men, it was important to them that the agricultural village should largely manage itself. Managers or foremen from each side of the social class line protected the interests of their own groups and of the whole mainly by observance of the customs. The servile class did not lack rights but was at a disadvantage when these had to be enforced or interpreted. In practise the serf generally held some personal property, which he passed on to his heirs without interference. Even his rights to farm and pasture certain areas, subject to village regulation and dues to the lord in work and in kind, were generally inherited in fact. This was the critical point in serfdom as tenure. By inheritance fines the lords kept alive the fiction that they were the authors of servile tenure, which therefore depended upon their prior rights. The classes above the serfs in the village were exempt from some particularly onerous labor dues and some considered degrading—categories which were not always identical. Perhaps the commonest mark of servile status was the inability to give a daughter in marriage without permission of the lord and payment of a fine.

Notions of both status and tenure were combined in the serf's inability to sell an ox without the lord's permission. The virgate, or full peasant holding, was inseparable from the plow team and useless without it. Wainage suits for the recovery of the plow team were the only court actions against their lords which unfree peasants were permitted to take. Otherwise the individual serf had no legal standing as against the lord, whereas he could sue another serf or a freeman for any breach of the customary law by which he was damaged or threatened with damage. Collectively the village had many rights against the lord, which he usually observed. Gifts of land by lords to the church often specified that they were made with the consent of the bondsmen. Until the growth of population and money economy and the revival of Roman legal ideas began to undermine the manor, the enclosure of common lands required the consent of the village. In some cases the records state which woodland or other property was given as compensation.

Shadings of status under serfdom are often hard to distinguish and harder to explain. It is probably safe to classify the cotters as poor serfs. They lived in mere huts with little or no cultivable land and livestock and worked for the more fortunate classes. In many cases they were people who had lost their open field holdings and stock through incompetency, bad luck or breaches of custom. Population increase often outran expansion into new lands and improvements in farming, overflowing into classes which were unwanted and destitute rather than definitely oppressed or exploited. Where good land remained on the fringes of manors, energetic younger sons of serfs or free villeins often cleared patches for cultivation, borrowing plow teams or exchanging work for their use. This border class sometimes included refugees from other manors, settled with or without the connivance of the lord or his agents. If the holdings were small, the services were likely to be correspondingly light. The mere designation "bordar," or "borderer," does not indicate whether the condition was better or worse than that of an ordinary serf.

Serfdom spread eastward with the expansion of the Germans against the Slavs. Yet in the mediaeval period it was not particularly harsh or exacting. Many Slavs were transported as slaves (it is interesting to note that the two words have the same root) and the peasants brought to the frontiers from the west were generally given special inducements. Some even escaped serfdom, which became general only in a later age when money economy, well organized central government, international trade in agricultural product and full property in land gave the

relationship a curiously hybrid character. The more a serf's position is protected by well knit legal codes enforced by central governments, the more it tends to resemble that of the ancient coloni. Serfdom being characteristically a group status, the ease of moving serfs about as individuals or conjugal families in parts of eastern Europe in early modern times is suggestive of slavery. In Russia particularly but also in other continental countries servile labor dues were transferred from agriculture to manufacturing, often involving the movement of the serf himself. Nobles hired out their serfs to manufacturers. Kulischer has pointed out the error of supposing that any considerable percentage of the continental "factories" of the seventeenth and eighteenth centuries were even central shops, workhouses being the chief exception; but as time passed there was an increasing amount of seasonal migration of serfs from rural communities during the dead season of agricultural operations.

Other illustrations make some of these border line distinctions clearer. The slow transition from pre-Spanish serfdom in Mexico to peonage (*q.v.*) has been traced in several localities. Schmieder noted the early existence of serfdom among the Mixtecs of southwestern Mexico together with a strip system of fields and a feudalism suggestive of mediaeval Europe. One of the clearest cases is that revealed in Simpson's documents, some as yet unpublished, concerning the village of Huejotzingo in the state of Puebla. A few years after the conquest of this region the ruling caste (caciques, *principales*), describing the old serfdom in detail, complained to the Spanish authorities that the dues in labor and kind no longer sufficed since the peasants had been given some land. The Spaniards allowed the *principales* to accompany further cessions of land with contracts restoring many of the old services. Since the lower class Indians had to till, mine, transport and construct public works, including monasteries and churches, for the Europeans as well, the growth of the country kept the castes apart, and the serfs became peons in the course of the shift from a feudal to a commercial society with a money economy and a regime of contract.

European conquerors found well defined serfdom in America only in conjunction with settled and largely self contained agriculture. In most cases there were evidences of previous conquest, such as differences of physique, language or culture between the upper and servile classes. The classic case of serfdom by the intrusion of a new ruling class is that of the older Aegean peoples after the arrival of the Greeks. Serfdom occurred locally over and over in the western Sudan after the introduction of the camel into the adjoining desert laid the agricultural fringe open to invasion; but the numerical weakness of the invaders, the softening effects of the climate and the high export prices of slaves prevented the rise of a real system. The great nomads of the western Sahara generally left oasis cultivation to other peoples darker than themselves—sometimes serfs and sometimes slaves. All of the great desert salt works were in barren regions and exploited by slaves. The Sanhaja Tuaregs are divided into serf and noble classes. As in Europe, hereditary nobility is a degenerate residue of military groups formerly based on demonstrated personal merit as soldiers. India has been invaded many times, and its history is strewn with examples of servile status derived in part from race.

China reached the height of its feudal age so long ago that many points concerning village organization are disputed, although not the fact of serfdom. In Japan prior to 701 A.D. a sort of manorial system developed out of an earlier type of village organization based on kinship. Still the village elder was as yet hardly a lord, nor were the lesser people serfs; land was moreover plentiful enough for generous fallowing and periodic redistributions. In 701 a new system, partly modeled on that of China, tried prematurely to establish a strong imperial government with national taxes. With the gradual lengthening of tenure and the rise of powerful families real manorial serfdom developed about the tenth century and was in flower until about the thirteenth. Then, as in Europe, money economy began to undermine the system by commutation. By the seventeenth century the slow disintegration was extremely marked. As in Europe, serfdom had flourished in a period of inadequate public order, the decay of commercial farming and of slavery, a great extension of the cultivated regions, extreme economic localism and inefficient use of the land. As these conditions improved serfdom declined; but this decline was less rapid than in Europe during the same period, perhaps because Japan was not going through any such commercial expansion by sea.

Serfdom came late into the Baltic countries, eastern Germany included, coinciding with a rising export demand for grain. This is certainly

an exceptional linkage, and very likely a better form of labor organization for the purpose could have been found. In the long run at least, serfdom condemned itself on practical grounds. Cultivation could not be improved to meet the competition of distant grainfields worked with more machinery and brought closer by improving transport media. Under serfdom the peasant was unprepared for industrialism as producer or consumer; moreover he was an inadequate soldier in mechanized warfare and an unsatisfactory citizen in an age of change. The rise of citizen armies during the French Revolution influenced the convictions of statesmen in central and eastern Europe; but the need for mobilizing labor and land in the new economy was also patent, and something more than lip service to the "rights of man" had to be conceded. Serfdom was as inconsistent as slavery with the nineteenth century notion of "progress."

In western Europe the first great movement toward the break up of serfdom took place in the closing centuries of the Middle Ages. Every serious disturbance of the customary order, such as a crusade or a plague, resulted in the freeing of some individuals through escape or formal manumission. The crusades stimulated commerce, money economy and the growth of central governments which needed taxes and were inclined to play one group against another to the destruction of class stability. As population increased, public order improved and commerce developed, open fields and common pastures were great obstacles to the improvement of crops, stock and methods. By 1400 serfdom as a combination of status and tenure was decaying rapidly. In England the upper classes attacked servile tenure in their own interest, enclosing a good deal of land for pasture. The status was largely meaningless without the tenure. Commutations of record finally became legal and equivalent to full title. Suits for the collection of obsolete servile dues, such as the merchet, or marriage fine, from people whose ancestors had been free in fact for generations were more and more thrown out of court.

Germany was less fortunate than England in systematizing the old customary law into an orderly body of common law. After the unsuccessful peasant uprising of the sixteenth century and the devastating Thirty Years' War of the next much of central Europe lapsed into a degenerate form of serfdom with centralized governments and money economy. In Russia also, beginning with Peter the Great in the seventeenth century, a similar quasi-serfdom with resemblances to slavery and peonage was imposed from above in connection with an increasingly commercial agriculture and a forced development of manufactures.

The withered vestiges of serfdom in France were swept away by the revolution. Some of the multitude of central European states had already taken the step, and the others were forced to see its necessity by the Napoleonic wars and the mechanical revolution. Russia fared better at the hands of Napoleon, and its contacts with the North Atlantic nucleus of modern capitalism were less developed. The Crimean War showed the fatal weakness of a state founded on economically low grade agriculture with servile status and tenures which put a premium on ignorant conformity to outlived customs. Serfdom was soon abolished in name here and in southeastern Europe, but the problem of giving the emancipated peasants sufficient land and the individual incentives to improvement demanded by a capitalistic world economy was not faced courageously. Hence it continued to plague the governments even in the twentieth century. Mechanical power applied to transport created real world competition; and the competition of low grade combinations of man power and animal power with rationalized machine production was fatal to serfdom, as to slavery.

MELVIN M. KNIGHT

See: AGRICULTURE; PEASANTRY; AGRICULTURAL LABOR; FEUDALISM; MANORIAL SYSTEM; LANDED ESTATES; LATIFUNDIA; COLONATE; VILLAGE COMMUNITY; PLANTATION; FARM TENANCY; SLAVERY; PEONAGE; FORCED LABOR; AGRARIAN MOVEMENTS; EMANCIPATION; BLACK DEATH; ENCLOSURES; FRENCH REVOLUTION; INDUSTRIAL REVOLUTION.

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SERGEYEVICH, VASILY IVANOVICH (1832–1910), Russian legal historian. Sergeyevich was graduated from the law faculty of Moscow University in 1857. After spending several years in Germany with Bluntschli, Zöpfl and others he returned to the university to lecture on constitutional law. Since his interest centered increasingly upon Russian history, he was appointed in 1872 to the chair of history of Russian law at St. Petersburg University, where he remained for the rest of his life. In general outlook a positivist who disliked historical theories adapted from German philosophy, he excelled in the keen juridical analysis of legal sources; in this sense he may justly be called a Russian Fustel de Coulanges. His treatment of static elements was original and convincing, but his handling of the dynamic aspects of the historical process was far less effective. While he was opposed to the dominant Kluchevsky school and had no organized following of his own, his work together with that of certain other St. Petersburg professors led to the formation of the Petersburg school of Russian historiography.

Sergeyevich made distinct contributions to the study of both Kievan and Muscovite Russia. Drawing largely upon chronicles, he showed that the accepted notion of "one Russia" traceable to Karamzin is scarcely applicable to the pre-Moscow period. At the same time he was the first to establish the organizational scheme of the popular assemblies (*veche*), which was common to all principalities of ancient Russia, and to stress the exceptional importance for the Kiev period of contractual elements in the relations among the prince, his armed followers (*druzhina*) and the popular assembly. He opposed the "clan theory" of princely succession, engaging in a vigorous controversy with Soloviev and others of its exponents, in which he displayed unusual polemical gifts. For the Moscow period he investigated the legal status of the various social classes; Sergeyevich traced the growth of Muscovy to the expansion of the principality of Vladimir rather than to the activity of the Moscow princes and treated the Moscow land assemblies as incipient representative institutions comparable with those of France and England.

D. ODINETZ

Important works: *Lektsii i izsledovaniya po drevney istorii russkago prava* (Lectures and studies on ancient history of Russian law) (St. Petersburg 1883, 4th ed. 1910); *Drevnosti russkago prava* (Antiquities of Russian law), 3 vols. (St. Petersburg 1890–1903; 3rd ed. vols. i–ii and 2nd ed. vol. iii, 1908–11).

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SERRA, ANTONIO, Italian economist of the seventeenth century. Little is known of Serra's life except that he was the author of *Breve trattato delle cause che possono far abbondare li regni d'oro et d'argento, dove non sono miniere con applicazione al Regno di Napoli* (Naples 1613), in which he refuted the widespread opinion expressed in Marcantonio de Santis' memorial that the much lamented scarcity of coin in the Kingdom of Naples was attributable to the high rate of exchange and concluded that the rate of exchange is the effect and the index of the balance of international payments, which alone regulates the international flow of money. Serra analyzed the component items of the balance of payments and, advancing beyond the traditional analysis in terms of exports and imports exclusively, included payments due from industries

operated abroad by nationals; furthermore he pointed out the importance of profits derived from intermediary commerce. He had a clear understanding of the way in which all transactions between various countries become interrelated directly or indirectly and in the course of liquidation through bills of exchange are compensated in money payments. Thus the only way to make money more abundant, Serra held, is to secure a favorable balance of international payments through the stimulation of the export of goods and services. The value of money depends entirely on its metallic content and not on arbitrary legislation. Serra was completely unaware of the influence of the volume of money on prices and through them upon the course of international commerce, and attributed the territorial division of industries entirely to physical-natural differences. Serra was perhaps the first to formulate the law of decreasing returns in agriculture, which he contrasted with that of constant and increasing returns obtaining in manufacturing industries.

AUGUSTO GRAZIANI

Works: The *Breve trattato . . .* is included in *Scrittori classici italiani di economia politica*, ed. by P. Custodi, vol. i (Milan 1803) p. 1–179, and in *Economisti del cinque e seicento*, ed. by A. Graziani (Bari 1913) p. 141–235.

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SERVICE may be defined most generally as any act of an individual in so far as it contributes to the realization of the ends of other individuals. The universal existence of differentiation of the social functions of individuals makes mutual service an inexorable necessity of all life in society. Starting with the elementary biological differences of sex and age it becomes more important with the increasing complexities of social differentiation.

The theories of pure individualism attempted to account for the performance of these mutual services entirely as by-products of the pursuit of their enlightened self-interest by individuals to whom the needs and desires of others are only means to their own ends. But, however important this interlocking of interests may be, attempts to interpret society in terms of it alone have definitely broken down. No such society has ever existed. On the contrary, all societies depend to a greater or less degree on the disinterested performance of service and maintain specific ethical sanctions of it, either as an end in itself or as contributory to some higher end even farther removed from self-interest.

Sociologically the principal kinds of service may be reduced to two main types. The one, limited in obligation to a particular group of persons, whether determined in extent by the objective situation, as by birth, or by personal choice, is yet undefined as to the limits of its actual content but rather left to the exigencies of need as manifested in changing situations. Its prototype in almost all societies is the family, with its sharing of the common vicissitudes of life, its distribution of its resources according to the needs of the members and of its burdens according to their respective ability to bear them. This is a type of relationship where the formula of altruism in the usual sense is scarcely applicable. It is not a sacrifice of the interests of some to those of others but rather a fusion of all into a single unit, a common interest in the maintenance and prosperity of the whole which forbids the segregation of individual interests even for purposes of their sacrifice. But while the extent of mutual obligation remains unspecified, it is still not necessarily unlimited but subject always to being superseded in a scale of values. And although not itself an explicit realization of specific ultimate values, it must be in relative conformity with them; otherwise deep seated conflicts will arise.

From the family as a nucleus this type of mutual service extends to all groups the members of which have a general and relatively undefined obligation of solidarity to one another, groups of friends, wider kinship groups, neighborhood groups and, on the largest scale, nations.

Contrasted with this type is that where the object of the service tends to be impersonal and indefinite, any one of a large, undefined category of persons, such as "consumers," while the content of the obligation becomes specific and limited to definite functions. It is this type which comes to dominate when differentiation proceeds so far that those benefiting from services and those performing them are no longer united in a close community of general interest and life but are to a high degree separated from one another. Here service tends to be thought of

as the function of an office held on behalf of the larger impersonal whole including both parties or as a profession or calling which, although not an office in an organization, has in fact a functional role on behalf of the whole.

In western society, at least until relatively recent times, the principal ethical sanctions of service have come from the social implications of Christianity in its various historical forms. The content of the Gospels was essentially religious and transcendental and by no means immediately the basis of a movement for social reform. But the peculiar combination of religious individualism, the absolute and equal valuation of every human soul in relation to God, and the universalism of brotherly love gave a basis for subsequent social teachings. In the early Christian communities men lived apart from the rest of the sinful world in communistic societies. It was a communism of consumption alone, not of production; its motives were indifference to worldly things on the one hand, brotherly love on the other. But such a simple state of affairs was not possible when hope of an immediate coming of the kingdom faded and Christianity spread to include all classes of society and finally became the state religion of the Roman Empire. Paul himself, through the doctrine of the role of the inscrutable will of God, opened the way for a purely otherworldly interpretation of religious equality and hence a recognition of the inequalities of this world as inevitable and even positively ordained. Society came to be thought of as an organic unity in which every task is a service to the whole and to God. But while the social system was accepted and submitted to, this was only at best as an opportunity for Christian service. The world itself remained wholly sinful and corrupt. The early church never developed a conception of a really Christian society.

This idea did not come into being until the Middle Ages, where it found its classic mediaeval formulation in Thomas Aquinas. Here the social world was thought of again as an organic unity, each status having a part in the whole and contributing, although unequally, to the religious end of the whole. The highest life was of course the purely religious one in the monastery, where a segregated class acquired merit for the rest of the society as well as themselves. But worldly occupations had their positive if relative and inferior religious merit in their own right, not merely, as in the early church, as an opportunity for brotherly love. Taken together they were thought of as service of God and one's fellows in a system of the division of labor. The relatively personal and traditional character of most of the relationships of mediaeval society made it possible to conceive the whole in Christian terms as a system of mutual service, with a patriarchal element, for example, as between lord and serf and an egalitarian element as in the case of the relationship of craftsman and customer. The violence of feudal warfare was the most difficult thing to fit in; but, while in general interpreted merely as sin, in chivalry even it was brought within the Christian conception of service, to God above all, as in the crusades, and to other men (and of course women). Thus the mediaeval conception sanctioned primarily the first of the above types of service, that involving a personal relationship but without specific limits of content.

The Reformation brought another step in the secularization of the Christian idea of service, in that by abolishing monasticism it left only worldly callings as the fields of service and emphasized their conscientious performance as a religious duty. In the Lutheran branch the traditional and patriarchal elements remained uppermost and led to a conservative acceptance of things as they were and submission to authority, paralleled by the development of a conscientious devotion to duty, which bore fruits in the Prussian concept of duty in the service of the state.

It remained for Calvinism and the Protestant sects to emancipate the religious idea of service from patriarchalism and from traditionalism, by removing its indifference to the world, and to give its special sanction to rational work on individual responsibility for impersonal ends. This fitted in admirably with the individualistic economic developments of early modern times and has given an even stronger religious sanction to individual economic enterprise than the Thomist ethics gave to mediaeval traditionalism. By a process of secularization the original religious motivation has faded away and has tended to give place to a self-righteousness in the pursuit of self-interest often shading over into the hypocritical. What was originally conceived as disinterested service of God and one's fellows has become at best an end in itself, at worst sheer egoism covered by a thin veil of rationalization. Thus Lutheranism has provided a religious sanction to service of the impersonal and specific content type in the authoritarian state, while only Calvinism and the sects have given it for

the voluntary and individualistic contractual type of relationship.

Since the eighteenth century various purely secular doctrines of service have arisen to fill the gap left by the fading religious sanction. Rationalistic humanitarianism and social utilitarianism are perhaps the most widespread. They seem to lack the power of justifying to the individual a real submergence of his self-interest, which the transcendental basis has given to the ideals of service arising out of Christianity.

TALCOTT PARSONS

See: ALTRUISM AND EGOISM; INDIVIDUALISM; CHRISTIANITY; CHIVALRY; HUMANITARIANISM; UTILITARIANISM; CAPITALISM.

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VOLUME FOURTEEN

SERVITUDES-TRADE ASSOCIATIONS

THE MACMILLAN COMPANY
MCMLIV NEW YORK

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by reviewers who wish to quote brief passages in
connection with a review written for
inclusion in magazines or
newspapers
Published November, 1934
Reprinted April, 1935

Reissued (Volumes XIII and XIV combined), November, 1937.

Eleventh Printing 1954



THE MACMILLAN COMPANY
NEW YORK · CHICAGO
DALLAS · ATLANTA · SAN FRANCISCO

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Encyclopaedia of the Social Sciences
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CONTENTS

Contributors to Volume Fourteen ix

Articles

SERVITUDES	*Charles E. Clark*
SETTLEMENTS, SOCIAL	*See* SOCIAL SETTLEMENTS
SEWALL, MAY WRIGHT	*Gladys Meyerand*
SEWARD, WILLIAM HENRY	*Dexter Perkins*
SEX EDUCATION AND SEX ETHICS	*M. A. Bigelow*
SEX ETHICS	*See* SEX EDUCATION AND SEX ETHICS
SEYDEL, MAX VON	*Sigmund Neumann*
SHĀFI'I, MUHAMMAD IBN IDRĪS AL-	*Joseph Schacht*
SHAFTESBURY, FIRST EARL OF	*Edward P. Cheyney*
SHAFTESBURY, THIRD EARL OF	*Howard Robinson*
SHAFTESBURY, SEVENTH EARL OF	*John Lawrence Hammond*
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SHIPBUILDING	*F. Cyril James*
SHIPPING	*Abraham Berglund*
SHOE INDUSTRY	*See* LEATHER INDUSTRY
SHOP COMMITTEE	*See* INDUSTRIAL RELATIONS COUNCILS
SHOP COUNCILS	*See* INDUSTRIAL RELATIONS COUNCILS
SHOP STEWARD MOVEMENT	*See* INDUSTRIAL RELATIONS COUNCILS
SHORT BALLOT MOVEMENT	*William B. Munro*
SHORT HOURS MOVEMENT	*Selig Perlman*
SIB	*See* SOCIAL ORGANIZATION
SICKEL, THEODOR	*Wilhelm Bauer*
SICKNESS	*See* MORBIDITY
SICKNESS INSURANCE	*See* HEALTH INSURANCE

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SILVER	*Herbert M. Bratter*
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SINEY, JOHN	*Arthur E. Suffern*
SINGER, PAUL	*Emil Lederer*
SINGLE TAX	*Broadus Mitchell*
SINKING FUND	*William Withers*
SINN FEIN	*See* IRISH QUESTION
SISMONDI, JEAN CHARLES LÉONARD SIMONDE DE	*Henryk Grossman*
SKARBEK, COUNT FRYDERYK FLORJAN	*K. Krzeczkowski*
SKARGA POWĘSKI, PIOTR	*Tadeusz Grabowski*
SKIDMORE, THOMAS	*Broadus Mitchell*
SKINNER, JOHN STUART	*Louis Bernard Schmidt*
SLANDER	*See* LIBEL AND SLANDER
SLAVE TRADE	*See* SLAVERY
SLAVERY	
PRIMITIVE	*Bernhard J. Stern*
ANCIENT	*William Linn Westermann*
MEDIAEVAL	*Melvin M. Knight*
MODERN—General	*Mary Wilhelmine Williams*
United States	*Ulrich B. Phillips*
SLAVEYKOV, PETKO RACHEV	*Josef Matl*
SLEIDAN, JOHANN	*Karl Völker*
SLUMS	*Bernard J. Newman*
SMALL, ALBION WOODBURY	*Louis Wirth*
SMALL CLAIMS COURT	*Raynor M. Gardiner*
SMALL HOLDINGS	*C. von Dietze*
SMALL LOANS	*Geoffrey May*
SMART, WILLIAM	*Thomas Jones*
SMELTING	*See* METALS; IRON AND STEEL INDUSTRY
SMILES, SAMUEL	*Talcott Parsons*
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SMITH, JOHN PRINCE	*See* PRINCE-SMITH, JOHN
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SOCIAL CASE WORK — *See* SOCIAL WORK, section on SOCIAL CASE WORK
SOCIAL CHANGE — *See* CHANGE, SOCIAL
SOCIAL CHRISTIAN MOVEMENTS — *G. Briefs*
SOCIAL CONSCIOUSNESS — *See* CONSCIOUSNESS
SOCIAL CONTRACT — *Harold J. Laski*
SOCIAL CONTROL — *See* CONTROL, SOCIAL
SOCIAL DEMOCRATIC PARTY — *See* SOCIALIST PARTIES
SOCIAL DISCRIMINATION — *Frank H. Hankins*
SOCIAL EVOLUTION — *See* EVOLUTION, SOCIAL
SOCIAL INSURANCE — *I. M. Rubinow*
SOCIAL LEGISLATION — *See* LABOR LEGISLATION AND LAW; PUBLIC WELFARE; SOCIAL INSURANCE

SOCIAL ORGANISM — *Gottfried Salomon*
SOCIAL ORGANIZATION — *Robert H. Lowie*
SOCIAL PROCESS — *Max Lerner*
SOCIAL PSYCHOLOGY — *L. L. Bernard*
SOCIAL REFORM — *See* REFORMISM
SOCIAL SANCTIONS — *See* SANCTION, SOCIAL
SOCIAL SETTLEMENTS — *Paul U. Kellogg*
SOCIAL SURVEYS — *Niles Carpenter*
SOCIAL WELFARE — *See* CHARITY; INSTITUTIONS, PUBLIC; SOCIAL WORK

SOCIAL WORK
GENERAL DISCUSSION — *Philip Klein*
SOCIAL CASE WORK — *Philip Klein*
TRAINING FOR — *Mary Clarke Burnett*
SOCIAL WORK, TRAINING FOR — *See* SOCIAL WORK, section on SOCIAL WORK, TRAINING FOR

SOCIALISM — *Oscar Jászi*
SOCIALIST PARTIES — *Arthur Rosenberg*
SOCIALIZATION — *G. D. H. Cole*
SOCIETY — *Talcott Parsons*
SOCIETY OF JESUS — *See* JESUITS
SOCIOLOGY — *R. M. MacIver*
SOCRATES — *Benjamin Ginzburg*
SODEN, GRAF FRIEDRICH JULIUS HEINRICH VON — *Karl Pribram*
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SPASOWICZ, WŁODZIMIERZ	*W. Lednicki*
SPAVENTA, BERTRANDO	*Guido de Ruggiero*
SPAVENTA, SILVIO	*Guido de Ruggiero*
SPEAKER	*See* PROCEDURE, PARLIAMENTARY
SPECIAL ASSESSMENTS	*Ernest Herman Hahne*
SPECIALIZATION	*Arthur Salz*
SPECIFIC PERFORMANCE	*Walter Wheeler Cook*
SPECULATION	*Charles O. Hardy*
SPENCE, THOMAS	*Max Beer*
SPENCE, WILLIAM GUTHRIE	*G. V. Portus*
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SPHERES OF INFLUENCE	*Frederick L. Schuman*
SPINOZA, BARUCH	*Benjamin Ginzburg*
SPITTLER, LUDWIG TIMOTHEUS	*Walter Goetz*
SPOILS SYSTEM	*Leonard D. White*
SPORTS	*Albert Parry*
SSŬ-MA CH'IEN	*Arthur W. Hummel*
SSŬ-MA KUANG	*G. Margouliès*
STABILIZATION, BUSINESS	*See* STABILIZATION, ECONOMIC
STABILIZATION, ECONOMIC	*George Soule*
STABILIZATION, MONETARY	*See* MONETARY STABILIZATION
STAËL-HOLSTEIN, BARONNE ANNE LOUISE GERMAINE NECKER DE	*Hedwig Hintze*
STAHL, FRIEDRICH JULIUS	*Hermann Heller*
STAMBOLIĬSKI, ALEKSANDŬR STOIMENOV	*Victor N. Sharenkoff*
STAMBULOV, STEPAN NIKOLOV	*Josef Matl*
STANDARDIZATION	*George Soule*
STANDARDS OF LIVING	*Carl Brinkmann*
STANFORD, LELAND	*Harold U. Faulkner*
STANLEY, SIR HENRY MORTON	*Leland H. Jenks*
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STARČEVIĆ, ANTE	*Hermann Wendel*
STASZIC, STANISŁAW WAWRZYNIEC	*Nathan Reich*
STATE	*George H. Sabine*
STATE BANKS, UNITED STATES	*J. Ray Cable*
STATE GOVERNMENT, UNITED STATES	*Arthur N. Holcombe*
STATE LEGISLATURES	*See* LEGISLATIVE ASSEMBLIES, section on UNITED STATES, STATE LEGISLATURES
STATE LIABILITY	*Edwin M. Borchard*
STATE POLICE	*See* POLICE
STATE PRESS	*See* PRESS
STATE RESPONSIBILITY	*See* STATE LIABILITY
STATE SOCIALISM	*See* SOCIALISM
STATE SOVEREIGNTY	*See* SOVEREIGNTY; STATES' RIGHTS
STATE SUCCESSION	*Ernst H. Feilchenfeld*
STATE UNIVERSITIES	*See* UNIVERSITIES AND COLLEGES
STATELESS	*See* EXPATRIATION
STATES GENERAL	*See* ESTATES GENERAL
STATES' RIGHTS	*Arthur W. Macmahon*

STATESMANSHIP	*D. W. Brogan*
STATICS AND DYNAMICS	*John Maurice Clark*
STATISTICS	
HISTORY	*Walter F. Willcox*
STATISTICAL PRACTISE	*Robert M. Woodbury*
STATISTICAL METHOD	*Oskar N. Anderson*
STATUS	*Max Radin*
STATUTE OF FRAUDS	*See* FRAUDS, STATUTE OF
STATUTES OF LABOURERS	*See* LABOURERS, STATUTES OF
STATUTES OF LIMITATIONS	*See* LIMITATION OF ACTIONS
STEAD, WILLIAM THOMAS	*John M. Gaus*
STEEL INDUSTRY	*See* IRON AND STEEL INDUSTRY
STEELE, SIR RICHARD	*R. S. Crane*
STEFAN DUŠAN	*Charles Sumner Lobingier*
STEFFEN, GUSTAF FREDERIK	*Gerhard Magnusson*
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STEINTHAL, HAJIM	*A. A. Roback*
STEPHEN, GEORGE	*See* MOUNT STEPHEN, FIRST BARON
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STEPHENS, ALEXANDER HAMILTON	*Benjamin B. Kendrick*
STEPHENS, HENRY MORSE	*Crane Brinton*
STEPHENS, URIAH SMITH	*Norman J. Ware*
STEPHENSON, GEORGE	*Edward Cleveland-Stevens*
STERILIZATION	*See* EUGENICS
STERNBERG, LEV YAKOVLEVICH	*I. Vinnikov*
STERNE, SIMON	*George Marshall*
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STEVENS, JOHN	*George Marshall*
STEVENS, THADDEUS	*Benjamin B. Kendrick*
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STOCK EXCHANGE	*Marcus Nadler*
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STONE, MELVILLE ELIJAH	*Silas Bent*
STONE, WARREN SANFORD	*Jacob Perlman*
STORAGE	*See* WAREHOUSING
STORCH, HEINRICH FRIEDRICH VON	*V. Gelesnoff*
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STRAUSS, DAVID FRIEDRICH	*Horace L. Friess*
STRAW VOTE	*Claude E. Robinson*
STREET RAILWAYS	*See* MUNICIPAL TRANSIT
STRESEMANN, GUSTAV	*Ernst Jäckh*
STRIKES AND LOCKOUTS	*John A Fitch*
STROJNOWSKI, HIERONIM	*Stefan Dziewulski*
STROSSMAYER, JOSIP JURAJ	*Hermann Wendel*
STRUGGLE FOR EXISTENCE	*See* EVOLUTION; SELF-PRESERVATION
STRUVE, GEORG ADAM	*Johannes Bärmann*
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STUCKENBERG, JOHN HENRY WILBURN	*L. L. Bernard* and *F.-K. Kruger*
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SUAREZ, KARL GOTTLIEB	*Eberhard von Künssberg*
SUBMARINE WARFARE	*See* WARFARE
SUBSIDIES	*Otto Nathan*
SUBURBS	*H. Paul Douglass*
SUBVENTION	*See* GRANTS-IN-AID
SUCCESSION, LAWS OF	*Orrin K. McMurray*
SUCCESSION, POLITICAL	*Frederick Mundell Watkins*
SUEZ CANAL	*Charles W. Hallberg*
SUFFRAGE	*W. J. Shepard*
SUGAR	*Gustav Mikusch*
SUGGESTION	*See* CROWD; MOB
SUICIDE	*Bessie Bunzel*
SULEIMAN I	*Albert H. Lybyer*
SULLY, DUC DE	*Paul Harsin*
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SUMNER, WILLIAM GRAHAM	*Bernhard J. Stern*
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SUN YAT SEN	*Frank Wilson Price*
SUNDAY LAWS	*See* BLUE LAWS
SUNDBÄRG, AXEL GUSTAV	*E. Arosenius*
SUNDT, EILERT LUND	*Francis Bull*
SUPERSTITION	*See* CULTURE
SUPILO, FRANO	*Josef Matl*
SUPINO, CAMILLO	*Marco Fanno*
SUPIŃSKI, JOZEF	*Edward Arnekker*
SUPPLY	*Frank H. Knight*
SUPREME COURT, UNITED STATES	*Felix Frankfurter*
SURETYSHIP AND GUARANTY	*Wesley A. Sturges*
SURPLUS VALUE	*See* ECONOMICS, section on SOCIALIST ECONOMICS; EXPLOITATION; SOCIALISM
SÜSSMILCH, JOHANN PETER	*Franz Žižek* and *Adolf Blind*
SUTTNER, BARONESS BERTHA VON	*Hans Wehberg*
SVERDRUP, JOHAN	*Halvdan Koht*
SWAINSON, WILLIAM	*T. D. H. Hall*

SWEATING SYSTEM
See HOMEWORK, INDUSTRIAL; MINIMUM WAGE

SWIFT, JONATHAN — *Max Lerner*
SWINTON, JOHN — *Selig Perlman*
SYBEL, HEINRICH VON — *Hedwig Hintze*
SYDNEY, ALGERNON — *See* SIDNEY, ALGERNON
SYLVIS, WILLIAM H. — *Selig Perlman*
SYMBOLISM — *Edward Sapir*
SYMONDS, JOHN ADDINGTON — *Koppel S. Pinson*
SYMPATHETIC STRIKE — *See* STRIKES AND LOCKOUTS
SYNDICALISM — *Lewis L. Lorwin*
SYRKIN, NACHMAN — *Hayim Fineman*
SZABÓ, ERVIN — *Oscar Jászi*
SZCZEPANOWSKI, ANTONI PRUS STANISŁAW — *S. Prus Szczepanowski*
SZÉCHENYI, COUNT ISTVAN — *Oscar Jászi*

TABU — *Margaret Mead*
TACITUS, PUBLIUS CORNELIUS — *Max Levin*
TAGÁNYI, KÁROLY — *Franz Eckhart*
TAILLE — *See* TAXATION
TAINE, HIPPOLYTE-ADOLPHE — *Albert Thibaudet*
TALLEYRAND-PÉRIGORD, CHARLES-MAURICE DE

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TANEY, ROGER BROOKE — *Robert Braun*
TANNING — *Louis B. Boudin*
TAOISM — *See* LEATHER INDUSTRIES
TAPPARELLI D'AZEGLIO, MASSIMO — *J. J. L. Duyvendak*
TARDE, GABRIEL — *See* AZEGLIO, MASSIMO D'
TARIFF — *Georges Guy-Grand*
TASTE — *Jacob Viner*
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TAX FARMING — *Carl Shoup*
TAXATION — *See* REVENUE FARMING
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TAYLOR, FREDERICK WINSLOW — *Frank H. Knight*
TAYLOR, JOHN — *Willard E. Atkins*
TEA — *Henry Harrison Simms*
TEACHING PROFESSION — *See* PLANTATION WARES
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TECHNOLOGICAL UNEMPLOYMENT — *See* VOCATIONAL EDUCATION
TECHNOLOGY — *See* UNEMPLOYMENT
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TERRITORIAL WATERS — *William J. Cunningham*
TERRITORIES, UNITED STATES — *W. E. Masterson*
See POPULAR SOVEREIGNTY; SLAVERY

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TERTULLIAN — *Edgar Salin*
TESTS, MENTAL — *See* MENTAL TESTS
TEXTILE INDUSTRY—HISTORY AND ORGANIZATION — *Ethel B. Dietrich*

TEXTILE INDUSTRY—LABOR	*Ludwig Lore*
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THAYER, JAMES BRADLEY	*William Seagle*
THAYER, WILLIAM ROSCOE	*Charles Downer Hazen*
THEATER	*Julius Bab*
THEOCRACY	*See* RELIGIOUS INSTITUTIONS, CHRISTIAN; PRIESTHOOD
THEODOSIUS I	*A. A. Vasiliev*
THEODOSIUS II	*A. A. Vasiliev*
THEOLOGY	*See* RELIGION; DOGMA
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THIERRY, JACQUES-NICOLAS-AUGUSTIN	*Louis Halphen*
THIERS, LOUIS ADOLPHE	*William E. Lingelbach*
THIRD INTERNATIONAL	*See* COMMUNIST PARTIES
THÖL, JOHANN HEINRICH	*Ernst Jacobi*
THOMAS, ALBERT ARISTIDE	*Georges Bourgin*
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TIME SERIES	*Simon Kuznets*
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TOLAND, JOHN	*Howard Robinson*
TOLEDO, FRANCISCO DE	*George McCutchen McBride*
TOLERATION	*See* INTOLERANCE; RELIGIOUS FREEDOM
TOLSTOY, LEV NIKOLAEVICH	*Avrahm Yarmolinsky*
TOMEK, VÁCLAV VLADIVOJ	*Josef Šusta*
TOMMASEO, NICCOLÒ	*Guido de Ruggiero*
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TOPINARD, PAUL	*H. L. Shapiro*
TORRENS, ROBERT	*Lindley M. Fraser*
TORT	*Percy H. Winfield*
TORY PARTY, GREAT BRITAIN	*See* PARTIES, POLITICAL, section on GREAT BRITAIN
TOTEMISM	*Alexander Goldenweiser*
TOURIST TRAFFIC	*F. W. Ogilvie*
TOURVILLE, HENRI DE	*René Hubert*
TOUT, THOMAS FREDERICK	*F. M. Stenton*
TOWN GOVERNMENT	*See* LOCAL GOVERNMENT

TOWN MEETING — *See* Popular Assemblies
TOWN PLANNING — *See* City and Town Planning
TOWNSEND, JOSEPH — *A. B. Wolfe*
TOWNSHEND, SECOND VISCOUNT CHARLES — *T. H. Marshall*
TOYNBEE, ARNOLD — *John Lawrence Hammond*
TRACY, DESTUTT DE — *See* Destutt de Tracy, Antoine Louis Claude

TRADE AGREEMENTS — *Selig Perlman*
TRADE ASSOCIATIONS — *Myron W. Watkins*

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SERVITUDES. In the law of property the servitude is an interest involving limited use and enjoyment of a thing of which the general ownership is in another. In the Roman as well as the modern civil law servitudes are carefully defined and delimited. In English law, however, the term has a less exact meaning. Following the civil law its use is sometimes confined to the species of real property interests known as easements and profits; but often it is employed more loosely to include various "rights in the land of another." Moreover, while in English law the term servitudes is restricted almost exclusively to interests in land, in the civil law movables may be the subject of one form of servitude.

The civil law of servitudes in particular and to a considerable extent the corresponding English law have developed into a system with many technical refinements. While occasion is found in a rural society for such simple interests as rights of way or rights to drive or water cattle, yet it is only in a complex and urban civilization, where people live in crowds and uses of land are many and diverse, that there develops a complete system of rights of user apart from ownership and possession. Thus, although the classical system of servitudes, which developed under the Roman Empire, was brought to the attention of English lawyers—notably by the writings of Bracton in the thirteenth century—only an occasional decision of limited scope appears in the early reports. Some of the most important technical features of the English law of easements are quite recent, if indeed they can now be considered as thoroughly settled.

In the earlier Roman law the servitudes seem to have been largely an extension of the concept of natural rights; that is, of rights of enjoyment of property as against one's neighbors, such as the right to have a stream flow down to one's land without change or to discharge surface water on another's land or to have lateral support from a neighbor's soil. The identification of such rights, which are really only concomitants of property ownership, with servitudes is also found in modern continental law under the concept of natural servitudes and in English law as natural easements. At an early date, however, a distinction was drawn by the Romans between two kinds of servitudes; this distinction has always been observed in ancient and modern civil law and has left some traces in the Anglo-American system. The two kinds are praedial, or real, servitudes and personal servitudes. The former, limited to interests in land, occurred when one parcel, called the servient estate, was bound to the exercise of privileges over or with regard to it for the benefit of another, or dominant, estate. The latter, which might bind either land or movables, existed not in favor of some other property but in favor of some person. From this difference in conception important results followed.

The praedial servitude was conceived of more as an attribute of the dominant land itself than as property of a person. Since it was intended for the benefit of the dominant estate, it could not be transferred without such estate. Inasmuch as one parcel had to be dominant, it followed also that there had to be two estates and hence two owners. An owner therefore could not have a servitude in his own land. Where it was not a creation of the law, as in the case of the natural servitude, it could be created as were other land interests, as by conveyance or by long enjoyment. In the earlier law at least it was created only to endure in perpetuity. It could be lost, however, by non-use, by abandonment, by destruction of the dominant or servient estate, by release or by union of dominant and servient estates in one owner. It passed on transfer of the dominant estate but not apart from it. It was indivisible. It could not impose an active duty. It had to be so used as to cause as little inconvenience to the servient estate as possible. It was an incorporeal right and hence technically capable not of being possessed but only of being used.

The praedial servitudes in turn were divided into two classes, rustic and urban. While the exact line of demarcation was uncertain, the better view is that urban servitudes were those which contemplated primarily a building on the dominant land, although some authority, per-

haps overexact, has it that they existed only in connection with buildings. All others were rustic. Thus the distinction had no connection with the rural or urban location of the estates. The oldest rustic servitudes were *iter*, *via*, *actus* and *aquaeductus*; that is, those involving rights to walk, to ride, to drive cattle or to conduct water across the servient land. According to Anglo-American usage these would correspond to easements affording merely use of the land for specific purposes, while commons or profits—the right to draw water, to burn lime, to dig sand, to pasture cattle—were later additions in the Roman law.

Personal servitudes, on the other hand, were personal rights for the benefit of a particular individual. They terminated with his life and were not assignable by him. Such servitudes were few in number, the most important being usufruct; the others were derivatives or modifications of it. Usufruct was the right to enjoy a thing the property of which was vested in another and to take its fruits, but not to destroy it or fundamentally to alter its substance. The quasi-usufruct, however, applied to things which might be consumed in use. While it usually extended for life, the usufruct might be created for a fixed term; but even then it was terminated by the death of the holder. Where given to a corporation, its duration was limited under Justinian to one hundred years. Originally it was always created by legacy, and this remained the most usual method. It was divisible and might be terminated or lost in ways similar to those applicable to the praedial servitudes.

Although both types of the Roman law servitudes have been carried over into modern continental law, on the whole the praedial, or real, servitudes seem to have suffered less change than the personal servitudes. In early French law there was an estate of enjoyment of land for life which partook of the nature of the usufruct, although it approached ownership for life. But this interest ultimately gave way to the Roman theory, and at present both the perfect usufruct, where the substance cannot be altered, and the imperfect usufruct, where the thing itself is consumed, are recognized. A usufruct to other than natural persons is limited to thirty years, unlike the German law, in which it is unlimited. There has been considerable discussion among French jurists as to the utility of the term servitude as applied to the usufruct in view of the personal nature of the latter. The true, or real, servitude has also long been recognized in French law, although in the early law it had not been sharply distinguished from various feudal customs. A peculiarity of the French law, however, is its method of creating a real servitude known as *par destination du père de famille*, whereby when an owner has established a mode of use affecting two parcels of land owned by him which would have been a servitude had each parcel been separately owned, a servitude comes into existence when they are separately inherited or conveyed.

The early Germanic law was largely one of local customs, which did nct embody the complete Roman system of servitudes. Despite the fact of general reception of the Roman law in the fifteenth century, the German law of servitudes long exhibited more variations than other continental systems. Thus a servitude might exist without two separate owners; certain special forms of real servitude still followed local custom; and the personal servitudes were not restricted in type as under the Roman law. The present civil code, however, follows the Roman law more closely.

As Holmes has remarked, the English law of easements and profits owes much to the Roman model; but this was more true in its earlier period, when the influence of Bracton was strong. The English law developed rather under the influence of the remedies of the early assize of nuisance and the more modern action on the case, since to these actions the defense might be interposed of a claim of prescriptive right to do the acts objected to. In any event the common law easement, like the praedial servitude, is generally regarded as appurtenant to a particular, or dominant, tenement; it passes therewith, and its use is determined by the needs of the dominant estate—hence the term appurtenant easements. But the stricter divisions of the Roman law and the classification of the forms of easements do not appear in English law and the easement is viewed as a general right of user limited only by the needs of the dominant estate and by the terms of its creation.

A reaction against the Roman idea of personal servitudes is perhaps to be seen in the English attitude toward the easement in gross, or easement without a dominant estate, although this attitude is probably more directly due to the policy against uncertain and ill defined encumbrances on land titles. Modern writers now assert as settled English law the rule that there can be no easement in gross. But the meaning of

this rule is perhaps still not entirely clear, for it does not mean that an individual cannot have a right of way, but only that the interest is viewed as a contract and not as a property right and thus is subject to limitations as to transfer or enforceability.

In the United States the English law of easements and profits is in general followed, although some differences have developed. Thus in England there is a doctrine of ancient lights; namely, that an owner may have an implied or prescriptive easement of light to the windows of his house. In the United States, however, this is viewed as a burden upon the development of realty and is not upheld. On the other hand, it is now accepted law in the United States that the easement in gross will be recognized as a property interest. There still remains a sharp conflict of opinion as to its assignability. Some American authorities favor assignability on the ground that the interest is indistinguishable from general property rights. The greater number tend to rule against it, following the policy inherited from the English law against upholding clogs on title. Such rights as easements in gross may often be of little value to the holder and be practically forgotten by him. Upon his death the ownership often cannot be traced, and the marketability of the servient estate is impaired. Since an interest of sufficient value to justify assignability may usually be construed as something more than an easement, the rule of non-assignability, although in theory arbitrary, may have practical utility.

Technical rules also apply to the so-called profits of Anglo-American law. A profit, or more accurately a profit *à prendre*, is a privilege and a power of appropriating the product of land. In this category of interests there was the privilege of pasturing cattle in common with others on the servient land, which was traditionally of great importance, while powers of extracting various mineral products from land for sale are now valuable in coal, oil and gas regions. A profit may be held either in gross or as appurtenant to a dominant estate, and a profit in gross is recognized even in England. One ancient and technical rule is that upon a transfer of a dominant estate a profit cannot be surcharged or the servient estate made responsive to the needs of a larger dominant estate, under penalty of loss of the entire profit.

Since English servitudes originated in part as defenses to claims of nuisance, prescriptive rights in the use of one's own property have always been important. If a person has operated a factory for the prescriptive period—usually twenty years under Anglo-American law—in such a way as to cause a particular nuisance, at the end of that period an easement is acquired as against the neighboring owner to carry it on perpetually in the same way. In general servitudes may be acquired by prescription or by deed and they may be lost in ways similar to those of the Roman law: by release, abandonment, adverse possession, destruction and merger.

The English antipathy to the easement in gross is reenforced by a principle announced by the English judges that new and novel forms of easements will not be recognized [Hill *v.* Tupper, 2 H. & C. 121 (1863)]. This has been criticized as a restriction upon the development of landholdings and the newer uses of land. It is doubtful, however, whether it goes so far. It is rather an expression of the policy already mentioned, whereby the free alienability of land is favored. It does, however, conflict with another cherished policy—that of allowing an owner to develop his property as he sees fit. Many of the technical rules in this and other branches of property law are an attempt to work out a wise compromise between the two. Recognition of all sorts of servitudes may eventually harm the landowning class by subjecting realty to various indefinite interests of little positive value and of great potential detriment as clogs on marketability. On the other hand, excessive restriction may likewise prevent the owner from desirable uses of his property. A policy which does not recognize as permanent transferable interests those of slight utility, while supporting others of more substantial character, has at least a pragmatic justification. It is significant that the English Law of Property Act of 1925, which made revolutionary changes in the law of property, left the law of easements unaltered.

In addition to the easement and the profit, the two property rights most nearly akin to the Roman servitudes, Anglo-American law recognizes several similar types of interests involving use of land owned by another. The most important of these are real property licenses, covenants running with the land and equitable restrictions on the use of property. The license involves a privilege to do acts upon another's land. Where not given pursuant to some agreement, express or implied, it is held always to be revocable by the grantor at any time. It is therefore a very slight interest, hardly to be con-

sidered a definite property right. When it is created by legally enforceable agreement, it amounts in substance to an easement of limited character according to the terms of its creation. A problem of some difficulty arises, however, as to whether a limited privilege to do acts on the land of another is subject to the rules applicable to conveyances of land and thus should be regarded as invalid, except as a revocable privilege, unless made by a deed or by express written contract. The theater ticket is an example of such a limited privilege. Notwithstanding some confusion in the cases it would seem that the problem should be disposed of on the basis of contract rather than property and that the interest should be considered valid and irrevocable according to its implied terms even without a formal deed. Another problem arises where a privilege to make extensive changes on another's land has been acted upon with considerable expense by the license holder. Some cases in the United States hold that thereafter it cannot be revoked, although the more usual rule is that permanent property rights cannot be acquired so casually.

Covenants running with the land differ from easements in that they may impose active duties on the servient owner. Traditionally there has been hesitation to consider such covenants as passing with land; and in England it is now well settled that, except as to covenants in leases controlled by a statute of the time of Henry VIII, the burden of active covenants does not run with the transfer of the servient estate. In New York the same rule has been announced subject to some exceptions, such as covenants to repair fences. In general in the United States the running of such covenants is permitted upon compliance with various technical requirements as to the language of the deed or as to privity of estate between the parties. The rules also apply to the running of the benefit of such covenants where held as appurtenant to some dominant estate.

The law of equitable restrictions on land—termed also equitable easements or equitable servitudes—developed as a result of the action of equity in granting an injunction against violation of the terms contained in a deed providing for a limited use of property. Such restrictions have been found exceedingly useful in modern realty developments. They include provisions for building only houses of specified value on the servient estate, against the conduct of objectionable businesses upon it, restricting building to a specified distance from the street and the like. They represent probably the most striking modern development of the law of servitudes, for much of urban property is now sold on the basis of such covenants. In fact the entire law on this subject is now in process of growth and expansion.

The interest known as rent is not usually described as a servitude, although the long term, or ground, rent customary in certain American cities and calling for the payment of a recurring charge is similar in many respects. Recently some writers have tended to speak of certain agreements affecting chattels as servitudes. Agreements of this type are those of manufacturers with wholesalers to restrict the retail sale price of their product. Such usage, however, is more a convenient designation than an actual extension of realty law to chattel interests.

It is sometimes thought that, unlike the Roman law, the Anglo-American law of servitudes is not one which is growing and developing. This may be doubted. The modern conception of the Roman law is gained from a view of it over several centuries, while the tendency is to think of the Anglo-American law as it is at the moment and with perhaps undue emphasis on its policy against novel property encumbrances. But the equitable servitude alone is striking proof that it has shown itself capable of adjustment to changing needs of property ownership.

CHARLES E. CLARK

See: PROPERTY; OWNERSHIP AND POSSESSION; LAND TENURE.

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SETTLEMENTS, SOCIAL. *See* SOCIAL SETTLEMENTS.

SEWALL, MAY WRIGHT (1844–1920), American feminist. A graduate of Northwestern University and for several years a teacher in the schools of Michigan and Indiana, May Wright became identified with the cause of feminism through her interest in the higher education of women. Three years after her marriage in 1880 to Theodore Lovett Sewall she assisted her husband in establishing a girls' classical school in Indianapolis, one of the first institutions in the middle west to prepare girls for college on the same basis as boys. During the years she served as principal of this school Mrs. Sewall became an active promoter of women's clubs as a means of furthering educational, social and cultural reforms. She participated in the organization of collegiate alumnae associations and local and national woman suffrage groups and was one of the founders of the National and International Councils of Women (1888) and of the General Federation of Women's Clubs (1890). In 1893 she was made chairman of the organization committee for the World's Congress of Representative Women at the World's Fair in Chicago and later she edited *A Historical Résumé* (2 vols. Chicago 1894) of the congress. In 1900 she was delegated by President McKinley to represent the women of the United States at the international congresses of the Paris Exposition.

Mrs. Sewall was the author of the chapter "Indiana" in the third volume of *History of Woman Suffrage* (edited by E. C. Stanton, S. B. Anthony, M. J. Gage, and I. H. Harper, 6 vols., New York 1881–1922); of *Neither Dead nor Sleeping* (Indianapolis 1920), a work on spiritualism; and of several pamphlets and addresses dealing with education, peace and various aspects of the woman's movement. In 1915 she was actively associated with the International Conference of Women Workers to Promote Permanent Peace held in connection with the Panama-Pacific Exposition at San Francisco, and she compiled a record of the conference under the title *Women, World War and Permanent Peace* (San Francisco 1916).

A fluent speaker and an able organizer, Mrs. Sewall left her impress on the woman's movement chiefly through her ability to launch and effectively to direct group effort in behalf of the political and social reforms advocated by feminist leaders. During the closing years of the nineteenth and the early part of the twentieth century she was the driving force in the formation of women's clubs through which woman suffrage derived a large measure of its support.

GLADYS MEYERAND

Consult: *American Women*, ed. by F. E. Willard and M. A. Livermore, 2 vols. (New York 1897) vol. ii, p. 643–45; Irwin, I. H., *Angels and Amazons* (New York 1933) p. 229–34.

SEWARD, WILLIAM HENRY (1801–72), American statesman. Seward entered New York politics as an anti-Mason and then passed over to the Whigs, closely associating himself with Thurlow Weed. From 1839 to 1842 he was governor of New York state and supported a far reaching program of internal improvements and public education. As a United States senator during the 1850's Seward took an advanced position against slavery. He was a prominent opponent of compromise in the debates of 1850, attacked the Kansas-Nebraska bill and in 1858 at Rochester declared that an "irrepressible conflict" existed between North and South. He had joined the Republican party in 1855, but despite the fact that he was its outstanding leader he failed to receive the presidential nomination in

1860 because of political considerations. He was made secretary of state by Lincoln; and faced with secession he advocated a strenuous foreign policy to unify the country.

In his conduct of relations with Great Britain Seward showed great skill. He wrote a masterly note surrendering the Confederate commissioners Mason and Slidell, thereby making a necessary concession and yet conciliating public opinion at home. He steadily protested British action where it seemed to savor of unneutral conduct, as in the case of the *Alabama* and the Confederate rams being built in the Laird yards. His attitude with regard to France was no less adroit and firm. He stoutly rejected all suggestion of mediation. When the French intervened in Mexico, setting the archduke Maximilian on the Mexican throne, he protested, but only mildly, until the end of the war. He then consistently raised his tone, forced France to agree to withdrawal within a specified time limit and in the popular mind vindicated the Monroe Doctrine. In this matter he resisted much pressure for direct intervention in Mexican affairs. Seward was always a convinced expansionist. He acquired Alaska from Russia in 1867 for $7,200,000 and negotiated a treaty for the purchase of the Danish West Indies, which, however, failed of ratification in the Senate. In domestic questions Seward was a moderate. He opposed emancipation until after a northern victory, favored a generous policy toward the South and supported President Johnson against the Radical Republicans.

DEXTER PERKINS

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SEX EDUCATION AND SEX ETHICS.

The widespread acceptance of the idea that young human beings need sex instruction is connected with the biological fact that in the human species there is a strong hereditary drive toward sexual functioning but no instinctive mechanism for control or regulation of sexual impulses. If the latter were limited strictly to reproduction and instinctively managed toward that biological end, as is true of animals, with the possible exception of some of the higher primates, sex education would be unnecessary. But there is no such limitation. On the contrary, it seems probable to biologists that during the evolutionary process mankind acquired conscious control and memory associations regarding things sexual, thus making possible and desirable pleasure motives more or less independent of the reproductive cycle. This development of sexual gratification as an end in itself has led to many of the complicated problems of sex and has made it necessary for society to devise some means of controlling the sexual impulse. Since control must be based on intelligent choice, young persons can be expected to manage their inherited sex impulses within the limits of health and social requirements only when they have been instructed by parents and teachers.

Sex education is now commonly understood to include all educational measures which in any way prepare human beings, especially during childhood and adolescence, to deal with life situations and social relationships directly or indirectly arising out of the sex instinct. Such a broad general definition covers not only the modern movement for organized sex education of young persons in homes and schools but applies also to the more or less unorganized instruction which in primitive societies and in civilized life from ancient to modern times has been given, under the auspices of the family, the tribe or religious institutions. It is probable that there has been some kind of sex education as long as young people have been instructed in various matters of conduct approved by the group or the community of which they were a part. The simplest formal sex instruction under public or tribal auspices is that often included in the pubertal initiation of youths into manhood. Included in the prescribed ceremonies and curriculum of the initiation in many primitive societies is a certain amount of instruction regarding the physical and social aspects of sex as they are understood and approved by the tribe to which the novice belongs.

In all times and on all levels of human culture instruction in matters of sex has been closely bound up with the social mores and the prevailing codes of ethics applied to sex conduct. In the development of these codes religion has of course been a dominant factor. Whether through primitive magico-religious ritual, pagan eroti-

cism, Hebrew regulation, early Christian asceticism, Puritan repression, Catholic latitude or modern liberalism, religion has borne a close relationship to the sex attitudes and practises which have been characteristic of different people at different periods. Religious leaders moreover have for the most part given implicit if not overt recognition to the manifestations of the sex instinct and have sought to regulate or control these manifestations through the imposition of moral or religious sanctions. Modern sex education with its varying method and content can thus be more easily understood in the light of the ethical concepts out of which it has grown and by which its development has been conditioned. Among western peoples the acceptance of the principle of monogamy has been reflected in a general approval of the ethical code that regards as good and socially desirable the limitation of sexual functioning to monogamic marriage approved by church or state or both. This code of sex ethics, generally accepted in principle although not always in individual practise, appears to have been based chiefly on pragmatic experience and ecclesiastical dictation. So far as monogamy is concerned, it is not out of harmony with the biological nature of human beings, but biology has no scientific evidence for or against monogamic sex ethics. The facts relating to monogamy are in two groups: first, there are almost equal numbers of the two sexes, a fact which suggests why some form of monogamic marriage has always prevailed and why in no large ethnological group has there been universal polygamy; second, a natural propensity for paired and extended companionship (a comrade impulse) appears to operate in many animals and in mankind. These biological tendencies toward monogamy have no obvious bearing on premarital and extramarital promiscuity. As an example, social anthropologists have observed that there are in Melanesia some monogamic tribes whose sex ethics permit general promiscuity in childhood and youth, while other related tribes have extremely strict codes for the regulation of sexual conduct.

In occidental civilization until recent times the most important agency for the guidance of individuals in sex ethics has been the church. Not only has conduct along sexual lines been more or less clearly suggested in many religious books in common use, but also it has long been the task of religious leaders to attempt to maintain in their communities certain ideals and to indoctrinate the children and youths under their influence. This indirect sex education had enormous influence so long as the churches swayed the masses of the people; but leaders of the sex education movement have recognized that religious sanctions have lost much of their power in modern times and that sex ethics presented solely on the authority of the church fails to appeal to large numbers of young men and women. In addition to the declining influence of religion social and economic changes have been important factors in the modern development of sex ethics and sex education. The disappearance of certain tabus and restrictions with respect to sex, the impact of increasing scientific knowledge in overcoming religious and social prejudices, the rapid industrialization and urbanization of society since the eighteenth century, the larger freedom accorded to women, are among the phenomena whose emergence has brought the problem of sex into new focus.

The movement for organized sex education which has been extending rapidly in America and Europe during the past thirty years had its origin in the world wide medical attack on the venereal diseases. In the last quarter of the nineteenth century there was accumulated a mass of scientific knowledge regarding the causes, prevalence, disastrous physical effects and social results of gonorrhea and syphilis. National and international medical conferences in Europe between 1900 and 1905 resulted in the organization of societies which, while aimed primarily at combating venereal disease by medical and sanitary measures, recognized that the spread of venereal germs was chiefly due to sexual promiscuity, especially prostitution. Hence the attack on the problem became social as well as medico-sanitary, an emphasis that was reflected in the official name, Society of Sanitary and Moral Prophylaxis, adopted both in France and in the United States, and in the use for many years of the term "social diseases" as a synonym for venereal diseases. The extent to which ignorance was a factor in the spread of venereal disease led to a recognition of the necessity of sex education for both children and adults. At first the proposed teaching concerning sexual matters was directly aimed at preventing the spread of venereal disease by hygienic advice and by warning against promiscuity. Gradually, however, the scope of the movement was broadened through the participation of individuals and organizations interested not only in the control of prostitution and in the eradication

of venereal disease but in the wider problems of social welfare. In the United States and England the influence of such individuals and organizations was so great that the majority of the national societies for combating venereal diseases have been reorganized as social hygiene associations in which direct emphasis on disease is only a part of the program and education dealing with every aspect of sex is prominent.

In Germany social reformers and leaders of the women's movement were chiefly responsible early in the present century for the formation of the Deutscher Bund für Mutterschutz und Sexualreform, an organization devoted to the protection of unmarried mothers and their children, to the overcoming of sex injustices and the reform of the institution of marriage. Similarly in other countries the late nineteenth and the early twentieth century witnessed the breakdown of old prejudices and tabus with respect to sex and a growing tendency on the part of educators and social and religious leaders to promote sex enlightenment based on a scientific understanding of the biological, hygienic, psychological and social implications of sex both in the life of the individual and in family and group relationships.

The pioneer work in broadening the original medical program of sex education, which was aimed at disease control, may be credited to America. Among the delegates to the 1902 international conference in Brussels which gave the inspiration and program for a chain of national societies against the venereal disease peril was an American physician, Dr. Prince Albert Morrow. In 1904 he submitted to the Medical Society of the County of New York plans for the organization of an American society whose object should be to limit "the spread of diseases which have their origin in the Social evil." This led to the organization of the American Society for Sanitary and Moral Prophylaxis (1905), the American Federation for Sex Hygiene (1910) and the eventual merging of several societies with related interests into the American Social Hygiene Association (1914). In its original usage social hygiene included a wide range of health and social matters relating to the welfare of society in general. For example, in France the national department centralizing health and welfare, the Office National d'Hygiène Sociale, has divisions devoted to germ diseases, mental hygiene, nutrition, housing, public health nursing, social service, social insurance, charities, health education, social health and sanitation. In America such an inclusive interpretation of social hygiene was rejected because much of its content was already classified and well developed under other auspices. Instead social hygiene was accepted as the designation for the movement to promote social health. With emphasis on the family as a biological and social unit the American Social Hygiene Association purposed to give special attention to those phases of social health which in their essential nature are sexual and which had not been dealt with adequately by previous medical, social and educational agencies. Under its leadership in the United States and with the cooperation of the state and national departments of health as well as other private organizations social hygiene measures (medical, legal, protective and educational) have been directed toward a large group of health and welfare problems (physical, mental and social) which have their origin in the phenomena of sex. This stressing of the sex centered problems of social health under the banner of social hygiene has been so widely accepted in America and most of Europe that the original use of the term social hygiene to include all matters which relate to the health or welfare of society in general has become largely obsolete.

Systematic sex education for both children and adults has from the first occupied an important place in the social hygiene movement. In support of its program the cooperation of parents and educators has been enlisted as well as that of physicians, religious leaders, social workers, criminologists and others concerned with related problems of public health, juvenile delinquency, recreation and community welfare. Sex education in America for many years stressed the common evil results of mismanaged sex instincts, such as personal ill health, illegitimacy, promiscuity and venereal disease. This attack on the negative side has been considerably modified, except in certain professional courses for adults, and there is increased emphasis on education based on an understanding of sex in its relation to the individual and the family and directed toward successful marriage and parenthood. Leaders of the movement are in practically unanimous agreement that sex education should set in bold relief the normal, healthful and aesthetic aspects of sex and should touch physical and mental abnormality, vicious social conditions and disease only in so far as it seems necessary to warn youth regarding the dangerous pitfalls connected with sex. Extensive

knowledge of sex pathology—physical, mental or social—has no place in modern programs for sex education.

The chief opportunity and responsibility for sex instruction of children before high school age rests on the home, in which there is opportunity for progressive hygienic care, guidance and example as well as simple instruction or admonition regarding personal sex habits. Adequate training for parents to this end is increasingly occupying the attention of educators and of parents themselves. Under the auspices of the parent education, the nursery school and the child study movements considerable progress has been made in recent years in furnishing guidance for sex training in the home. By means of lectures, printed matter and discussions women's clubs and parent-teacher organizations are also assisting in preparing parents to give their children early sex guidance.

It is a generally accepted proposition that the best foundation for sex education in the schools is in biological sciences. General knowledge concerning reproduction provides a scientific attitude and background for social problems of sex. Moreover, while such studies do not function directly in determining sex conduct, they may be so organized as to draw attention to the relation between health habits and sex. The task of building on biological knowledge the individual's ideals of socialized sex conduct belongs to sex ethics, which should aim to teach the guiding principles underlying socially approved sex relations. In this connection courses in the social sciences, in home economics and home making, in general literature, in health or physical education, afford a logical means for the consideration of subject matter relating to sex in its bearing on personal and family life. In some sections of the country the early practise of including sex instruction in a general course entitled "character education" or "sex character education" still persists. Except in professional schools of medicine, nursing, education or theology the present tendency in secondary and higher schools is to integrate sex teaching in the general academic program rather than to set it apart as a special course of study.

Sex education in the United States is not limited to schools and colleges. Churches, the Young Men's Christian Association, the Young Women's Christian Association and other religious associations for young people, lodges and fraternities, the National Council of Women, the Women's Christian Temperance Union, the General Federation of Women's Clubs and numerous other private and professional groups are active participants in the movement, not only through the formulation of definite programs of sex education but through the dissemination of literature on various aspects of sex and social hygiene and through a concerted effort by means of propaganda to combat the influence of unwholesome books and periodicals, motion pictures and commercialized entertainment tending to give undue prominence to sensational or morbid aspects of sex.

Certain phases of social hygiene indirectly related to sex education have become the concern of special groups, chief among which are the societies organized to combat prostitution considered as a social evil in itself apart from venereal disease. In the United States the American Social Hygiene Association has absorbed most of these organizations and promotes their programs through its departments of legal and protective measures. In Europe such societies have been especially active in the long extended campaign against the evils of the licensing system permitted by most governments. Other agencies which are carrying on effective programs of research or education with reference to sex problems are the League of Nations, which sponsors a committee on international traffic in women and children, the World League for Sexual Reform, the Association for Moral and Social Hygiene, the Health Division of the League of Red Cross Societies and various birth control and eugenics societies as well as organizations concerned with the protection of women and children. At the Third International Conference for Sexual Reform held in London in 1929 it was proposed to set up an international bureau of sex education for the purpose of giving information on how to spread methods and knowledge of scientific sex education.

In addition to the United States the chief centers for social hygiene and sex education in the world today are Canada, England, France, Czechoslovakia and Germany. In all these countries there are under various names national societies for social hygiene, which take the lead in educational activities. The programs and curricula recommended for sex education of young persons are similar to those described for the United States. All begin with biological facts regarding reproduction in animals, plants and humans as a basis for understanding human social relations. All teach a limited amount of sex hygiene, including information on venereal

disease. All stand for sex ethics based on the ideal of monogamic family life and emphasize the study of social problems as a preparation for marriage and parenthood.

The breakdown of conventional standards of sex ethics and sex education in time of social and economic upheaval is nowhere better exemplified than in Soviet Russia. The revolution of 1917 resulted in the complete elimination of old ethical sanctions and religious attitudes with respect to sex. In their place has come a rational program of sex education launched under government auspices. Frank sex teaching designed to meet the needs of all ages is disseminated not only through the schools but by every device of modern propaganda including lectures, posters, books, pamphlets and periodicals, radio, traveling exhibits and demonstrations. In the schools simple lessons in nature study and biology are followed by lectures on the anatomy and physiology of sex organs and on general sex hygiene. For adults there are institutes giving instruction in the prenatal and postnatal care of infants, in the treatment and prevention of venereal disease and in birth control and other specialized sex problems. An unusual feature of the program is the institution of public trials for sexual offenses. Instead of seeking to divert attention from such trials, the authorities invite it for the purpose of answering questions and supplying information to all who are interested. Leaders of the movement in Soviet Russia endeavor to differentiate between sex education which includes merely the giving of information and sex training which stresses the formation of habits conducive to hygienic living; both emphases are aimed at an intelligent understanding of and protection of all life processes.

Probably the greatest good that has come from the sex education movement is not from the content of more or less formal outlines for study in schools and other institutions so much as from the wholesome and scientific atmosphere that has been thrown around sex. The past thirty years have witnessed in the United States and Europe an enormous advance in the development of a scientific attitude toward sex as a major factor in life. Whether or not sex instruction is incorporated into official educational programs, its importance has been permanently established. Moreover a growing awareness of the social significance of sex has brought about the elimination of tabus and repressive measures with which discussion or study of sex was formerly surrounded and has resulted in an increasing emphasis on factors leading to the understanding and control of the sex impulse.

M. A. BIGELOW

See: ETHICS; MORALS; FAMILY; CHILD; EDUCATION; PARENT EDUCATION; HEALTH EDUCATION; MENTAL HYGIENE; ABNORMAL PSYCHOLOGY; PSYCHOANALYSIS; CHASTITY; CELIBACY; MARRIAGE; COMPANIONATE MARRIAGE; FREE LOVE; CONCUBINAGE; INCEST; PROSTITUTION; DIVORCE; ILLEGITIMACY; ABORTION; BIRTH CONTROL; ADOLESCENCE; INITIATION; FERTILITY RITES.

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SEX ETHICS. *See* SEX EDUCATION AND SEX ETHICS.

SEYDEL, MAX VON (1846–1901), German jurist. After completing his academic training Seydel entered the Bavarian public service in 1872; he resigned in 1881 to become professor of general, German and Bavarian public law in Munich, where he remained until his death. A very prolific writer on juridical, political and statistical matters, Seydel was a rigid and precise thinker. He served as associate editor of several publications, including the *Annalen des Deutschen Reichs* (1881–1900), *Kritische Vierteljahrsschrift für Gesetzgebung und Rechtswissenschaft* (1881–1901) and *Handbuch des öffentlichen Rechts der Gegenwart* (1892–1901).

Seydel is best known in connection with the sharp controversy concerning the fundamental nature of the German Empire under the Bismarckian constitution. In a challenging investigation of "Der Bundesstaatsbegriff" in *Zeitschrift für die gesammte Staatswissenschaft* (vol. xxviii, 1872, p. 185–256) he applied to the German constitution the view of John C. Calhoun that "Sovereignty is an entire thing;—to divide, is,—to destroy it." The idea of the *Bundesstaat*, as developed especially by G. Waitz (who also drew upon studies of the American constitution), G. Meyer and A. Haenel, he attacked as logically inconsistent with the essentially indivisible and unlimited nature of sovereignty. Seydel held that there can be only unitary states or *Staatenbunde*, alliances between sovereign states which do not thereby renounce their sovereignty; Germany, like the United States and Switzerland, was of the latter type. His advocacy of this point of view made Seydel the leading advocate of states' rights in Germany. The *Kommentar zur Verfassungsurkunde für das Deutsche Reich* (Würzburg 1873, 2nd ed. 1897) was an attempt to justify his application of the theory of indivisible sovereignty to Germany. The spirited controversy led to a clear victory for Seydel's opponents, but he exerted an immense influence upon the theory of sovereignty in federalism. The dispute influenced the discussion of the *Reich-Länder* problem in Germany after the World War. Seydel's attack upon the concept of the juristic personality of the state and his view that sovereignty is the personal attribute of the ruler remain important for modern discussions of sovereignty.

SIGMUND NEUMANN

Important works: *Grundzüge einer allgemeinen Staatslehre* (Würzburg 1873); *Bayrisches Staatsrecht*, 7 vols. (Munich and Freiburg i. Br. 1884–94; 2nd ed., 4 vols., Freiburg i. Br. 1896); *Staatsrechtliche und politische Abhandlungen* (Freiburg i. Br. 1893), and new series ed. by K. Krazeisen (Tübingen 1902), with a comprehensive list of Seydel's works and contemporary necrologies, p. 325; *Vorträge aus dem allgemeinen Staatsrecht* (Munich 1903).

Consult: Piloty, R., *Max von Seydel* (Munich 1901); Jellinek, G., *Allgemeine Staatslehre* (3rd ed. by Walter Jellinek, Berlin 1914); Emerson, R., *State and Sovereignty in Modern Germany* (New Haven 1928), especially ch. iii; Zorn, P., "Die Entwicklung der Staatsrechtswissenschaft seit 1866" in *Jahrbuch des öffentlichen Rechts*, vol. i (1907) 61–62; Rossi, Luigi, "Prefazione" to his Italian translation of Seydel's *Grundzüge . . .*, in *Biblioteca di scienze politiche e amministrative*, 2nd ser., vol. viii (1898–1901) 1143–50; Rehm, Hermann, in *Archiv für öffentliches Recht*, vol. xvi (1901) 359–402.

SHĀFI'I, MUHAMMAD IBN IDRĪS AL- (767–820), Moslem jurist. Al-Shāfi'i studied in Mecca with Mālik ibn-Anas and later lived in Bagdad and Cairo; accordingly his legal theories fit into two periods, an Iraqi and an Egyptian.

Al-Shāfi'i was the founder of the Shafiite school of law. His work consisted chiefly in mediating between the traditional and the individual tendencies of the period and in systematizing Islamic law (*q.v.*). He placed the latter upon a scientific basis and was concerned not only with case decisions or occasional argumentation, but also with the establishment of fundamental principles of jurisprudence and legal methodology. He attempted to relate the legal maxims and individual decisions in an integral system and to reconcile the logical contradictions which might arise from their consequences. He accomplished his purpose chiefly through argument by analogy (*qiyās*), a method which he did not initiate but which he developed and used scientifically. Analogies might be drawn, according to al-Shāfi'i, from certain fixed sources. These, he held, were the Koran, the Sunna, which he defined as the practises of the prophet, and the *ijmā'*, which he was the first clearly to establish as the agreement of the majority of Moslem people on any legal question. His classification of legal sources was accepted by all the orthodox schools of Moslem law.

Al-Shāfi'i wrote in dialogue form, arguing

with anonymous opponents. Most of his writings, which cover a vast amount of legal material, were collected under the title *Kitāb al-umm*.

JOSEPH SCHACHT

Consult: Macdonald, D. B., *Development of Muslim Theology, Jurisprudence and Constitutional Theory* (New York 1903) p. 103–11; Goldziher, I., *Die Zâhiriten, ihr Lehrsystem und ihre Geschichte* (Leipsic 1884) p. 20–26; Bergsträsser, G., "Anfänge und Charakter des juristischen Denkens im Islam" in *Islam*, vol. xiv (1924–25) 76–81.

SHAFTESBURY, FIRST EARL OF, ANTHONY ASHLEY COOPER (1621–83), British statesman. Shaftesbury was the most influential of the group of politicians who in the reign of Charles II founded the English parliamentary party system. Under Charles I and the Commonwealth he took a moderate position and was one of the leaders who brought about the Restoration. Charles II appointed him a privy councilor and later lord chancellor; but as the king's policy of subservience to France and of favor to the English Catholics took shape, Shaftesbury left his service and became leader of an active opposition. Those opposing the king were at that time known as the "Country" as contrasted with the "Court" party, although neither had as yet any coherence. Shaftesbury became president of the Green Ribbon Club, a group of nobles and others opposed to the king's policy who met regularly in the King's Head Tavern. Here they held debates, planned action in Parliament and wove a network of political influence in London and the country. They were the nucleus of the Whigs, the first regular political party in English history. In three successive parliamentary elections from 1678 to 1681 they secured a majority but failed to carry their measures against the king's opposition. When in 1679 the king postponed for a year the meeting of a Parliament already elected, Shaftesbury and others of his party sent in numerous petitions urging the king to assemble Parliament immediately. Others sent in addresses stating their abhorrence of thus bringing pressure to bear upon the king. The two parties were thereupon dubbed Petitioners and Abhorrers; subsequently these parties became known as Whigs and Tories.

The persistent but futile efforts of the Whigs in these parliaments to exclude the Catholic duke of York from the throne aroused such strong feeling among the Tories that the Whig leaders feared for their lives. Shaftesbury entered with others into a plot for a general insurrection. Upon its discovery in 1682 he fled to Holland, where he died the following year. Dryden's three poems *The Medal*, *Absalom and Achitophel* and *Albion and Albanius* satirized Shaftesbury.

EDWARD P. CHEYNEY

Consult: Christie, W. D., *A Life of Anthony Ashley Cooper, First Earl of Shaftesbury*, 2 vols. (London 1871); Brown, Louise Fargo, *The First Earl of Shaftesbury* (New York 1933); Trevelyan, G. M., *England under the Stuarts* (14th ed. London 1928), especially ch. xii.

SHAFTESBURY, THIRD EARL OF, ANTHONY ASHLEY COOPER (1671–1713), British philosopher. Shaftesbury was educated under the supervision of John Locke. He resided at various times on the continent, becoming intimate in Holland with the journalist Le Clerc and with Bayle, the French refugee skeptic. Shaftesbury's precocious *Inquiry concerning Virtue* appeared in 1699, his *Sensus communis; Essay on the Freedom of Wit and Humour* and the *Moralists* in 1709. These works, carefully revised, along with additional essays appeared anonymously in 1711 as *Characteristics of Men, Manners, Opinions, Times* (3 vols., London).

Shaftesbury was the most important of the deists. He believed in a benevolent God, whose orderly universe has no place for miracles which "mangle and disfigure Nature." He differed from both Locke and Hobbes, teaching that moral sanctions are not based on arbitrary law, even Scriptural, or on the hope of rewards and punishments. The sense of right and wrong is found by "looking into ourselves." He severed morality from religion, asserting with Bayle that the atheist is as likely to be virtuous as the theist. His optimistic deism, a revived benevolent stoicism, was strongly social; philosophy, he held, was the "study of happiness" in its most general applications.

His influence was widespread. Pope's *Essay on Man* is a metrical restatement of Shaftesbury's philosophical position, possibly mediated by Bolingbroke. In Scotland Hutcheson espoused his moral conception of the "greatest happiness for the greatest number" and passed it on to Adam Smith. Eleven English editions of the *Characteristics* appeared during the century. Shaftesbury's writings were widely read in France, Diderot translating the *Inquiry*. They soon appeared in German. Such thinkers as Leibniz, Lessing, Mendelssohn and Wieland found his conception of morals stimulating. To Herder his philosophy was a "new-born Hel-

lenism." The German interest in Shaftesbury remained keen after the decline of his direct influence in England.

HOWARD ROBINSON

Works: The best edition of the *Characteristics* is that by J. M. Robertson, 2 vols. (London 1900).

Consult: Fowler, Thomas, *Shaftesbury and Hutcheson* (London 1882); *The Life, Unpublished Letters and Philosophical Regimen of Anthony, Earl of Shaftesbury*, ed. by Benjamin Rand (London 1900); Stephen, Leslie, *History of English Thought in the Eighteenth Century*, 2 vols. (3rd ed. London 1902); Gizycki, Georg von, *Die Philosophie Shaftesbury's* (Leipsic 1876); Spicker, Gideon, *Die Philosophie des Grafen von Shaftesbury* (Freiburg i. Br. 1872); Lempicki, S. von, *Geschichte der deutschen Literaturwissenschaft bis zum Ende des 18. Jahrhundert* (Göttingen 1920); Smith, E. P., "Philosophy of Anthony, 3rd Earl of Shaftesbury" in *Essays in Intellectual History, Dedicated to James Harvey Robinson* (New York 1929) p. 21–40; Cassirer, E., *Die Platonische Renaissance in England und die Schule von Cambridge*, Studien der Bibliothek Warburg, vol. xxiv (Leipsic 1932) p. 112–18, 127–40.

SHAFTESBURY, SEVENTH EARL OF, ANTHONY ASHLEY COOPER (1801–85), English social reformer. After an unhappy childhood and an education at Harrow and Oxford, he entered the House of Commons in 1826. Two years later he was a junior minister. In 1832 Michael Sadler, the leader in Parliament of the movement for factory reform, lost his seat at the general election, being defeated by Macaulay. Shaftesbury, who was then Lord Ashley, was invited to take his place. From that time until he went to the House of Lords on the death of his father in 1851, he devoted himself in the House of Commons to the interests of the workers. In 1842 Shaftesbury carried an act to take women and young children out of the mines. In 1847 Parliament passed the Ten Hours Act for workers in the mills. Shaftesbury was out of Parliament at the time, for he had resigned his seat on his conversion to Peel's policy for repealing the corn laws, but the chief credit for this success was rightly given to his patient advocacy. Other causes that enlisted his active sympathy were housing reform (he was the author of two acts) and the rescue of the little children who were employed to sweep chimneys. To these crusades he sacrificed his political ambitions, refusing high political office. He had administrative experience as a member of the Board of Health from 1848 to 1854, and as a lunacy commissioner from 1828 to his death. From 1834 he was chairman of the latter body. An active philanthropist, he gave up a great deal of time to the Ragged Schools, to helping prisoners, and to all forms of benevolent effort. As a strong Evangelical, he took an active part in opposing both the High Church and the Broad Church movements of his time. He inherited from his father a large estate, in a deplorably neglected condition, and he was greatly embarrassed by his troubles as a landlord. Shaftesbury occupied a unique position, for he did more than any single man to give a new tone on social questions to the upper class world of his time. He was an isolated figure; his narrow views on religion kept him from full cooperation with others who shared his social sympathies, but his character and his perseverance made him one of the constructive forces of his age.

JOHN LAWRENCE HAMMOND

Works: *Speeches upon Subjects Having Relation Chiefly to the Claims and Interests of the Labouring Class* (London 1868).

Consult: Hodder, Edwin, *The Life and Work of the Seventh Earl of Shaftesbury*, 3 vols. (London 1886); Hammond, J. L. and B., *Lord Shaftesbury* (2nd ed. London 1923); Bready, J. W., *Lord Shaftesbury and Social-Industrial Progress* (London 1926); Johnson, D. C., *Pioneers of Reform* (London 1929) ch. v; Walpole, Spencer, *Studies in Biography* (New York 1907) p. 316–56.

SHANG YANG (Wei Yang or Kung-sun Yang) (*c.* 380–338 B.C.), Chinese statesman and political theorist. Born in the state of Wei, Shang went in 361 B.C. to the neighboring state of Ch'in, where he soon won the favor of its ruler, Duke Hsiao. In 359 he proposed important changes in the law, which virtually abolished the privileges of the nobility and made military merit the sole basis for distinction. Agriculture and weaving were to be the only occupations for the people, who were organized into groups of fives and tens, all the members of the group being jointly responsible for one another's conduct. Shang Yang's name is associated with other widespread administrative reforms and with changes in land tenure and taxation, which he perhaps initiated. His foreign policy was characterized by extreme belligerence. He attacked his former country, Wei, and succeeded in annexing large territories and was rewarded in 340 by the grant of the principality of Shang. Through his reforms, however, he had incurred the hatred not only of the nobility but also of the crown prince. When the latter succeeded his father in 338, Shang Yang's authority was at an end, and he was killed after a desperate attempt at rebellion. The policy which he inaugurated, however,

had a great and lasting influence. The administration of Ch'in remained highly centralized and bureaucratic instead of feudalistic, and it followed the foreign policy outlined by Shang Yang, resulting in the overthrow of all the other feudal states and the foundation of the Ch'in Empire in the third century B.C.

There is a book ascribed to Shang Yang, known as *The Book of Lord Shang* (tr. into English by J. J. L. Duyvendak, London 1928). It is one of the classics of the so-called "school of law," the group of thinkers who stressed the importance of government by law, as opposed to the Confucian ideal of government by "moral virtue." Doubtless Shang Yang himself had nothing to do with the authorship of this work, which is a compilation of later date, probably the third century B.C. The extant book is a mixture of old fragments and later forgeries. In part, however, it represents the oldest phase of the development of the school of law and probably expresses the ideas of the statesman for whom it was named. Its doctrine is extremely harsh; war and agriculture are the only occupations allowed to the people and cultural activities, which are termed parasitic, are to be eliminated. This anticultural tendency bears a certain kinship with Taoism, from which, however, it differs widely in its practical application. The central idea of the political theory expounded in *The Book of Lord Shang* is the necessity for creating a strong government; the strength of a government is relative to the weakness of the people and is insured by a strict rule of law. In the fourth and third centuries B.C., when China underwent a period of terrific upheaval, in which feudalism was finally uprooted, these ideas were undoubtedly influential and helped to formulate the conception of a state.

J. J. L. DUYVENDAK

Consult: "Introduction" to J. J. L. Duyvendak's translation of *The Book of Lord Shang*, p. 1–159; Forke, A., *Geschichte der alten chinesischen Philosophie*, Hamburg Universität, Abhandlungen aus dem Gebiet der Auslandskunde, vol. xxv (Hamburg 1927) p. 450–61; Wu, Kuo-Cheng, *Ancient Chinese Political Theories* (Shanghai 1928) ch. vii; Liang Chi-Chao, *History of Chinese Political Thought during the Early Ts'in Period*, tr. from Chinese by L. T. Chen (New York 1930).

SHATTUCK, LEMUEL (1793–1859), American statistician. Shattuck was first a school teacher and later a bookseller and publisher. In preparing a history of Concord, Massachusetts, he found the registers in that and other Massachusetts towns very imperfect and took a prominent part in persuading the state legislature to establish a system of registering births, marriages and deaths. Some years later the registration act of 1842 was revised under the influence of a report of a legislative committee of which Shattuck was chairman. The improved Massachusetts registration system, based largely on that of England, was later extended to all the other states.

In order to obtain detailed census data needed in the interpretation of registration statistics Shattuck persuaded the Boston Common Council to take a census of the city. The reputation of the Boston census of 1845 carried out under Shattuck's direction was so great that he was subsequently called to Washington, where he did more than anyone else to bring the federal census of 1850 up to the highest standard prevailing in Europe. He had introduced the Boston report by a competent interpretation of the tables, a practise which was imitated and has since been maintained in Washington.

In 1849 Shattuck was appointed chairman of a commission to make a sanitary survey of Massachusetts. The comprehensive report which he submitted displayed amazing farsightedness, but it was not acted upon for nearly twenty years. It was responsible nevertheless for the creation in 1869 of the Massachusetts State Board of Health, another administrative innovation which has been copied by other states.

Shattuck followed closely the progress of European population statistics, which were advancing with great rapidity in the years after 1830, probably corresponded with several of the leaders in that movement and introduced into the United States via Massachusetts or adapted to American conditions several of the most important European methods. No American contributed as much as he toward raising the population statistics of the United States from the very low level at which they stood in 1840. Shattuck's interests in vital statistics were continued by his better known but less seminal fellow townsman, Edward Jarvis (*q.v.*).

WALTER F. WILLCOX

Consult: Dean, J. W., in New England Historic Genealogical Society, *Memorial Biographies*, vol. iii (Boston 1883) p. 290–321; Whipple, G. C., *State Sanitation*, 2 vols. (Cambridge, Mass. 1917) vol. i.

SHAW, ANNA HOWARD (1847–1919), American feminist and leader of the woman suffrage movement. Born in England and brought to

Massachusetts at the age of four, Anna Howard Shaw early became inured to the pioneer hardships of life in northern Michigan, where her family eventually removed. An unusual gift of oratory enabled her to secure a lay preaching license in the Methodist Episcopal church, and despite financial obstacles and parental opposition she determined to become a minister. By school teaching and free lance preaching she earned enough money to attend Albion College and later Boston University Theological School. Upon her graduation from the latter in 1878 she became pastor of a Cape Cod church. Undaunted by the refusal of her own denomination to grant her ordination because of her sex, she applied to the Methodist Protestant church, in which after considerable controversy she was ordained—the first woman to be so recognized by the denomination. Her lively humanitarian interests led her to take up the study of medicine in conjunction with preaching, and in 1885 she received the degree of doctor of medicine from Boston Medical School.

Both the ministry and medicine served, however, merely as a background for her activity in the woman's movement which was to occupy the remainder of her life. Her growing reputation as a speaker on temperance and social reform led the Massachusetts Woman Suffrage Association to invite her to join its staff as a lecturer and organizer, an offer which she accepted in 1885 after resigning her pastorate. Although Dr. Shaw was not a suffrage pioneer in the same sense as Susan B. Anthony, whose close friend and coworker she became, her contribution to the political enfranchisement of American women was no less important. Remarkable eloquence coupled with a logical mind, a large fund of humor, tolerance and common sense enabled her to win hostile audiences to the cause she championed; while her ability as an executive, an organizer and a political strategist was reflected in the rapid progress made by the National American Woman Suffrage Association during the years she served as its president (1904–15). Under her administration membership increased from 17,000 to 200,000 and eight states were added to the suffrage roster. Always an opponent of militant methods, Dr. Shaw by her speeches, her writings and her personal influence was able to dissipate much of the public opposition to suffrage agitation and to gain for the movement a large measure of the support which was to culminate in ratification of the national amendment shortly after her death. As a lecturer she traveled throughout the United States and in Europe, where she was active in promoting international suffrage organizations. Her influence as a leader of American women was recognized by President Wilson, who in 1917 selected her for the important post of chairman of the women's section of the Council of National Defense.

GLADYS MEYERAND

Consult: Shaw, Anna Howard, *The Story of a Pioneer* (New York 1915); *The History of Woman Suffrage*, ed. by E. C. Stanton and others, 6 vols. (New York 1881–1922), especially vols. iv–vi; Ford, D. M., "Anna Howard Shaw: Physician and Pioneer" in *Englishwoman*, vol. xlvii (1920) 210–18; Bennett, Helen C., *American Women in Civic Work* (New York 1915) p. 231–52.

SHAW, LEMUEL (1781–1861), American jurist. Shaw was graduated from Harvard in 1800 and admitted to the Massachusetts bar four years later. He achieved distinction in the practise of commercial law and was an outstanding member of the state legislature. From 1830 to 1860 he served as chief justice of the Massachusetts Supreme Court; during this period he fought the popular election of judges and was instrumental in preserving an appointed judiciary in Massachusetts. His career on the bench proved Shaw to be not only a strong judge, able to resist popular pressure, but a great jurist who left an indelible impression upon American law.

The years of his judicial service coincided with the transformation of Massachusetts from an agricultural to an industrial community; and Shaw's peculiar genius lay in his ability to adapt the principles of the common law, developed in a feudal era, to the needs of an industrial, urban civilization. Justice Holmes has said of him: "Few have lived who were his equals in their understanding of the grounds of public policy to which all laws must ultimately be referred" (*The Common Law*, Boston 1881, p. 106). Mere private interest, Shaw felt, must yield to the public interest embodied in the drive for industrial expansion; as industrialism spread, courts throughout the country turned to his decisions for the solution of new problems. Perhaps his most important contribution was his development of railway law. In Norway Plains Company *v.* Boston and Maine Railroad Co. [67 Mass. 263 (1854)] he ruled that the liability of a railway for freight ceases when the goods have been delivered to a station, a decision which has been followed in most states. In Commonwealth *v.* Temple [80 Mass. 69 (1859)] he

settled the conflict between the rights of street railways and other vehicles with regard to the use of the highways. His ruling in Lombard *v.* Stearns [53 Mass. 60 (1849)], that a water company was under an obligation to serve the public, was important for the modern law of public utilities which had just begun to develop.

In questions of social policy Shaw was a conservative; and when interests of business conflicted with those of the workers, he resurrected the fellow servant rule [Farwell *v.* Boston and Worcester R. R. Co., 45 Mass. 49 (1842)], holding that when an employee was injured by the negligence of another employee the company which they both served was not liable, a doctrine which has proved a heavy burden for American workmen. Nevertheless, Shaw understood the forces in the nascent struggle between capital and labor; in Commonwealth *v.* Hunt [45 Mass. 111 (1842)] he handed down the first liberal decision in the United States on labor disputes, which stated that a combination of workers is not illegal if its activities are carried on by fair means, even though they tend to impoverish others, and that peaceable coercion may be used to effect a lawful object.

A. H. FELLER

Consult: Beale, Joseph H., Jr., in *Great American Lawyers*, ed. by W. D. Lewis, vol. iii (Philadelphia 1908) p. 455–90; Chase, Frederic H., *Lemuel Shaw* (Boston 1918); Nelles, Walter, "Commonwealth *v.* Hunt" in *Columbia Law Review*, vol. xxxii (1932) 1128–69; *Lemuel Shaw, Chief Justice of the Supreme Judicial Court of Massachusetts* (Cambridge, Mass. 1885).

SHCHAPOV, AFANASY PROKOPIEVICH (1830–76), Russian historian. Shchapov's mother was of Buryat origin and his father a deacon in a Siberian village church. Even at his graduation from the Kazan theological academy he displayed an original approach to Russian history, but his propeasant and antibureaucratic sentiments limited his academic career to three years of teaching at Kazan. From 1861 to 1864 he lived in St. Petersburg in close contact with radical litterateurs. Later he was banished to Irkutsk, where he developed an active interest in Siberian regional problems.

Shchapov's work as a historian may be divided into three periods. He began by studying the Russian church schism, which he was the first to consider a social and political phenomenon rather than a quarrel over matters of ritual. He believed that in its early stages it was a form of protest of the lower clergy against the autocracy of the patriarch Nikon and in its development since Peter the Great a manifestation of mass resistance to Europeanization fostered by the state. This interpretation was adopted by many historians and even influenced the tactics of certain revolutionary groups.

In the second period Shchapov concentrated on general historical trends. In opposing the traditional viewpoint of political and juristic historiography he insisted that attention should be centered upon the people and the social formations which arise independently of the state. He formulated a colonization-territory-federation theory of Russian history which has been confirmed by later investigations, particularly of nineteenth century Siberia. According to this theory the people spread thinly over the vast virgin spaces of the Russian plain early formed small self-governing units, which gradually came to embrace whole districts and later large topographic regions, such as river basins. There followed an era of dissension and struggle among the independent territories, succeeded after the "period of troubles" by an informal federation, which constituted the real basis of the state.

In his third period, which Shchapov passed in Siberia under conditions unfavorable to creative work, he disavowed this theory. Influenced by Buckle and the current fashion for natural science, he now maintained that the historical process was essentially an interaction between nature and human nature. The environment in which the Russians lived and the fact that, except for Byzantium, they were out of touch with advanced civilizations, accounted for the low level of intellectual development; stimulation was afforded only by cultural borrowing from the West after the beginning of the eighteenth century.

In the course of a short lifetime Shchapov evolved thus from a Slavophile into a populist and later into a westernist. The direct and indirect influence of his ideas was considerable, but interest in his work was dormant until the revolution. At present he is hailed by one school as a forerunner of the Eurasian approach and by another as a typically peasant historian predisposed to naturalistic materialism.

K. KOCHAROVSKY

Works: *Sochineniya*, 3 vols. (St. Petersburg 1906–08), with a biographical essay by G. A. Luchinsky.

SHCHERBATOV, PRINCE MIKHAIL MIKHAYLOVICH (1733–90), Russian historian and essayist. Shcherbatov inherited large landed

estates in central Russia. In 1767 he was elected by the nobility of his county to the commission for the drafting of a new code; one of its most active members, he defended zealously the privileges enjoyed by his class. Later he entered government service, which brought him into contact with current economic problems and with the functioning of the central and local administration. Although he had received no formal education, he was one of the most widely read persons in Russia and a prolific writer and translator; his large library was particularly rich in contemporary French tracts on philosophy and politics.

Shcherbatov's most ambitious work is the history of Russia to 1610, a subject in which he became interested through his acquaintance with the historian and archivist G. F. Müller. Naïvely rationalist in approach, it reduces the historical process to leadership by the chosen few who are actuated by ordinary human motives, among which self-interest predominates. It is uncritical, hastily put together and defective particularly as regards historical ethnography and geography; nevertheless, it marks a distinct advance in Russian historiography in that it represents the first extensive use of archive documents in addition to chronicles. The more interesting of Shcherbatov's other works, which include the first statistical description of Russia after the manner of Achenwall, are a semihistorical essay on the decline of morals, which he related to the urbanization evoked by the reforms of Peter the Great, and a utopian description of "the land of Ophir." In the latter he commented sharply on contemporary Russia and sketched the picture of a model country, for which he obviously drew upon western writers, particularly Montesquieu. Shcherbatov's ideal state encompasses many incompatible features. It is a secular monarchy in which the church functions as a moral police and the state intervenes when necessary in religious life. The authority of the monarch is absolute, but he rules in accordance with the law and shares with the aristocracy responsibility for important decisions. A number of advisory bodies represent the other classes except the peasants, all of whom as serfs are under complete control of the nobility, the only class permitted to own land and serfs. The utopia is characteristic of Shcherbatov's outlook, which combined a certain measure of political and religious liberalism with an unswerving devotion to the interests of the feudal nobility and a nostalgic longing for the supposedly patriarchal simplicity of pre-Petrine Russia.

V. MIAKOTIN

Works: *Istoriya kossiyskaya ot drevneyshikh vremyan* (Russian history since the most ancient times), 7 vols. (St. Petersburg 1770–91; reprinted in 5 vols., 1901); *Sochineniya* (Works), ed. by I. P. Khrushchov and A. G. Voronov, 2 vols. (St. Petersburg 1896–98). The essay on the decline of morals tr. by I. Friedländer and S. Jacobsohn as *Über die Sittenverderbnis in Russland*, with an introduction by K. Stählin, Quellen und Aufsätze zur russischen Geschichte, no. v (Berlin 1925).

Consult: Miakotin, V., *Iz istorii russkago obshchestva* (From the history of Russian society) (St. Petersburg 1902) p. 112–83; Miliukov, P., *Glavniya techeniya russkoy istoricheskoy misli* (Main currents of Russian historiography) (2nd ed. Moscow 1898) p. 36–69, 113–16, 129–30; Kiesewetter, A. A., *Istoricheskie ocherki* (Historical essays) (Moscow 1912) p. 29–56.

SHELLEY, PERCY BYSSHE (1792–1822), English poet. Shelley has written a few lines safely enshrined above dispute in the anthologies. The bulk of his writing and the example of his life, however, are even today subject to varied cross currents of contention. For Shelley was the perfect romantic revolutionist. Descended from a long line of Sussex country gentlemen, educated at Eton and at Oxford, he lived a life almost exactly contrary to that marked out for him by his blood and breeding. He became a philosophical anarchist, a pacifist, a feminist, a radical agitator, an atheist, a proponent of free love, a friend of oppressed nationalities and of exploited wage slaves, a vegetarian and a poet—in short, a defier of most nineteenth century English conventions. Yet his philistine baiting was amazingly free from self-consciousness and pose, and his most shocking ideas, incest, for example, were uniformly expressed in the most ethically satisfying abstractions, frequently in very lovely verse. Shelley's political and social writings are less important for the social scientist than the history of his reputation. *Queen Mab* (1813) is a not very poetical paraphrase of the *Enquiry concerning Political Justice* of the poet's father-in-law, William Godwin. The *Philosophical View of Reform*, an unfinished pamphlet not published until 1920, is interesting chiefly for the glimpses it gives of the Sussex squire Shelley might have been. For on the whole this is a moderate pamphlet, advocating universal suffrage only after universal education has had a chance to work, insisting on the value of English political traditions, espousing revolution only if there is an un-English re-

fusal to admit reform. Other pamphlets are the products of his brief career as an agitator: *The Necessity of Atheism* (1811), *An Address to the Irish People* (1812), *A Letter to Lord Ellenborough* (1812). Much of Shelley's poetry has a political bearing: songs of freedom, like *Hellas* (1822); outbursts against cruelty and oppression, like the *Masque of Anarchy* (written in 1819, first published in 1832); above all, poems like *Prometheus Unbound* (1820) and the *Revolt of Islam* (1817) with their mystic faith in an effortless overthrow of tyranny, their passionate devotion to passive resistance.

Shelley's name has continued to have a political and moral meaning for three main groups. To authoritarian conservatives like the late Irving Babbitt he is one of the most useful examples of the antisocial consequences of romantic individualism; and even to Matthew Arnold, Shelley was an unsuccessful rebel against inevitable decencies. To most respectable middle class Anglo-Saxons, Shelley the idealist poet, Shelley of the noble aspirations, has managed to live down the Shelley whose life was a scandal. His revolutionary activities have been conveniently forgotten, his rebellion smothered in the vicarious enjoyment of his poetry. Finally, to a third group, Shelley is still a trumpeter leading to battle, an example to those who wish to overthrow this bourgeois civilization, a prophet and a seer who, had he survived, would have become a leader of the proletarian revolt. Marx himself said that though Byron in maturity would have forsaken the cause of revolution, Shelley would have gone on from radicalism to socialism.

CRANE BRINTON

Works: *The Complete Works of Percy Bysshe Shelley*, ed. by R. Ingpen and W. E. Peck, 10 vols. (London 1926–30).

Consult: Brailsford, H. N., *Shelley, Godwin and Their Circle* (London 1913); MacDonald, D. J., *The Radicalism of Shelley and Its Sources* (Washington 1912); Salt, H. S., *Percy Bysshe Shelley; Poet and Pioneer* (London 1896); Brinton, C., *The Political Ideas of the English Romanticists* (London 1926) p. 163–95; Campbell, O. W., *Shelley and the Unromantics* (London 1924).

SHEPSTONE, SIR THEOPHILUS (1817–93), British South African statesman. Shepstone, the son of a Wesleyan missionary, was born in England and at the age of three was taken by his parents to South Africa. His fluency in native dialects led to his appointment as interpreter to the colonial forces during the frontier wars. On the annexation of Natal in 1845 he was made diplomatic agent to the native tribes and later secretary for native affairs. His great work was done during the three decades 1845–75. He may fairly be called the founder of systematic native policy in British Africa. The cardinal points of his program were the provision of "locations" for native occupation, the full recognition of native law, the proclamation of the head of the government as "Supreme Chief of the Native Population" and the utilization of the tribal system as a cheap and effective form of administration. Although he was the founder of the system of "indirect rule" in southern Africa, it is more than doubtful whether Shepstone had any real faith in it. As has often happened in the history of British colonial policy, he was driven by the exigencies of circumstances to adopt an empirical line of action, which others subsequently rationalized into a universal principle. The greater part of his policy has been accepted by the Union of South Africa under the terms of the Native Administration Act of 1927, and his views have had an important part in molding the native policy of Southern Rhodesia.

Knighted in 1876, Shepstone played the leading role in the drama which culminated in the annexation of the Transvaal to the British Empire in April, 1877. His conduct in connection with this episode has, however, been the subject of acute controversy. As the first administrator of the Transvaal under the new regime his rule was not entirely successful, and after 1879 he retired from public life.

EDGAR H. BROOKES

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SHERIFF. The sheriff is the most important officer of a county, although in England his status is below that of the lord lieutenant, who is the military representative of the king. The office of sheriff is very ancient; Maitland has aptly remarked that the history of justice and police in England might well be written around the theme of the sheriff's "decline and fall."

The ultimate origin of the office is to be found in those king's reeves who watched over royal interests in the towns of the ninth century. By the end of that century the king's reeve acquired judicial as well as financial functions, and early

in the tenth century he became a shire instead of a town official. By the end of the Anglo-Saxon period he had supplanted the ealdorman as the effective head of the shire, and soon after the Norman Conquest his powers touched their zenith. The financial, judicial and administrative importance of the office, added to the personal influence of the great landowners who normally filled it, constituted a serious menace to the crown as well as a source of oppression to the subject. A long struggle ensued in which various devices were employed to curb the overmighty sheriff. In order to reduce his military power royal castles were removed from his control; attempts were made to transfer some of his judicial powers to county justiciars; elected coroners were expected to act as a check upon the sheriff; and men drawn from the official class were gradually substituted for the baronial sheriff, who was typical of the Norman age. Eyres and occasional inquests gave opportunities for investigation of complaints, and the enforced personal accounting every year at the Exchequer established the vital principle that the sheriff was a servant of the crown and not an independent magnate. In Magna Carta the barons secured further reforms, notably that sheriffs should no longer hold, but only "keep" pleas of the crown. The sale of the office which was common under the Norman kings gradually ceased and with it one of the greatest incentives to extortion. In the middle of the thirteenth century there were attempts to make the office annual and to exclude reelection, and with the exception of a few counties where the shrievalty had become hereditary these were successful. During the fourteenth century several attempts were made to put the office on an elective basis, but the scheme aroused little enthusiasm and it soon became settled that sheriffs should be nominated in the Exchequer.

Among the most ancient duties of the sheriff is that of conserving the peace and suppressing disorder with the help of the *posse comitatus*. Until the development of the office of lord lieutenant in the sixteenth century he was also the head of the military forces of the shire. His duty of receiving writs, summoning juries and executing judgments is as old as the common law itself and remains the most important part of his work. The sheriff still collects certain types of revenue related to legal matters and formerly handled considerable sums arising out of the crown's feudal dues, but the newer types of direct taxation have been managed from their inception by separate commissioners. The sheriff was presiding officer (although hardly a judge) of the old county court and twice a year in every hundred within the county held special sessions called tourns. His present duties in connection with parliamentary elections are a relic of his position in the old county court, where elections formerly took place. All these duties are carried out in practise by undersheriffs and bailiffs, against whom frequent complaints were made during the Middle Ages. The sheriff, however, was and still is personally responsible for their misdeeds in accordance with a statute of 1285 which established in this connection the rule of *respondeat superior*. It has been a constant requirement for the office that the candidate have sufficient lands to answer both to the king and to the people.

It is significant that the decline of the local jurisdictions during the fourteenth century was met in England by the development of the new justices of the peace instead of by the restoration of the judicial powers of the sheriff. His real authority therefore continued to decline although his social importance was maintained. At present sheriffs are governed by the Sheriffs Act, 1887. They are nominated in an assembly of high officers of state which represents the old court of Exchequer and are appointed by the king, who pricks their names on a roll. They are entitled to a variety of fees, which in practise go to the undersheriff, who is usually a solicitor and does the legal work of the office; but the social obligations traditionally attached to the shrievalty are so costly that only the wealthier county landowners can afford to accept it. The act of 1887 requires each sheriff to maintain a deputy sheriff resident in London to accept the writs and other orders of the central courts. The high sheriff confines himself to the ceremonial duties of receiving the judges of assize and similar functions.

The city of London presents a special case. Henry I granted the citizens the right of electing two sheriffs, who served both for the city and for Middlesex, but they later became subordinated to the lord mayor. Since 1385 no one can become lord mayor without having first served as sheriff. The duties are purely ceremonial, the legal work being done by the "secondary." For some centuries the sheriffs of London held a court which was especially concerned with the affairs of foreign merchants.

In Scotland the sheriff is an officer of very great importance, for the historical factors which

frustrated the development of the office in England were absent north of the border. The present powers of the Scottish shrievalty deserve careful attention, for in Scotland alone were the full potentialities of the office realized. First introduced in the reigns of Alexander I and David I in the twelfth century and extended by Edward I at the end of the thirteenth century, the sheriff only slowly became associated with the county. The office became hereditary (until 1748) and the holders successfully competed for jurisdiction with regalities (private franchises) and the episcopal commissary courts. The sheriff is not merely the nominal conservator of the peace but also the superintendent of the county police force. His local governmental powers are varied and extensive, while his court has wide civil and criminal jurisdiction equivalent to that of the English county court, quarter sessions and petty sessions and recorder. There are now fifteen sheriffs for thirty counties, each sheriff being assisted by a sheriff substitute, who is likewise a lawyer of standing. The numerous administrative inquiries into matters of local government which in England are committed to officials sent down from London are carried out in Scotland by the sheriff. Both sheriff and sheriff substitute are appointed and paid by the crown and hold office for life. The sheriff substitute usually sits as a summary court, the sheriff sitting with a jury; an appeal may lie from the substitute to the sheriff and thence to the court of session or court of justiciary.

The office of sheriff was introduced into America as part of the county organization. In New England this was a slow development, for local government centered at first in the towns; farther south, however, where larger units became the rule, the sheriff rapidly became the leader of his county. Appointment was generally by the governor, but as early as 1705 it had become elective in Pennsylvania. The practise spread slowly throughout the country and all sheriffs are now elected except those in Rhode Island, where they are appointed by the legislature. The term is often for two years, sometimes more, and in some states there are provisions against immediate although not subsequent reelection. The duties remain those which have been traditionally connected with the office for the past seven centuries or more. The sheriff is the conservator of the peace and may call out the *posse comitatus* to suppress disorder. He executes a variety of precepts from the courts, especially for the summoning of juries and the execution of judgments by distress and sale. There are further miscellaneous duties, such as supervising elections, keeping jails, executing criminals and (in the south) collecting taxes. Payment is commonly by fees, to which a salary is sometimes added, and in a few instances the emoluments reach a very high figure; sometimes there is a definite salary. In rural communities and under pioneer conditions it is inevitable that the sheriff should become powerful and election to the office be keenly contested; criminal and liquor interests in particular strive to secure the election of a complaisant candidate.

So ancient an office is ill adapted in its present form to contemporary conditions in the United States. The elective principle is out of place in an office which carries no political functions; nor is there any rational coordination between the sheriff, who is the traditional head of the county, and the boards and commissions which actually administer many of the affairs of the modern county; moreover, since his duty is the enforcement of state law, it has been urged that he should be a state and not a local official. His ancient powers of quelling disorder by means of the primitive *posse comitatus* have aroused much criticism. Since he has no police force under his command, he takes no part in the maintenance of order except in grave emergencies which will inevitably require more qualities of coolness and firmness than can reasonably be expected of a sheriff and his undisciplined posse, whose conduct in such circumstances is apt to be somewhat rash. Particularly in areas where labor relations are strained the sheriff has heavy responsibilities which it has been argued should be transferred to some form of state police. The tax gathering duties (in some states) and the functions of jailer might likewise be transferred, leaving the ancient duties of assisting the procedure of the courts and executing their judgments in the hands of a state appointed sheriff whose position should be essentially that of a minister of the courts.

THEODORE F. T. PLUCKNETT

See: LOCAL GOVERNMENT; COUNTY COUNCILS; COUNTY GOVERNMENT, UNITED STATES; JUSTICE OF THE PEACE; JUSTICE, ADMINISTRATION OF; POLICE.

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SHEVCHENKO, TARAS (1814–61), Ukrainian poet. Shevchenko was born in the province of Kiev of serf parentage. Through his exceptional talent for drawing he became known to Brullov of the St. Petersburg Art Academy, who together with the Russian poet Zhukovsky raised the money necessary to buy Shevchenko's freedom in 1838. Shevchenko's first volume of poems, *Kobzar* (The Bard, St. Petersburg 1840), brought him immediate fame. In 1847 he was arrested on the charge of belonging to a secret political society, the Brotherhood of Saints Cyril and Methodius, sentenced to penal military servitude in central Asia and forbidden to write or draw. Following Alexander II's amnesty in 1857 he returned to St. Petersburg and became professor of engraving in the Academy of Art.

Shevchenko's poetical works were of the greatest importance for the Ukrainian national movement both in Russia and in Austria. He was not only the bard of the heroic past, recalling the half forgotten national traditions of the Ukrainian Cossacks, but the inspired prophet of a new social and political order. Influenced by French utopian socialism and the Polish revolutionary movement and himself an admirer of Herzen, Shevchenko hated political oppression and slavery and in his poems inveighed against them passionately. The Brotherhood of Saints Cyril and Methodius had as its immediate aim the propaganda for the abolition of the serfdom, and Shevchenko's poetical work brought the final moral blow to this institution. Whereas at the beginning of his poetical career he saw the chief enemy of the Ukrainian liberties in the Polish landowners in the Ukraine with their social as well as national and religious oppression of the population, later on he directed his invectives against the power that swallowed up both Poland and the Ukraine, Russian czarism. It is in the absolutism of the Russian czars, chiefly in the persons of Peter I, Catherine II and Nicholas I, that Shevchenko now found the principal cause of all the sufferings of his native country. His *Kobzar* became during the poet's lifetime a sort of bible in verse for all Ukrainians. His memory is the object of a special cult among Ukrainians all over the world and his grave has become a national Ukrainian shrine.

D. DOROSHENKO

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SHINASI, IBRAHIM (*c.* 1826–71), Turkish publicist. After receiving a primary education Shinasi became a clerk in the Department of Artillery at the age of sixteen. In his spare time he learned Arabic, Persian and French and he was one of the first students to be sent to France by the Turkish government for further study. He studied public finance at the request of the government but devoted most of his attention to philology and literature. In Paris he came into contact with the leading French intellectuals, including Lamartine, and was profoundly impressed by western cultural achievements. After about five years abroad he returned to Constantinople and was appointed a member of the Ministry of Public Instruction and of the new Imperial Academy of Science and Literature. He resigned from his position in 1859 and from that time devoted himself to journalism and linguistic reform.

Shinasi was the first of the group of reformers who created the modern era in Turkish language, literature and thought. A thoroughgoing idealist, who despised and kept aloof from politics, he abjured all worldly pleasures in order to concentrate his energies upon his chosen

tasks. He believed that the first requisite for a modernized Turkey was a simple and common means of expression, and by his efforts literary Turkish was transformed from an artificial medium of the educated class into a popular language suited to the new national literature. Through his translations and journals moreover he introduced western culture to the Turkish reading public. In 1860 Shinasi established the first unofficial Turkish newspaper, *Terdjumán-i ahwál* (The interpreter of events). Six months later he founded the biweekly *Taswír-i efkár* (Thought), the purpose of which was to assimilate Turkish intellectual life to that of the west; it was a journal of popular instruction containing translations of western writers, scientific articles and studies of western as compared with Turkish institutions. In both periodicals the new literary language was employed. Shinasi also published the first Turkish translations of French poems, *Extraits de poésies et de prose traduits en vers du français en turc* (Constantinople 1859, 2nd ed. Ramazán 1870), which brought modern influences to bear upon native poetry. Shinasi was himself a poet and the author of the first Turkish comedy. For many years he worked on an exhaustive dictionary, still unpublished, of the Turkish language.

AHMET EMIN

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SHINTO means the "way of the gods" or of the spirits and covers the native religions of the Japanese, including the national cult, regional worships and popular beliefs. The Japanese people, in spite of its composite formation, was early brought under the rule of a predominant tribe who worshiped the sun goddess as its ancestral and tutelary deity; and the local or clan deities were gradually brought under the hegemony of this goddess. The whole religion had never been organized, however, before its contact with Confucianism and Buddhism, the name itself being a Sino-Japanese term created to distinguish Shinto from the alien religions which became popular in Japan in the fifth and sixth centuries of the Christian era. The reduction into writing of the Shinto legends dates from the eighth century and the compilation of its rituals from the tenth, although some materials contained in them indicate their earlier origin.

The composite nature of Shinto makes it difficult to characterize. As a religion it is polytheistic with strongly animistic traits, since its belief amounts to worshiping any being or thing believed to be endowed with divine or spiritual power. Its pantheon is indefinite and unlimited; the personification of the deities is vague in most cases and distinction is seldom made between a divine being and a thing possessed by a spirit. Moreover the relative supremacy of one deity or another has always been influenced by political and social vicissitudes. The supremacy of the sun goddess (Amaterasu) was enhanced by the growth of the power of the ruling family, but the predominance of many a clan or local deity often obliterated the unifying tendency of worship. Even today a local sanctuary of a new deity may suddenly grow to eminence or a deity may change its character. But the general tendency has been toward the supremacy of the sun goddess, which is now strengthened by the achievement of national unity under the imperial rule and by the government's policy of basing the sovereignty of the emperor upon her worship.

From this aspect Shinto is a state cult, identified with the court observances of the ruling family as well as with the nationalization of the local worships. The modern official interpretation is that Shinto is not a religion but a national cult which consists of reverencing imperial ancestors, national heroes and community shrines. Under this interpretation the Shinto sanctuaries are regarded as national institutions and their priests as state functionaries, while the popular beliefs and the private worship of Shinto deities are considered a matter of individual choice. To carry out this convention the government authorities try to distinguish between reverence and worship, between a state cult and religious practises. Similarly a painstaking effort is made to show that the enforcement of this national cult is compatible with the freedom of conscience guaranteed in the constitution. Nevertheless, the attempt to establish Shinto as the state cult is practically equivalent to instituting a religion of patriotism which centers its belief in the divine origin of the sovereign and centers its practise in reverencing the local shrine as a community center.

Shinto ideas find another expression in ecclesiastical organizations, which are designated as

"sectarian Shinto" in contradistinction to the state cult. These bodies represent various shadings of popular beliefs ranging from mere occult practises to almost monotheistic beliefs. Some of the latter are manifestations of the popular theism which has arisen from time to time, chiefly in reaction to the overintricate teachings of Buddhism; as such they may be called expressions of the native spirit and classed as Shinto sects, although they are not necessarily connected with the official cult. Some of them are remarkable for their fervent religious attitude, shown in a developing missionary spirit and in a claim that their beliefs have the character of a universal rather than a national religion. The foremost among them is the *Tenrikyo*, or religion of heavenly reason, which bears some similarity to Christian Science.

The composite nature of Shinto and the meaning of its influence upon the national life of Japan cannot well be understood apart from its historical background. When Buddhism entered Japan in the sixth century, Japanese civilization was still at a low point. The overwhelming influence of Buddhism as a religion and a civilizing force pervaded almost all aspects of national life. In the course of two centuries the Shinto worship was enfolded within Buddhism, the theory being that the Shinto deities were only lateral manifestations of the Buddhist noumena; and in practise nearly all Shinto sanctuaries were presided over by Buddhist priests. This combination was called the *Ryōbu-Shintō*, or two-sided Shinto, and continued to rule the religious life of the nation until the revolution of 1868, when under the influence of the revival of nationalist and imperialist sentiment the malcontent Shintoists seized the opportunity to "purify" Shinto. Even under the sway of Buddhism the native spirit had always asserted itself, chiefly in the court ceremonies and in the worship of the local shrines. Accordingly Shinto retained its ceremonial ritual, although it yielded a large part of its more religious vitality to Buddhism. In general during more than ten centuries of syncretistic Shinto the people applied to the Shinto deities for aid in this world, both in national and in individual affairs, while depending upon Buddhism in regard to the life beyond. The combination was a kind of division of spheres of influence, and the people were, and still are to some extent, followers of the two religions at the same time. Thus the present official interpretation that Shinto is not a religion is partly justified by the historical facts, the religion of patriotism being largely a secular affair separated from purely religious matters.

Attempts were made from time to time, however, to free Shinto from its bondage, reenforcements being taken from Confucianism, Taoism and even Christianity, although in disguise. But the chief basis of such efforts is the preservation of the Shinto conception of the divine origin of the sovereign and the divine descent of the whole Japanese people. At every national crisis, such as the Mongol invasion in the thirteenth century, the dynastic division in the fourteenth, the fear of foreign invasions in the nineteenth, the rise of patriotic ardor has been accompanied by a revival of Shinto ideas, pointing to the restoration of the ideal past of the "age of the gods" and implying the exclusion of foreign culture and beliefs. This claim for the pure, or ancient, Shinto was the chief force in carrying out its "purification" after 1868 and consequently in establishing Shinto as the national cult. The present situation has resulted from making Shinto independent of Buddhism, although the former is not entirely antagonistic to the latter.

It remains questionable, however, whether Christians or Buddhists, who deny divinity to any other deity beside their own, can accept the distinction between "reverence" and "worship" and admit the official interpretation of Shinto. There has been strain on several occasions, but the situation is not so acute as outsiders might imagine. Nevertheless, the problem remains and its solution is still to be awaited.

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See: RELIGION; ANIMISM; CULTS; BUDDHISM; NATIONALISM; PATRIOTISM.

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SHIPBUILDING. Modern shipbuilding is a finishing and assembling industry in that much of the material used comes to it in the shape of semimanufactured articles. It does not purchase the steel, copper and wood out of which the vessel is constructed; on the other hand, it does consume many products of allied and associated

industries, such as windlasses, winches, steering gears, pumps, electrical machinery and installations, furniture and fittings and the like. The most important class of material purchased, however, consists of iron and steel plates and shapes; and because shipbuilding is absolutely dependent upon such supplies, it is sometimes regarded as a branch of the heavy iron and steel industry. A second important characteristic of shipbuilding is the specialized nature of the product. In the fabrication of a modern vessel much of the equipment required is useless for any other industrial purpose. There is therefore little opportunity for the average shipyard to stabilize its activity by means of diversification of product.

Since all countries possessing navigable rivers or accessible ports contribute to the demand for ships, it is natural that shipbuilding should be widely scattered geographically. Thus during 1932, which was a year of severe depression in the industry, 307 vessels aggregating 726,591 tons gross were launched throughout the world, and nineteen countries were responsible for the bulk of construction. In prosperous years even more countries engaged in shipbuilding. Nevertheless, the greater part of the industry is concentrated in a few countries. In 1932, for example, out of the total of 726,591 gross tonnage launched, five countries were responsible for more than 75 percent of world construction, as follows: Great Britain and Ireland, 187,794 tons gross (25.9 percent); United States, 143,559 tons gross (19.7 percent); France, 89,310 tons gross (12.3 percent); Germany, 80,799 tons gross (11.1 percent); Japan, 54,422 tons gross (7.5 percent). Indeed during the ten years 1923–32, approximately half of the total gross tonnage launched was constructed in Great Britain and Ireland alone.

When measured by the usual criteria, the shipbuilding industry is smaller than might be expected, even in the countries which build most of the ships. In Great Britain and Ireland the number of insured workers employed in the industry in 1930 was only 204,720, while in the United States in 1929 only 55,089 wage earners were so engaged. In each country the industry is carried on in several hundred establishments, so that if the few large companies are omitted, the size of the average establishment in terms of workers employed, capital invested and aggregate value of output is comparatively small.

As long as ships were constructed of wood, the geographical distribution of the industry depended upon the availability of adequate supplies of appropriate kinds of timber and of naval stores. From the end of the Middle Ages until the eighteenth century these necessary raw materials were available in the Baltic region and along the northwestern coasts of Europe generally, with the result that England, Holland and Scandinavia were able to attain supremacy in shipbuilding. But the growth of population and the developing economic activity of the older countries tended to encroach upon the supplies of standing timber, with the result that toward the end of the eighteenth century North America, and particularly the English colonies, rose to prominence in shipbuilding. On the North Atlantic seaboard there was at hand a complete assortment of all the necessary materials: white oak for frames, yellow pine for planking, ash and locust for fastenings and tall white pine for masts and spars. Pitch, resin and other naval stores were likewise plentiful, copper therefore being almost the only material which had to be imported. Moreover, since the average vessel was still comparatively small, the investment in a shipyard was not unduly great, so that the industry grew apace. By the time of the American Revolution some 400 vessels were being launched annually with an aggregate tonnage in excess of 20,000.

When iron and, somewhat later, steel came to replace wood as the basic material for shipbuilding, those older countries which had already developed important iron and steel industries were once more at an advantage. But the adoption of the new materials was slow. An iron boat had been launched as early as 1777, but iron vessels did not become common until the third quarter of the nineteenth century. Similarly, although Robert Fulton had operated a steamboat in 1807, it was not until 1893 that the gross tonnage of steam vessels throughout the world exceeded that of sailing ships. Change was rapid, however, during the latter years of the nineteenth century and the first decade of the twentieth; by 1914 sailing ships had become decidedly rare, while wooden vessels had disappeared almost entirely.

These advances in the structure and propulsion of ships exercised a profound effect upon the shipbuilding industry. As regards geographical distribution Great Britain soon attained supremacy as a result of the great development and high technical skill of its steel and machine industries; and by 1893 it was producing 81.6 percent of the tonnage launched throughout the world. As the heavy industries emerged in

France and Germany, important shipbuilding plants were set up in each of these countries, particularly in the latter. The annual output of tonnage rose steadily, but the continuing importance of Great Britain is shown by the fact that it was still responsible for 60 percent of the tonnage launched during the decade before 1914.

Within the industry also change was evident. In the first place, the use of iron and steel fostered that relationship with the heavy industries which is so characteristic of modern shipbuilding. Secondly, the increase in the size of ships made it necessary to provide larger and more elaborate shipbuilding facilities at the cost of greater capital investment. Thirdly, the improvements in marine engineering and the growing variety of auxiliary equipment required on a modern vessel, such as refrigeration, pumping and the like, tended to make the shipbuilding industry even more complex and to necessitate the use of more elaborate plants and the employment of more highly skilled personnel. The increasing importance of naval construction during the two decades preceding 1914 succeeded in intensifying the processes of change. From 1907 to 1913 warship tonnage accounted for over 13 percent of the activity of British shipyards; an even higher grade of equipment and skilled labor was required for warships than for the construction of merchant vessels.

With the outbreak of the World War in 1914 shipbuilding acquired a new importance. The destruction of vessels at a time when increasing quantities of tonnage were needed for war purposes caused a demand for shipping which overtaxed the capacity of existing yards. New yards were developed rapidly, and in order to lighten the burden upon the steel industry and to shorten the period of ship fabrication experiments were made with wooden and concrete vessels. These, however, were less successful than those which aimed at the standardization of the various parts which enter into the building of a ship as well as their production in large quantities at places far away from the shipyard. Shipbuilding became an assembling process to a degree which previously would not have been considered possible.

This development of the industry occurred in all important shipbuilding countries except Germany, but it was particularly marked in the United States after its entry into the war. Under the auspices of the newly created United States Shipping Board and its subsidiary, the Emergency Fleet Corporation, the shipbuilding capacity of the country increased phenomenally. In April, 1917, there were in the United States 37 steel shipyards with 162 ways and 24 wood shipyards with 72 ways, making a total of 234 ways. By November, 1918, there were 223 yards with a total of 1099 ways, more than three times the number of shipways in the rest of the world. Of these 40 percent were for the building of steel vessels. The effect of this expansion of the industry in the United States and elsewhere is indicated in Table I.

TABLE I

GROSS TONNAGE OF MERCHANT VESSELS LAUNCHED, 1914–20

YEAR	GREAT BRITAIN AND IRELAND	UNITED STATES (COAST)	JAPAN	REST OF WORLD
1914	1,683,553	162,937	85,861	920,402
1915	650,919	157,167	49,408	344,144
1916	608,235	384,899	145,624	549,322
1917	1,162,896	821,115	350,141	603,634
1918	1,348,120	2,602,153	489,924	1,007,247
1919	1,620,442	3,579,826	611,883	1,332,398
1920	2,055,624	2,348,725	456,642	1,000,675

Source: Lloyd's Register of Shipping, 1933–34, 2 vols. (London 1933) vol. ii, p. 1118–19.

As a result in the post-war period there has been a very considerable surplus of building capacity over actual requirements for vessels. While this situation has been aggravated by the depression which commenced in 1929, the decline in the shipbuilding industry had set in long before the general economic crisis, as is evidenced in Table II.

Because of the high mobility of ships and the fact that the requirements of all nations as to types of vessels are substantially similar, one of the most important results of the development of excess shipbuilding capacity has been the accentuation of international competition. On the whole Great Britain has maintained its relative position in the world, selling to foreign owners 19.8 percent of the tonnage launched during 1927–30 as compared with 21.9 percent during the years 1910–13. Germany, however, has invaded the British market on at least one occasion, while Sweden has developed substantial exports of certain types of marine engines. It is interesting to note that international rivalries in shipbuilding have not led to tariff increases except in France, Spain and Jugoslavia, although marine engines have been subjected to additional duties in several countries.

An important aspect of the international

TABLE II

GROSS TONNAGE OF MERCHANT VESSELS LAUNCHED IN 1925 AND 1932 AS COMPARED WITH MAXIMUM OUTPUT, BY SELECTED COUNTRIES

COUNTRY	MAXIMUM OUTPUT		OUTPUT IN 1925		OUTPUT IN 1932	
	YEAR	IN 1000 TONS GROSS	IN 1000 TONS GROSS	PERCENTAGE OF MAXIMUM	IN 1000 TONS GROSS	PERCENTAGE OF MAXIMUM
United States (Coast)	1919	3580	79	2.2	144	4.0
Great Britain and Ireland	1920	2056	1085	52.8	188	9.1
Japan	1919	612	56	9.1	54	8.8
Germany	1922	526	406	77.3	81	15.4
Holland	1921	232	79	34.0	26	11.2
France	1921	211	76	36.0	89	42.1
Italy	1926	220	142	64.5	47	21.3

Source: Adapted from *Lloyd's Register of Shipping, 1933–34*, 2 vols. (London 1933) vol. ii, p. 1118–19.

problem of shipbuilding has been the existence of varying construction costs in the different countries. Any detailed comparison of costs is a difficult task, since the actual cost of building a ship in any particular shipyard depends among other things upon the price of material at the plant, the wage scales of various classes of workers engaged in the undertaking, the efficiency of labor, the climatic conditions, the degree to which hand labor is replaced by machinery and the dependence of the yard upon outside sources for machinery, auxiliaries and equipment. In the leading countries there is a tendency toward substantial equality in regard to most of these factors, although there is considerable divergence among individual shipyards. There is, however, a wider variation in the rates of wages paid to shipyard workers than is warranted by differences in efficiency; for example, labor costs tend to be particularly high in the United States and comparatively low in continental Europe. England occupies an intermediate position. Since labor is highly skilled and relatively well paid, this difference may have an appreciable effect upon the cost of a vessel. Except in Italy and perhaps also in Germany the post-war depression has also intensified competition among shipyards in each of the important producing countries.

Shipbuilders have made various attempts to limit competition among themselves. Since the development and operation of trade associations and cartels have not met with much success, the industry has given considerable attention to the elimination of superfluous shipyards. In the United Kingdom in 1930 there was set up the National Shipbuilders' Security, Ltd., to purchase and dismantle obsolete and redundant yards, dispose of their equipment and resell the sites with restrictions against their use for shipbuilding. Funds were provided by the shipbuilding companies subscribing to the agreement, and during its first three years the enterprise was able to purchase yards involving 71 ways and with an annual capacity of 500,000 tons gross. Other recent developments have been the amalgamation of shipbuilding companies and the introduction of economies in management, such as the widespread application of cost accounting and the increasing tendency to replace skilled labor by machinery. While the processes of rationalization have not yet progressed very far, as is evidenced by the fact that in the United Kingdom each person employed in the industry produced 9.8 tons gross during 1930 as compared with 9.2 tons in 1923, these are steadily being extended and give promise of further developments.

By virtue of its special characteristics the shipbuilding industry suffers from very violent cyclical fluctuations. In the first place, the unit product in the shipbuilding industry is both large and expensive. Before the war the minimum period of time required for the construction of a cargo steamer of 7500 tons gross, without trimmings of any kind, was seven months. This period has not been greatly reduced and, in the case of the larger and more elaborate vessels of the present day, considerably more time is necessary. The average period of construction is approximately twelve months. It is clear therefore that in shipbuilding there is no continuity of supply, such as is to be found, for example, in the cotton goods industry. A short delay in the placing of a ship on the stocks means unemployment on a substantial scale of both capital equipment and labor. Secondly, the product as well as the building plant is highly specialized, so that a temporary loss of orders in one direction cannot be neutralized, as in most other

industries, by a successful search for orders in other directions. Thirdly, the industry is at the mercy of marked fluctuations in the demand for its product. Since the life of a ship is usually twenty years, it follows that if ocean traffic over a given period is constant and sufficient to maintain 1000 ships in full employment, an annual output of 50 ships will be required to keep up the efficiency of the fleet. If traffic then grows by 5 percent, the immediate demand for vessels will increase to 100 (50 for replacement and 50 to meet increased needs); and a further increase of 5 percent in traffic during the following year would raise the demand to 150 vessels. If the traffic then ceased to advance but remained constant at the higher level, the demand for new additional ships would disappear and the replacement demand would fall to 55 ships a year. Thus a violent decline in the activity of the shipbuilding industry might occur even when the volume of water borne traffic showed no diminution.

These fluctuations affect the volume of activity and the price of vessels, both of which naturally are reflected in declining profits. While the situation depicted in Table III is abnormal,

TABLE III

FLUCTUATIONS IN SHIPBUILDING ACTIVITY THROUGHOUT THE WORLD, 1919–32

YEAR	GROSS TONNAGE LAUNCHED	PRICE OF A NEW CARGO STEAMER OF 7500 TONS GROSS AT END OF YEAR	ANNUAL AVERAGE INDEX OF SHIPPING FREIGHT RATES
1919	7,144,549*	£232,500	90.00†
1920	5,861,666*	105,000	100.00
1921	4,356,843	60,000	37.59
1922	2,467,084	65,650	29.73
1923	1,643,181	60,000	28.38
1924	2,247,751	61,500	29.63
1925	2,193,404	52,500	25.29
1926	1,674,977	61,000	27.98
1927	2,285,679	62,000	27.79
1928	2,699,239	62,000	25.79
1929	2,793,210	58,000	24.87
1930	2,889,472	48,750	19.11
1931	1,617,115	37,500	19.88
1932	726,591	32,000	18.76

* Returns incomplete.
† Estimated.
Source: *Lloyd's Register of Shipping, 1933–34*, 2 vols. (London 1933) vol. ii, p. 1119 for tonnage; *Fairplay*, vol. cxxvi (1933) 79 for price of new cargo steamer; Chamber of Shipping of the United Kingdom, *Annual Report, 1932–33* (London 1933) p. 135 for index of freight rates.

since the decline in the post-war period is greater than that in the immediate pre-war years, such a decline usually follows any war involving maritime powers. The excess of capacity tends to depress the price sharply; at the same time the sudden diminution in the replacement demand for vessels causes a substantial drop in the volume of production. It must be noted moreover that during the years following 1922 the position of the industry was rendered more difficult by the limitation of naval armaments. One factor has emerged, however, on the side of stability. With the increasing size of shipping combines there has been a tendency on their part to acquire control of shipyards or to establish a community of interest with them. Through these methods the building programs of the combines can be planned efficiently and economically; but this development has affected only a few of the shipbuilding plants.

It is clear that the financial structure of the industry and the problems incidental to it are governed primarily by the heavy investment required and the wide variation in profits. While some enterprises still maintain the partnership form, most of them are incorporated. In any case in all but the largest enterprises little capital can safely be raised by bonds or debentures. Indeed, even in the case of large enterprises which also produce a variety of other goods, it is dangerous to rely upon long or short term borrowing, as has been indicated by recent reconstructions and liquidations among some of the largest shipbuilding firms. Moreover in addition to heavy fixed investments large sums of working capital are required to cover expenditures during the period that must elapse between the laying down of the keel and the receipt of payments from the prospective owner.

In order to aid the industry the governments of various countries have granted financial assistance to shipbuilders and to prospective shipowners with a view to increasing the volume of shipbuilding activity and, incidentally, augmenting the earnings of the shipyards. The British government, under the Trade Facilities acts of 1921–26, guaranteed the interest on loans floated for the purpose of undertaking work which would provide employment for home labor. Out of total guaranties amounting to £74,000,000, £22,000,000 was allocated to the construction of some 110 ships for the account of 26 British and 9 foreign shipping companies. Similarly the United States government, under the Jones-White Act of 1928, created a construction loan fund to make loans at low rates of interest for the purpose of financing shipbuilding. Up to the end of 1931 loans aggregating $151,000,000 had been authorized for the construction of 60 vessels and the reconditioning of 23 others. All

borrowers were required to be American citizens or corporations; and although a rate of $5\frac{1}{4}$ percent was fixed in contracts for vessels operating entirely in the domestic trade, various rates, some as low as $\frac{1}{4}$ or $\frac{3}{8}$ of 1 percent, although generally above $2\frac{1}{2}$ percent, were set when the vessels were to be used in foreign trade.

To the extent to which such plans make possible the payment of larger sums to the shipbuilder as each stage of construction is completed, there is a tendency to reduce the working capital needed by the builder. Other methods of financing the sale of ships have also been developed to meet this problem, most of them involving a series of term payments by the owner secured by a mortgage of the vessel, although some financing is done in London on the basis of bills of exchange discounted with the commercial banks on the implicit understanding that the bills will be renewed at maturity if a part of the debt is paid. Where working capital is ample, the shipbuilding company may itself finance the sale, holding a mortgage on the vessel and receiving partial payments at stipulated dates. More frequently, however, especially in Europe, the whole transaction is handled by a ship mortgage bank, which obtains the necessary funds through the sale of ship mortgage bonds. In the United States a similar policy has been followed for some years in regard to the Great Lakes vessels; it is of interest to note also that the larger finance companies have already undertaken, in several cases, to finance the construction and purchase of vessels on a similar plan.

While by 1934 shipbuilding had not yet recovered from the post-war depression, there were signs of improving conditions in most of the leading countries. The industry's future, however, remains dependent largely upon two factors. In the first place, a substantial increase in the physical volume of world trade is necessary to produce an expansion of shipbuilding activity. No imaginable economies in production costs can restore the industry as a whole to prosperity without such expansion. Secondly, the geographical distribution of the industry is tending to be influenced more and more by political factors. In view of the fact that shipping is of vital importance to all nations dependent upon sea borne commerce, it is increasingly being urged in these countries that the shipbuilding industry merits public support as an arm of the national defense. This attitude helps to explain the recent activity in the shipyards of the United States, France and Italy. If it continues to receive support, it is not unreasonable to expect that shipbuilding will be more widely scattered than in the immediate pre-war years, and that no country will again enjoy the outstanding supremacy that Great Britain held during that period.

F. CYRIL JAMES

See: SHIPPING; MERCHANT MARINE; NAVY; IRON AND STEEL INDUSTRY; COMBINATIONS, INDUSTRIAL; SUBSIDIES.

Consult: Biles, J. H., *The Design and Construction of Ships*, 2 vols. (2nd–3rd eds. London 1923); Holms, A. C., *Practical Shipbuilding*, 2 vols. (3rd ed. London 1916); Hardy, A. C., *From Slip to Sea* (Glasgow 1926); Kelly, R. W., and Allen, F. J., *The Shipbuilding Industry* (Boston 1918); Konijnenburg, E. van, *Shipbuilding from Its Beginnings*, 3 vols. (Brussels 1913); Pollock, David, *The Shipbuilding Industry* (London 1905); Mitchell, James, *Shipbuilding and the Shipbuilding Industry* (London 1926); Blocksidge, E. W., *Merchant Ships and Shipping* (London 1933); Edmond, M., *Constructions navales* (Paris 1914); Roux, Louis, *La marine marchande* (Paris 1923); James, F. C., *Cyclical Fluctuations in the Shipping and Shipbuilding Industries* (Philadelphia 1927); Steinert, Hermann, "Die Entwicklung des Weltschiffbaues nach dem Kriege" in *Weltwirtschaftliches Archiv*, vol. xxx, Chronik und Archivalien (1929) 186*–236*; Joint Committee of the Shipbuilding Employers' Federation and Shipyard Trade Unions, *Report of Joint Inquiry into Foreign Competition and Conditions in the Shipbuilding Industry* (London 1926); International Economic Conference, *Documentation. Shipbuilding*, League of Nations, Publications, 1927.II.2 (Geneva 1927); Great Britain, Board of Trade, Committee on Shipping and Shipbuilding, *Reports of the Departmental Committee Appointed . . . to Consider the Position of the Shipping and Shipbuilding Industries after the War*, Cd. 9092 (1918); United States, Congress, House, Committee on Merchant Marine, Radio, and Fisheries, *Merchant Marine Investigation. Hearings*, 2 vols. (1932); Christ, Werner, *Schiffs-Hypotheken-Banken*, Greifswalder staatswissenschaftliche Abhandlungen, no. 2 (Greifswald 1920); Schiedewitz, E. W., *Subventionierung von Weltschiffahrt und Weltschiffbau in den Nachkriegsjahren 1919–1930* (Hamburg 1931); Hall, Henry, "Report on the Ship-Building Industry of the United States" in United States, Census Office, 10th Census, 1880, *Census Reports*, vol. viii (1884) pt. 4.

SHIPPING. From the dawn of history man has been acquainted with the use of ships, and the earliest records show that curiosity and the spirit of adventure have responded to the challenge of the sea. The art of navigation probably arose on interior waterways; but when man learned how to construct something that could readily be floated, propelled and steered, he ventured out upon the sea in quest of food and riches. Less than 30 percent of the superficial area of the earth is land, much of it being di-

vided by ocean highways. Even where land masses comprise a continuous area, the relative cheapness of water transportation often makes commerce by sea more desirable than that by overland routes.

Shipping as a business enterprise evolved with the development of industrial technique, the expansion of commerce and the growth of political and social organization. For a long time it was a phase of regular mercantile operation, combined in its earlier stages with a large amount of piracy and other predatory activities. The merchant whose trade extended overseas usually owned the craft which carried his products. Commercial expansion both in ancient and in mediaeval times was closely associated with the rise of city-states, whose chief economic interest was the handling and transportation of goods moving between remotely located regions or settlements. In these states water craft constituted a large part of the community's working capital and were therefore more or less regulated by governmental authority in the interest of the proper conservation of this capital.

Shipping as a carrying industry, distinct from purely mercantile operations, is essentially modern. Merchant vessels in both ancient and mediaeval times often carried for parties other than their owners or operators. In local trade the common carrier occasionally put in an appearance. It was not, however, until commerce had expanded sufficiently to insure substantial and fairly regular traffic between centers remote from one another that shipping became an organized industry apart from the buying and selling of goods. Connected with this segregation was the rise of what is called line service. The first ocean carriers engaged solely in the transportation business were tramps; that is, vessels which followed no fixed routes but sailed wherever traffic seemed likely. The sailing of vessels over definite routes with regular time schedules developed between ports whose commerce had become active and steady. This line service in transoceanic trade is hardly more than a century old and for several decades was limited in scope.

Any treatment of shipping as an industrial and social influence requires consideration of the floating equipment, which constitutes a large part of the capital of the concerns engaged in this form of transportation. Such consideration covers, first, a broad classification of commercial vessels; second, a brief mention of other vessels engaged in various auxiliary services; third, a discussion of the evolution of the merchant ship from the primitive dugout to the modern ocean liner; and, fourth, the general character, with respect to kind and construction of vessels, of the present day world merchant marine.

Commercial vessels may be divided roughly into three classes: self-propelling ships, including steamers and motor boats; sailing vessels, or vessels dependent upon ocean winds; and unrigged craft, whose movement is determined by human or animal power acting from shore or by tugs or towboats operating on the same waterway. The first constitute the bulk of the world's ocean tonnage today. Steamers and motor boats, however, are recent arrivals in the field of ocean transportation. The sailing vessel has rapidly been declining as a vehicle of transportation, but until late in the nineteenth century it was the outstanding ship of commerce. Today it operates for the most part as a tramp, carrying various kinds of bulky, low priced freight. Unrigged craft comprise coal boats and barges, often owned by mining companies or organizations handling raw or crude products. They usually operate on rivers and lakes and for short distances along the coast.

Vessels may be classified also according to the flag flown and manner of documentation. Each ocean carrier flies its national flag and is documented at some port within the political jurisdiction represented by that flag. In the United States documentation takes one of three forms: if the vessel is engaged in foreign commerce it is "registered"; if engaged in domestic trade it is "enrolled"; if it weighs less than twenty gross tons it is "licensed." Conditions with reference to documentation are prescribed by the laws of the country whose flag is flown.

Besides the vessels used directly as carriers there are boats employed in various auxiliary services. Tugs and towboats are employed in hauling barges, flats and other unrigged craft and in guiding or hauling ocean vessels in and out of harbor. In this service they are usually owned by companies distinct from those of the carriers. Tenders, used to transport passengers and freight between the vessel and the shore, also are operated in harbor service where large ocean steamers cannot dock. In a somewhat similar way the ferry performs a local service in carrying traffic across bays and rivers. Other floating equipment of an auxiliary nature includes scows and boats employed in saving lives and salvaging vessels. War vessels constitute a distinct group of water craft, but merchant

vessels are sometimes built under the direction of admiralty, or naval, authorities in order that they may serve a nation as auxiliary cruisers in time of war. The owners of such vessels, however, are usually recipients of some form of shipping subsidy from the government.

The growth of the shipping industry has been reflected to a considerable degree in the evolution of the ship of commerce. This vehicle apparently evolved out of the primitive dugout, which has been called the parent of modern boats and has been traced back to the late stone age. Its use seems to have been common among the old Swiss lake dwellers. The coracle of the ancient Celts, which consisted of wicker frames covered with skins, and the bark canoe, represented a later stage in boat development.

The transition from these early forms to the ship proper—from boats capable of rendering only local service to vessels which could sail on relatively long trading voyages—was achieved in prehistoric times. Recorded history rings up the curtain on seagoing vessels, equipped with sails as well as oars, having rudimentary steering gear in the form of paddles and able to make long voyages with cargoes and passengers. While throughout the centuries many changes took place in the construction and manipulation of ships, no transformation of a revolutionary nature occurred until the application of steam as a means of propulsion about the beginning of the nineteenth century.

Some of the earliest representations of vessels large enough to be called ships have been found in Egypt. Vessels of considerable size operated on the Nile as early as the building of the pyramids. Some were propelled by as many as twenty-six oars on each side and steered from the rear by four or five paddles in addition. The greatest seafaring people of ancient times, however, were the Phoenicians. From the meager information available, mainly in Assyrian and Greek sources, they seem to have employed craft similar to the boats used by the Egyptians. Before Nebuchadnezzar began his famous thirteen-year siege of Tyre the Phoenician merchant ships were traversing the whole Mediterranean, even extending their voyages into the Atlantic. The mention by Herodotus of the circumnavigation of Africa about 604 B.C., a feat whose authenticity was formerly questioned but is now generally admitted, is evidence of the great progress made by this people in the art of navigation.

Greeks and Romans made greater advances in their war craft than in their trading ships. While the Greeks early developed into a commercial people, between the Homeric period and the Roman ascendancy the principal change in their merchant vessels was only an increase in size. The Greek trading vessel, as represented on vases dating from the seventh century B.C., was a broad, tublike ship, apparently built for transporting a considerable amount of freight. This form was in striking contrast to pirate vessels and warships, which were usually long and narrow and had beaklike bows finished off with the head of some sea monster.

In size of merchant craft the Romans surpassed the Greeks. The former were not a mercantile people; but the demands of a large and growing home population during the later years of the republic and the early period of imperial rule necessitated the shipment of much grain and other supplies from Africa and western Asia. The great corn ships bringing supplies to the capital were, according to the Roman writer Lucian, as much as 180 feet in length, 45 feet in beam and 44 feet in depth. These carriers were sailing vessels, not oar propelled craft, the sails being square and carried on three masts.

The transition from ancient to mediaeval civilization was accompanied by some reduction in the size of ships. The early Norse vessels, which were probably more seaworthy than most of the ships of antiquity, were of sturdy build and capable of navigating the stormy waters of the North Sea and the North Atlantic. The Mediterranean war galley was the most notable ship of the early Middle Ages. It was a long, single banked vessel propelled by oars but provided also with sails. The larger merchant vessels in the Mediterranean tended to assume the galley form, although they utilized wind power rather than oars wherever conditions favored. This form survived with some modifications in the merchant fleets of the Venetians and Genoese. Mediaeval ships showed no fundamental change in shipbuilding technique. There was some tendency for the oar propelled carrier to disappear from the high seas, although naval vessels still adhered to the use of oars. The rudder displaced steering paddles and the hull was formed for easier manipulation as well as for greater speed.

The principal changes exhibited by modern ships were the following: the complete elimination of oar propulsion in the case of both merchant craft and naval vessels; numerous improvements in the form of the hull, in the

number and height of masts and in the adjustments of sails; the use of chain pumps; the weighing of anchors by means of capstan and long cables; the adoption of the mariner's compass, the astrolabe and other navigating instruments; and, most significant of all, the rapid development of self-propulsion by steam and motor power with an accompanying improvement in the materials of construction.

Toward the close of the Middle Ages the caravel was being developed. This vessel was a sailer of comparatively light build which carried three or four masts and was partly square rigged and partly lateen rigged. The poop and forecastle were high. The caravel figured prominently in the great geographical discoveries of the late fifteenth century; two of Columbus' ships as well as those used by Vasco da Gama on his first voyage around the Cape of Good Hope were of this type.

In the north the sailing vessel was assuming its modern form. The high poop and forecastle, characteristic of the ships of Spain, Portugal and other south European countries, were abandoned; the Dutch, English and French vessels of the seventeenth and eighteenth centuries showed a general increase in size. By the time steam power was beginning to be applied to water transportation, the larger sailing ships, especially those of the French, had attained a length of 200 feet and a beam of 55 feet.

The middle of the nineteenth century marked the rise of the clipper ship, which was a prominent feature of the American merchant marine during the 1840's and 1850's. A square rigged vessel ranging in size from about 500 to over 3000 gross tons, the clipper's great length in proportion to beam (its greatest breadth was well aft of the bow) enabled it to attain high speed with relatively light rigging.

After the close of the American Civil War the sailing vessel was rapidly supplanted by the steamer, although it still survives as a carrier of certain kinds of bulk freight. The square rigged sailer was soon displaced by the schooner, which, it may be noted, had been built as early as 1713. The schooner is the typical sailing vessel of today and in its present form is distinctly an American product.

The development of steam and motor vessels represents the most revolutionary change in the technique of shipbuilding and ship operation within historic times. In little more than a century these self-propelled craft have advanced from an experimental means of transportation on interior waterways to become the ships of commerce. Some of the more important phases of steamship (including motor ship) development have been the following: the application of steam as a propelling force in vessel movement; the gradual displacement of paddle wheels by screw propellers; great improvements in marine engines and boilers; the use of iron and later steel for building material; great increase in the size of ships; and the shift from the coal burning to the oil burning steamer. To these may be added another, the employment of internal combustion engines for propulsion.

The first successful demonstration of the practicability of using steam power to propel ships is generally ascribed to Robert Fulton, whose steamer, the *Clermont*, in 1807 ran from New York to Albany in thirty-two hours. In 1819 the *Savannah* made its well known transatlantic voyage from Savannah, Georgia, to Liverpool, employing steam power part of the way; and in 1833 the *Royal William* crossed the Atlantic all the way under steam. The first ocean steamers retained masts, yards and sails in order to supplement steam power with wind power whenever it was necessary or feasible.

The substitution of the screw propeller for the paddle wheel is associated with the names of the Englishman Francis P. Smith and the Swede John Ericsson, the screw propeller's first successful introduction being made in the 1830's. Twin screws came into common use about 1880. Today the larger liners have at least two propellers, while many have three or four.

In the development of the marine engine, engines of the side lever type with upright cylinders were followed by engines with oscillating cylinders, compound engines having triple and quadruple expansion, reciprocating marine engines and finally turbine engines. Marine boilers exhibited a somewhat similar progress, developing from the flat sided and box shaped boiler to the elaborate cylindrical boilers with internal furnaces, which began to be used about 1868.

From an economic standpoint the change from wood to metal construction was of great importance, for this made possible the building of the great liners of today. Iron began to be used extensively in shipbuilding about the middle of the nineteenth century, although there is a record of the launching of an iron boat on the river Foss in Yorkshire, England, as early as 1777. After 1870 steel came to displace iron for shipbuilding purposes; at present the bulk of the world's merchant marine is steel constructed.

A change of like economic import has been the adoption in recent decades of oil as fuel in the place of coal. This has had the effect of greatly extending the steaming radius of vessels, increasing the space available for freight and passenger traffic and materially reducing labor costs. The use of the internal combustion engine has progressed markedly since the World War. For the operation, however, of the larger liners the turbine engine is still preferred. Table I indicates to what extent the steel constructed, power driven vessel has become the ship of commerce of modern times.

TABLE I

NUMBER AND GROSS TONNAGE OF VESSELS OF 100 TONS AND UPWARDS IN THE WORLD, 1933, BY KIND OF POWER AND MATERIAL OF CONSTRUCTION

	NUMBER OF VESSELS	GROSS TONNAGE
Steamers		
Steel	22,388	55,400,008
Iron	1,323	683,850
Wood and composite	1,141	343,274
Total	24,852	56,427,132
Motor ships		
Steel	3,413	9,927,459
Iron	57	21,413
Wood and composite	1,193	251,520
Total	4,663	10,200,392
Sailing Vessels and Barges		
Steel	632	517,426
Iron	91	72,508
Wood and composite	1,462	702,727
Total	2,185	1,292,661
Grand total	31,700	67,920,185

Source: *Lloyd's Register of Shipping, 1933–34*, 2 vols. (London 1933) vol. ii, p. 1100–01.

The ocean vessels of today have a much greater size and speed than did their predecessors of the early nineteenth century. From ancient times to the opening years of the last century only the exceptionally large vessel exceeded 150 feet in length and over 1000 gross tons in size. At present a freight carrier of 5000 to 7500 gross tons is considered moderate in size, and the large transatlantic passenger liners are from 800 to over 900 feet long and range from 45,000 to nearly 60,000 gross tons. In 1934 the Cunard Steam Ship Company, Ltd., resumed work, which had been halted by the economic depression, on a vessel which is to be 73,000 gross tons. A century ago a speed of 12 knots was achieved by only the fastest vessels sailing under favorable weather conditions. Today this rate is slow for ordinary freighters. In August, 1933, the Italian steamer *Rex* made a run from Gibraltar to New York at an average speed of 28.92 knots and this despite fog and adverse winds. Table II shows the comparative size of well known steamers over the period 1840–1921.

The modern operation of the shipping service is the result of an evolution extending over centuries, and many of its aspects are unintelligible without some reference to their historical origins. The beliefs, for example, that trade follows the flag and that the flag flown from the mast of a ship is an agent in the development of a nation's commerce are almost universal. In large measure, however, these ideas are a survival of the periods when shipping was a phase of commerce rather than a distinct carrying industry and when the association of political authority and commercial interest was extremely close.

The utilization of waterways as avenues of commerce has characterized all peoples living

TABLE II

SIZE OF STEAMERS, 1840–1921

NAME OF STEAMER	DATE OF COMPLETION	LENGTH OF DECK (feet)	BEAM (feet)	GROSS TONNAGE
Britannia	1840	215.0	34.33	1,139
Asia	1850	285.0	40.70	2,402
Persia	1855	385.0	45.25	3,309
Great Eastern	1859	692.0	83.00	18,915
City of Paris	1866	398.0	41.00	3,081
City of Berlin	1875	489.0	45.00	5,491
Teutonic	1890	585.0	57.80	9,984
Oceanic	1899	704.0	68.00	17,274
Lusitania	1906	700.0	88.00	32,000
Olympic	1911	883.0	92.50	46,359
Imperator	1913	900.0	98.00	51,000
Vaterland (Leviathan*)	1914	907.6	100.30	59,957*
Bismarck (Majestic*)	1921	915.5	100.10	56,551

* The *Vaterland* (*Leviathan*) and the *Bismarck* (*Majestic*) were originally designed for service in the German merchant marine; the latter was not completed until after the close of the World War. Both vessels were taken over and renamed by the Allied and Associated Powers, the United States taking the *Vaterland* and Great Britain the *Bismarck*. The original gross tonnage of the *Leviathan* was increased from 54,282 to 59,957.

Source: Berglund, Abraham, *Ocean Transportation* (New York 1931) p. 73, adapted from *Lloyd's Register of Shipping*.

on navigable streams, lakes or seas. A large part of the ocean carrying trade of the world, however, has been in the hands of nations possessing few natural resources and occupying a seacoast area of limited extent. The Phoenicians rather than the Egyptians were the great carriers on the Mediterranean in the centuries preceding the rise of Greek and Roman civilizations. The merchants of such city-states as Athens, Corinth, Antioch and Carthage figured more prominently in the sea trade of later antiquity than did their Roman contemporaries. In mediaeval times too Venice, Genoa and the towns of the Hanseatic League controlled the greater part of the oversea commerce of Europe. Even today countries like Norway, Japan and Holland, with little fertile land and inconsequential mineral resources, have been conspicuous in maritime achievements. Capital in such places naturally seeks the readily available fields of industrial activity.

The first people to develop an extensive merchant marine were the Phoenicians, whose activities reached their height at the beginning of the heroic age of Greece (1000 to 800 B.C.) and who as late as 600 B.C. still dominated the trade of the eastern Mediterranean. The Greeks fell heir to the Phoenician commerce of the eastern Mediterranean, while Carthage, a Phoenician colony, captured the western area. Miletus, on the Asia Minor coast, was the first Greek city to achieve commercial prominence in seafaring enterprises. Later other Hellenic cities, among them Megara, Athens, Corinth, Syracuse, Antioch and Alexandria, became centers of an extensive oversea trade, and Carthage continued to occupy an important maritime role until its final overthrow in 146 B.C. During the Roman political ascendancy the Mediterranean became virtually a Roman lake. Roman merchants in some instances operated vessels of considerable size, but most of their merchant shipping was owned by Greeks and Syrians.

Ancient ships were the property of individual merchants or groups of merchants. A common form of business organization was the participation association. Here the individual trader who did not wish to assume the entire risk of his enterprise entered upon a contract under which part of the capital was borrowed from another person, whose liability in the event of loss was specifically limited but whose profit in case of success was usually a fixed proportion of the total. This type of organization, which bears some analogy to certain forms of modern limited partnerships, was often resorted to for single ventures.

From the fourth to the eleventh century there was a considerable decline in European commerce. In the eastern Mediterranean trade flourished largely under the protection of the Byzantine Empire. The rise of the Saracens was followed by an appreciable development of commercial activity in western Asia and the eastern Mediterranean. On the other hand, in northern and western Europe maritime commerce consisted for the most part of piratical expeditions.

The expansion of commerce during the latter half of the Middle Ages is closely associated with the growth of such communities as Venice, Genoa, Pisa and the towns of the Hanseatic League, of which Lübeck, Hamburg and Bremen were the most important. All these communities, like their great predecessors in the ancient world, became in a sense city-states, either being entirely independent of any external political control or possessing a large measure of autonomy. Their trade by sea was "active," that is, traffic was carried in vessels owned by citizens, while their trading stations, or factories in foreign countries, were similarly owned or controlled.

Mediaeval shipping reached its most advanced development at Venice. As early as the time of Justinian the Venetians had received some recognition as a seafaring people, for both Belisarius and Narses had sought their aid in the transportation of troops and supplies in the wars with the Goths. From the close of the fourth crusade in 1204 to the end of the fifteenth century Venice virtually dominated the sea trade of the Mediterranean; in the eastern part particularly it had a practical monopoly of trade with the Orient. This was made possible by its control of several strategic stations and colonies in western Asia and northern Africa as well as by special privileges granted to Venetian merchants at leading seaports elsewhere in the region.

Shortly after 1300 Venetian vessels were regularly carrying wares to northwestern Europe. For about two centuries this commerce was subject to strict regulation by the Venetian state in order that it might be kept in the hands of home merchants and the property involved protected. Each season the Venetian senate voted the number of galleys needed, auctioned off to merchants the right to freight them and as a rule prohibited separate voyages. The vessels making up the Venetian merchant fleet were

largely oar propelled and each galley carried a force of archers for protection against pirates or other enemies.

In the north oversea commerce during the late mediaeval period was largely under the control of German merchants living in cities located near enough to the North and Baltic seas to be seaports. In order to secure protection against piracy and to obtain trading privileges for their members in foreign ports these towns organized the Hanseatic League. The league reached the height of its power with the Treaty of Stralsund in 1370, when it included over seventy-seven cities. Its last official meeting was held at Lübeck in 1669, when five cities were represented. The geographical discoveries of the fifteenth and sixteenth centuries and the rise of political and economic nationalism revolutionized the shipping situation. Maritime activity became more and more conspicuous on the all water routes between western European ports and the Orient and between Europe and the New World. The city-states, dominated by their commercial oligarchies, were forced to give way to newly rising nations with appreciable land areas and concentrated political authority.

The shipping industry of the Middle Ages, like that of ancient times, was a phase of commerce. In both periods it received its most advanced expression in municipalities located on navigable waterways near the open sea. At these centers the main economic interest was oversea commerce. Business organization and, to a very large extent, political policy were shaped with a view to securing trade monopoly or at least distinct trading advantages for citizens over outside competitors.

The organization of the shipping industry in modern times has been characterized by the following developments: the survival, in an age of growing nationalism, of efforts by the state to safeguard shipping interests against foreign competition; the gradual segregation of shipping from purely mercantile functions; the establishment of services over definite routes with regular sailings, coupled with a recognized distinction between line and tramp operation; the growth of joint stock and incorporated companies and of shipping conferences and consolidations; and the emergence of industrial fleets.

The decline of the city-state and the rise of larger political and social units changed the scope but not the fundamental purpose of trade regulation. Commerce continued to be regulated, but in the real or supposed interests of social groups larger or more inclusive than the mercantile associations which governed the dominant trading towns of earlier times. Political authority was concerned less with specific trade codes than with the shaping of general policies designed to enhance national power and prestige. Oversea commerce therefore was encouraged not merely for the purpose of enriching a merchant class but also in order to increase the sovereign's revenue and lay the foundation of an oversea empire. The shipping industry was a crucial factor in carrying out the spirit of the navigation laws, and hence protective measures were generally instituted for its development.

The emergence of Portugal and Spain as important political entities in the fifteenth and sixteenth centuries was marked by a rapid expansion of their shipping activity. Portuguese merchants, after the voyage of Vasco da Gama, established an extensive commercial empire in India and the East Indies, but it collapsed before the end of a century. Meanwhile Spain was exploiting the newly discovered gold and silver mines of Mexico and Peru, and in this development the famous treasure ships of Spain played a conspicuous role. In the case of both Portugal and Spain vessels were owned by individual merchants or mercantile companies, but they were given naval protection, occasionally financial aid and always legislative safeguards against foreign competition. The Dutch and the English followed a similar exclusive policy, as did other nations although on a smaller scale.

One aim of the mercantilistic policies of the time was to safeguard national shipping as a connecting link between the home country and interests and possessions abroad. The legislation designed to maintain this bond has changed in form since the seventeenth and eighteenth centuries, but its functions are still performed by modern ship subsidies and other shipping aids. Several of the leading merchant marine countries of the world reserve their coastwise and interior waterway trade to vessels flying the national flag; in the United States the carrying trade with most of the country's outlying possessions is also thus reserved. Of the total American merchant marine about 60 percent engages exclusively in commerce of this character.

The emergence of shipping as a business, distinct from mercantile activities, was gradual and took place in different regions at widely varying dates. By the seventeenth century European coastwise vessels were already occasionally engaged in a regular carrying trade, while in

the next century the practise of chartering ocean vessels for purely transportation services was fairly common. These developments came out of the need for efficient carrying agencies in a period of rapidly expanding commerce. Other influences were the industrial revolution, with its increasing volume of commodities offered for transportation, and the appearance of large mercantile organizations with no merchant fleets of their own. The operation of ocean vessels thus became a separate business, and today the bulk of the world's ocean freight is transported by concerns engaged in carrying for others.

The rise of common carriers was soon followed by a gradual segregation of line from tramp traffic. The early ocean carriers were mainly tramps, but as commerce developed efforts were put forth to secure regular sailings between important ports. The first transatlantic line was the Black Ball Line, established in 1816, which operated a fleet of sailing vessels between New York and Liverpool. A second line between the same ports was started in 1822. These early lines, known as packet lines, had regular sailing dates, carried mail and high grade packet freight and usually had accommodations for passengers. After 1850 the ocean steamer rapidly supplanted the sailing vessel in the line service. Following improvements in marine engines and boilers the larger steamers became practically independent of weather conditions, with the result that shippers came to find the new self-propelling vessels more reliable than those dependent upon wind power. Today the sailing vessel has ceased to be a liner.

The tramp still carries a large part of the world's ocean freight. Ordinarily a vessel of moderate size and average draft and speed, it is built for maximum economy and freight capacity. Because it operates over various routes at irregular intervals, the provision of expensive permanent docks and wharves and of offices and freight soliciting agencies is unnecessary. The freight carried is usually of a heavy, bulky nature and is comparatively low in value. An elaborate ship brokerage service at the leading ports of the world keeps shipowners and operators informed concerning the demand for vessel space.

Modern shipping organization also has undergone radical transformations. In ancient and mediaeval times vessels were owned by individuals or ordinary partnerships, and group control, wherever it existed, was generally administered in the interest of merchants as individuals. The appearance of large commercial companies during the fifteenth, sixteenth and seventeenth centuries was a feature of the early modern era. These concerns at first were "regulated" companies, essentially associations of individuals, who received charters from their several governments giving them exclusive privileges for carrying on trade between their home countries and certain foreign lands. The members gained or lost as individuals. These mercantile associations, which often possessed joint ownership in terminal properties and sometimes in ships, gradually evolved into joint stock companies. The joint stock company at common law is treated as a partnership, but from the viewpoint of economic function it acts as a unit in much the same way as the corporation. The English East India Company began as a regulated company and definitely adopted the joint stock company principle only after it had been in existence for some twelve years.

The merchant trader, it may be noted, continued to exist long after the rise of the joint stock company. In the United States, for example, Elias Hasket Derby of Salem, Massachusetts, and Stephen Girard of Philadelphia, Pennsylvania, were prominent figures in merchant shipping in the years following the American Revolution. In the growing differentiation, however, of the shipping business from merchandising the old merchant trader, where he still clung to his ships, became a shipowner pure and simple. Today he survives as the individual owner of tramp vessels.

The increasing complexity of modern commerce, with its demands for promptness, cheapness and regularity of service, has favored the development of joint stock companies and corporations. These forms, especially the latter, have obvious advantages where a large amount of capital is necessary for efficient and cheap service and where stability is required for the carrying out of long range business policies. Passenger and freight liners for the most part have ceased to be the property of individuals. They are owned and operated by security issuing corporations, whose control often extends over several lines or routes. Table III gives the names, nationality and number of vessels of the more important shipping companies in the world today.

Probably because competition is nowhere more active than in ocean transportation, efforts have been made to limit competition; these have taken two forms, the development of shipping conferences and the organization of consolida-

TABLE III

LARGE SHIPPING COMPANIES, THEIR NATIONALITIES AND THE NUMBER OF THEIR VESSELS, 1933*

	Nationality	Number of Vessels
British India Steam Navigation Co., Ltd.	English	126
Canadian Pacific Steamships, Ltd.†	Canadian	24
Compagnie Général Transatlantique	French	96
Cunard Steam Ship Co., Ltd.	English	20
Ellerman & Bucknall Steamship Co., Ltd.	English	18
Ellerman Lines, Ltd.	English	101
Furness Lines	English	94
Hamburg-Amerikanische Packetfahrt A.-G. (Hamburg-America Line)	German	162
Holt, A., & Co. (Blue Funnel Line)	English	73
"Italia" (Cosulick-Lloyd Sabaudo-Navigazione Generale)	Italian	26
Lamport & Holt, Ltd.	English	27
Leyland, F., & Co., Ltd.	English	30
Nederlandsch-Amerikaansche Stoomvaart Maatschappij (Holland-America Line)	Dutch	28
Nippon Yusen Kabushiki Kaisha (Japan Mail Steamship Co., Ltd.)	Japanese	99
Norddeutscher Lloyd (North German Lloyd)	German	143
Oceanic Steam Navigation Co., Ltd. (White Star Line)	English	16
Osaka Shosen Kabushiki Kaisha (Osaka Mercantile Steamship Co., Ltd.)	Japanese	135
Peninsular and Oriental Steam Navigation Co.	English	43
Roosevelt Steamship Co., Inc.	American	12
Royal Mail Lines, Ltd.	English	43
Sovtorgflot (Soviet Mercantile Fleet)	U.S.S.R.	266
United States Shipping Board	American	364

* Water carriers owned or operated in the interest of industrial companies are excluded.
† Owned by the Canadian Pacific Railway Co.
Source: Compiled from *Lloyd's Register of Shipping, 1933–34*, vol. i.

tions. Shipping conferences are associations for the regulation of traffic and the formulation of rate policies among lines serving the same ports or regions and handling the same or similar kinds of traffic. Tramp steamers as a general rule do not participate in conferences. Arrangements among lines may be simple rate agreements or elaborate pooling devices. Ordinarily a line company is a member of more than one shipping conference. Outside of the American trade, shipping conferences endeavor to control rate agreements by use of the so-called deferred rebate, which is a periodical return to shippers who patronize only conference lines of a part of the net freight payments, usually 10 percent Shipping conferences, although they exercise a form of price control, are legal in the United States if they receive the approval of the United States Shipping Board. The board itself, when engaged directly in the shipping business, has been a member of several conferences. Deferred rebates, however, were declared illegal by the Shipping Act of 1916.

First appearing in the last decades of the nineteenth century, line conferences were almost universal by 1909. Although some of them were disrupted during the World War, they resumed operations at its close, so that by the 1930's they were again to be found in almost every region important to international trade. The larger conferences are formal organizations in which the lines included are represented by delegates who meet regularly. There are permanent officers and permanent and special committees, and machinery has usually been set up for the settlement of disputes among conference members. The good faith of each member of a conference is in many instances guaranteed by a deposit of a stipulated sum, which is forfeited if agreements are violated or new services are established that interfere with the interests of the conference lines. Different conference lines are not infrequently interrelated by agreements concerning traffic and rates.

Conference agreements may apply to all the traffic of member companies or to any part or parts of such traffic. Line companies have also in some cases confined their conferences to a few kinds of traffic. Before the restriction of immigration to the United States there even existed traffic pools for the distribution of steerage passengers among several of the leading transoceanic line companies. Generally speaking, conferences composed of line companies have rate understandings covering all or the greater part of the traffic handled by the lines represented. Conference lines operating between the United States and foreign countries and between the Atlantic coast and the Pacific coast through the Panama Canal have agreements with reference to practically all freight which they handle; passenger traffic is subject to separate conference agreements.

The following are some of the more important conferences governing freight rates and practises in connection with the commerce of the United States on export and import trade routes. (1) From North Atlantic ports to the United

Kingdom; continental Europe; west coast of Italy; Adriatic, Black Sea and Levant; West Africa; South Africa; Australia. (2) From Atlantic and gulf ports to West Indies; east coast of Colombia; Brazil; Plata River, west coast of Mexico; Central and South America; Far East. (3) From gulf ports to Mediterranean ports, to Havana and to other foreign ports. (4) From Pacific coast ports to Far East; Australasia; west coast of South America; Caribbean seaports; east coast of South America; United Kingdom; continental Europe and Scandinavia. (5) To New York from Le Havre, Honfleur, Bordeaux and Southampton (cargo of French origin); Antwerp, Rotterdam, Le Havre, Honfleur and Southampton (cargo of Swiss origin). (6) To North Atlantic ports from Levant ports. (7) To Atlantic coast ports from Hamburg-Bremen and from Antwerp. (8) To Atlantic and Gulf ports from United Kingdom; Brazil; West Indies; west coast of South America; Japan; China; Philippine Islands. (9) To Pacific coast ports from Japan; South China, Straits Settlements, Federated Malay States, Java and Ceylon; Philippine Islands; Calcutta; west coast of South America; Scandinavian, Baltic, German, Dutch, Belgian and French ports.

Consolidations in the form of both mergers and holding companies have appeared in the line service. Intercorporate relations have made the actual control of certain companies much more widespread than published figures for direct operation would indicate. How powerful great mergers had become in the years before the depression beginning in 1929 is revealed by the following records of three British and one American company.

The Royal Mail Steam Packet Company (in 1932 reorganized as the Royal Mail Lines, Ltd.), a British company, was established by royal charter in 1839. In 1930 it owned and operated directly a fleet of 31 vessels; including the vessels of the Royal Mail Steam Packet Meat Transports, Ltd., a subsidiary concern, it owned over 40 vessels aggregating 370,232 gross registered tons. It had also a controlling interest in the Pacific Steam Navigation Company, Nelson Steam Navigation Company, Ltd., David MacIver and Company, Ltd., and the White Star Line, Ltd., which had been organized to take over the Oceanic Steam Navigation Company, Ltd., and several smaller companies. The gross tonnage of the fleets of these associated companies and their subsidiaries was 2,304,709. The Royal Mail was thus controlling 2,674,941 gross tons of water craft whose operations extended throughout the commercial world. The authorized capital stock of the company amounted to £25,000,000, of which £8,800,000 had been issued and paid up by the end of 1928. In addition there were outstanding against the company £1,400,000 in first debentures and £5,100,000 in other debentures.

The Peninsular and Oriental Steam Navigation Company, also a British line, was incorporated by royal charter in 1840. Beginning with 1910 the company acquired extensive interests in various steamship companies, notably the Blue Anchor Line, Ltd., the British India Steam Navigation Company, Ltd., the New Zealand Shipping Company, Ltd., and the Union Steamship Company of New Zealand, Ltd. Through these and other holdings the P. & O. controlled a large part of the vessel tonnage of the Orient. Its own vessels in 1930 aggregated 567,147 gross tons and those of the British India Steam Navigation Company, Ltd., added another 754,784 gross tons. In all this company controlled a fleet of 354 ocean steamers with a gross tonnage of 2,217,724. The authorized capital stock of the company was £7,649,853, of which £7,632,518 had been issued and paid up by the end of 1928. In addition there was outstanding £8,487,560, consisting of three varieties of debentures.

The Cunard Steam Ship Company, Ltd., a British company which had its origins in the early days of steam, was organized in its present form in 1878. The company controlled the Commonwealth and Dominion Line, Ltd. (in the Australasian service), the American Levant Line, Ltd., the Anchor Line, Ltd., and the Thomas and Jno. Brocklebank, Ltd. The total gross tonnage owned or controlled in 1930 was 990,811. The authorized share capital amounted to £8,100,020, of which £8,070,261 was outstanding; there were also £4,210,000 and $2,500,000 in debentures and gold notes.

The International Mercantile Marine Company, an American company, was incorporated in 1893 as the International Navigation Company and took its present name in 1902 when J. P. Morgan and Company reorganized and expanded it. The following companies were controlled by the combination in 1930: International Navigation Company, Ltd. (British), Red Star Line (Belgian), Atlantic Transport Company, Ltd. (British), Atlantic Transport Company of West Virginia (American), Frederick Leyland and Company, Ltd. (British). These companies in 1928 owned 52 vessels aggregating

462,096 gross tons; in 1927, before the Oceanic Steam Navigation Company, Ltd. (White Star Line), had been sold to the Royal Mail Steam Packet Company, the International Mercantile Marine Company controlled the operations of over 1,000,000 gross tons of shipping engaged in more than fifty distinct services. The outstanding stock in 1928 was $101,596,800 out of $120,000,000 authorized; in addition there were bonds amounting to $24,130,000. In 1931 the International Mercantile Marine Company obtained control of the Roosevelt Steamship Company, Inc.; in 1932 the United States Lines Company, Inc., was also acquired.

These four organizations before the depression controlled the operations of approximately 6,335,000 gross tons of shipping. Their aggregate outstanding securities, both ownership and long term credit, amounted to nearly $341,000,000, so that their capitalization was about $60 per gross ton. The Royal Mail, the P. & O. and the Cunard companies paid moderate or high dividends on their ordinary or deferred shares during the post-war years. The International Mercantile Marine paid no dividend on its common stock and paid on its preferred stock only during the World War and the years immediately following.

The presence of shipping conferences and consolidations does not seem to have had any material effect on the general trend of ocean freight rates, for the long time movements of charter rates in the tramp service have closely paralleled those of line rates. But conferences and consolidations have been effective in reducing short time variations, with the result that line rates do not show the violent fluctuations characteristic of the daily quotations for charter rates.

The rise of industrial fleets is a recent phenomenon and has been brought about by conditions similar to those which led certain business concerns in the United States to build and own the railroad freight cars which carried their products. Some commodities shipped in large amounts could be handled more economically in specialized vehicles, the coal car, tank car and refrigerator car being well known examples of these. Among water carriers usually owned by industrial companies are coal barges, iron ore vessels and tank steamers. Coal mining companies, in both the United States and Europe, own directly or indirectly coal boats and barges. The ore carrier, a familiar sight on the Great Lakes, is generally the property of a steel company making its own pig iron. Tank steamers are commonly owned or controlled by large oil refining concerns.

Several large coal mining companies in the United States have coal boats and barges on the Atlantic coast and on the upper Mississippi and Ohio rivers. On the Great Lakes the Pittsburgh Steamship Company, which is owned by the United States Steel Corporation, operates a fleet of 86 ore carrying vessels. The Standard Transportation Company, Ltd., of Hong Kong and the Standard Shipping Company of the United States operate oil fleets in the interest of the Socony Vacuum Corporation, which controls the stock of both concerns. The British Tanker Company, Ltd., owns 85 tankers of 780,000 dead weight tons and most of these are chartered to the Anglo-Persian Oil Company, Ltd. All the shares of the British Tanker Company, Ltd., aggregating £4,000,000, are held by the Anglo-Persian Company, Ltd.

There is at present no tendency for railroads and other land carriers to combine with ocean carriers for the purpose of forming a common land and water transportation system, although at one time such combinations were fairly common. The Chesapeake and Ohio Railway formerly operated a shipping line from Newport News to London and Liverpool, while the American Line, in 1902 made a part of the International Mercantile Marine Company, was once controlled by the Pennsylvania Railroad. In 1900 the Southern Pacific Company secured a controlling share of the stock of the Pacific Mail Steamship Company, which ran vessels across the Pacific and between San Francisco and Panama. The Great Northern Railway Company organized the Great Northern Steamship Company for service between Puget Sound and the Orient. In 1914 it was estimated that in the United States the railroads owned or controlled 209 vessels of 589,561 gross tons engaged in regular line traffic.

Since 1914 this situation has been changed; old amalgamations have been severed and no new ones formed. There are fundamental differences between rail and water transportation. Ocean freight rates are less stable than rail rates, making the development of through routing policies for a combined land and water transportation system difficult. Furthermore the leading transoceanic lines, especially on the Atlantic, had taken fairly definite form before railroads had become sufficiently strong to branch out and develop any ocean carrying business. Politi-

cal influences also operated to prevent common ownership and control. The principle of equitable treatment of all water lines by railroads and the application of antitrust laws made the operation of such combinations difficult.

Railway control of water carriers, however, is a prominent feature of the transportation system of Canada. The Canadian Pacific Steamships, Ltd., which is an operating organization controlling the movements of several large steamers engaged in the transoceanic service on both the Atlantic and the Pacific, is owned by the Canadian Pacific Railway Company. Other vessels, operating for the most part in local coastwise service, are also owned by the same railroad. The Canadian Pacific Railway is unique among the railways of the world in this development.

The World War had certain significant effects on the shipping industry. During the course of the struggle a large part of the world's merchant marine was requisitioned for war purposes, while there was widespread destruction of mercantile shipping by German submarines. In the case of Great Britain alone losses due to submarine sinkings were put at 7,759,000 gross tons, or 38 percent of the British tonnage in June, 1914. As a result and also because of mounting construction costs several governments were compelled to go into the business of shipbuilding and operation. With the close of the war, however, governments found it impossible to dispose of their newly created fleets at prices which would meet a reasonable part of the costs, so that they were kept in the shipping business for a number of years. This was particularly true of the United States, which during the latter part of the war period was building the bulk of the world's newly constructed vessels. As late as July 1, 1932, the United States government still owned 362 ships aggregating 2,088,864 gross tons.

The establishment of a socialist republic in Russia following the October revolution of 1917 led to government ownership and operation of the Russian mercantile fleets. While the Russian merchant marine has always been small, the Sovtorgflot (Soviet Mercantile Fleet) has shown marked growth in recent years. The ships of the Sovtorgflot are divided into five units and directed from district head offices as follows: the Baltic Fleet from Leningrad, the Northern Fleet from Archangel, the Black Sea Fleet (the most important) from Odessa, the Sea-of-Azov Fleet from Rostov-on-Don and the Far Eastern Fleet from Vladivostok.

Table IV indicates the number and gross tonnage of ships of 100 tons and upward in the principal maritime countries of the world for the years 1900, 1914, 1920 and 1933. It will be observed that while Germany as a mercantile power ranked third in 1900 and second in 1914, in 1920 it was to be found among the minor countries. This was largely due to the trans-

TABLE IV

NUMBER AND GROSS TONNAGE OF SHIPS OF 100 TONS AND UPWARDS, BY PRINCIPAL MARITIME COUNTRIES, 1900–33*

	1900		1914		1920		1933	
	NUMBER	GROSS TONNAGE (in 1000)	NUMBER	GROSS TONNAGE (in 1000)	NUMBER	GROSS TONNAGE (in 1000)	NUMBER	GROSS TONNAGE (in 1000)
United Kingdom†	8914	13,241	9240	19,257	8561	18,330	7705	18,700
United States	3135	2,750	3100	5,323	5381	15,997	3730	13,260
Japan‡	484	488	1103	1,708	1940	2,996	2019	4,258
Norway	2380	1,641	2191	2,505	1777	2,219	1970	4,080
Germany	1710	2,650	2388	5,459	1138	673	2084	3,901
France	1214	1,351	1576	2,319	1758	3,245	1627	3,512
Italy	1176	984	1160	1,668	1115	2,242	1278	3,150
Holland	406	530	806	1,496	987	1,793	1413	2,765
Sweden	1433	637	1466	1,118	1297	1,073	1395	1,675
Greece‡	139	178	407	821	294	497	537	1,417
Spain	597	695	647	899	749	997	865	1,232
All others	6022	3,745	6674	6,481	6487	7,219	7077	9,970
World total	27,610	28,890	30,758	49,074	31,484	57,281	31,700	67,920

* Sail tonnage for 1900 and 1914 in tons net.
† In 1933, figures for Great Britain and Ireland.
‡ Excluding sailing vessels.
Source *Lloyd's Register of Shipping, 1933–34*, vol. ii, p. 1112–16.

ference under the Peace of Versailles of the greater part of the country's shipping to the Allied and Associated Powers as well as to the extraordinary wartime shipbuilding activities of other nations. By 1932, however, Germany was once more among the leading merchant marine countries. The progress of Japan over the period 1900–32 is particularly noteworthy, as is also the recovery of Norway since 1920 from the havoc inflicted on its fleets by submarine sinkings and the interference of the war with the country's trade.

The position of the United States was materially changed by the war. While the United States occupied second place among maritime nations in 1900 and third place in 1914, this was to a considerable extent due to a very large tonnage engaged only in coastwise and inland service ("enrolled" tonnage). On the basis of shipping in foreign trade alone ("registered" tonnage) in 1914, for example, the United States ranked below the United Kingdom, Germany, Norway, France and Japan. The country's shipbuilding activity during the war as well as its share of the German merchant marine raised it to second place in 1920 in both total and "registered" tonnage, a position which it continued to hold a decade later despite a serious decline in that part of the fleet engaged in foreign trade. The United Kingdom (later Great Britain and Ireland), while suffering heavily during the war, continued to maintain its premier position as mistress of the seas. Although a smaller proportion of the world's shipping than in pre-war years was flying the British flag, the proportion was still great. If oversea dominions are included, the British Empire in the 1930's controls approximately one third of all the shipping of 100 tons and over in the world.

ABRAHAM BERGLUND

See: MERCHANT MARINE; SEAMEN; SHIPBUILDING; NAVY; COMMERCE; COMMERCIAL ROUTES; WATERWAYS, INLAND; PORTS AND HARBORS; FREE PORTS AND FREE ZONES; INTERNATIONAL WATERWAYS; INTERNATIONAL TRADE; TRANSPORTATION; IMPERIALISM; MERCANTILISM; COLONIAL ECONOMIC POLICY; ACTS OF TRADE, BRITISH; FISHERIES; FOOD SUPPLY; MARINE INSURANCE; MARITIME LAW; FREEDOM OF THE SEAS; WAR ECONOMICS.

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SHOE INDUSTRY. *See* LEATHER INDUSTRY.

SHOP COMMITTEE. *See* INDUSTRIAL RELATIONS COUNCILS.

SHOP COUNCILS. *See* INDUSTRIAL RELATIONS COUNCILS.

SHOP STEWARD MOVEMENT. *See* INDUSTRIAL RELATIONS COUNCILS.

SHORT BALLOT MOVEMENT. The electoral systems of various countries differ among other things in the number of decisions or choices which the individual voter is called upon to make on any particular election day. In this respect the voter bears the heaviest burden in the United States. In other countries he often votes on only a single office and seldom on more than a few. In the United States it was formerly not uncommon for a single election to deal with more than fifty offices; this situation still prevails in some places. The short ballot movement, most active in the second decade of the present century, has been concerned with the alleviation of this burden and its resultant evils.

There are at least two reasons why longer ballots have been used in the United States than in any other country. The first is to be found in the political philosophy which holds that a truly democratic governmental system requires that all important public offices shall be filled by popular election. This principle has been pressed to an extreme in the United States, where the new offices created to meet the growing tasks of government in general and of urban government in particular were almost invariably made elective. The method of popular election is not only used to select the major executive and legislative officers in all fields of government, national, state and local, but is widely employed in the states and municipalities to fill judicial offices as well as to choose relatively unimportant administrative officials. Judges, prosecuting attorneys and even court clerks are elected by the people in many states. Heads of state administrative departments, such as auditors, treasurers and superintendents of education, are in some instances chosen by the same method. In counties, cities, towns and townships in all parts of the country administrative posts, even of minor consequence, are also elective. This involves a wide departure from the principle, considered axiomatic by political scientists, that only public officials whose posts are conspicuous and whose work is of a policy determining nature should be chosen by popular vote. Good governmental practise requires that all those officials whose functions are essentially routine or technical should be selected by appointment.

A second reason for the long ballot in the United States may be found in the common practise of holding national, state and local elections on the same day. At one time this was the practise everywhere. During recent years the tendency has been to scatter these elections, but a combination of state and local elections or of congressional and state elections is still common in many parts of the country.

Students of American government in the early years of the twentieth century pointed out serious consequences in connection with the use of the long ballot. It is exceedingly difficult for most voters to form an intelligent opinion concerning the merits of all of the candidates. The average voter will ordinarily not familiarize himself with the names and qualifications of more than a dozen at most. Accordingly the bulk of electoral interest is concentrated upon the more conspicuous offices. Those voters who are not frightened away from the polls by the burden imposed on them by the long ballot necessarily pay little or no attention to the less important offices. Thus unfit candidates are frequently chosen in the lower ranges of the ballot. Moreover the practise of submitting to popular election the choice of so many officials tends to make the business of nominations too intricate for popular participation, so that the preliminary selections drift into the hands of small political groups. In addition the fact that so many officials are elective and theoretically responsible only to the people diffuses official responsibility and makes it easy for officials to

shift any blame for misgovernment to other officials.

In the endeavor to provide a remedy for public apathy, blind voting and manipulated nominations the short ballot movement was inaugurated. It took definite form with the organization in 1909 of the National Short Ballot Organization. Woodrow Wilson, its president, termed the short ballot "the key to the whole problem of the restoration of popular government." The organization set forth as the "short ballot principle" that only offices important enough to attract and deserve public examination should be elective and that very few offices should be filled by election at one time. The principle was adopted by political scientists and by many public officials and was incorporated in the platform of the Progressive party in 1912. It became closely linked with the general movement for centralizing government responsibility by decreasing the number and lengthening the term of elective offices, simplifying governmental administrative organization and eliminating second chambers in state and municipal legislatures. In municipal government the organization advocated commission and commission manager forms of government as the most direct means of shortening the municipal ballot. In 1921 the National Short Ballot Organization consolidated with the National Municipal League.

The movement has achieved considerable success, especially in state government. Various plans of administrative centralization have reduced the number of elective state officials. The development of the strong mayor and especially of the city manager form of municipal government has resulted in a decrease in the number of elective municipal officers. On the other hand, relatively little progress has been made in county government.

Opposition to the transfer of public officials from the elective to the appointive class is usually based on the contention that such action relaxes the control of the people over their public representatives and hence is a step in the direction of autocracy. It is also argued that by extending the range of the appointing power a few high officials are given the opportunity to build up a political machine and thereby to intrench themselves in office. Despite this opposition the ballot is being slowly but steadily shortened throughout the United States so far as the number of elective offices is concerned.

The gains, however, have been partially offset by the spread of the initiative and referendum, which results in placing various questions on the ballot for the voters to decide. In some instances as many as thirty or forty questions have been submitted at a single election. To the extent that names of candidates are replaced by lists of questions the short ballot has once more become lengthened and blind voting is given new encouragement, for voters are no more likely to inform themselves on minor questions than on minor candidates. Only issues of major importance should be submitted to a decision by popular vote.

At present the short ballot movement is attracting less interest. This is partly because many of its aims have already been achieved. The multiplication of elective offices has been checked and their number reduced. In recent years the attention of reformers has been concentrated more upon the improvement of routine administration than upon changes in the machinery of election. The movement for a shorter ballot has become merged in the wider campaign for a general simplification of state and local government as well as for better business methods in the public service.

WILLIAM B. MUNRO

See: ELECTIONS; VOTING; BALLOT; MACHINE, POLITICAL; STATE GOVERNMENT, UNITED STATES; MUNICIPAL GOVERNMENT; CITY MANAGER; COMMISSION SYSTEM OF GOVERNMENT.

Consult: Childs, Richard S., *Short-Ballot Principles* (Boston 1911); Illinois, Legislative Reference Bureau, *The Short Ballot*, Constitutional Convention Bulletin, no. 5 (Springfield 1919); National Municipal League, *The Short Ballot* (New York 1922); Brooks, R. C., *Political Parties and Electoral Problems* (3rd ed. New York 1933) p. 463–72.

SHORT HOURS MOVEMENT. The movement for the progressive reduction of working hours has been carried on in the main by organized labor. In certain countries, however, it was philanthropists and humanitarians who supplied the impetus, particularly with regard to legislative reduction of the hours of labor of child workers. Indeed this phase, although it is now part of the general program of labor organizations, still receives a considerable portion of its support and leadership from non-working class elements, especially in countries where for various reasons no stable labor movement has as yet been built up. Similarly in the struggle to regulate by legislation the duration of labor of working women humanitarian and social reform elements have played a significant part. In

these two phases of the movement the arguments for the reduction of labor on humanitarian and social health grounds have the greatest appeal and receive principal emphasis; and the chief type of regulation sought has been governmental legislation.

Even in the more general movement for the reduction of hours of adult as well as child workers there have been periods and instances in which the initiative for the movement has come from non-working class elements. Thus among the most important proponents of the shorter working day in early nineteenth century England was Robert Owen, who felt that this step would serve the interests of both society and the employer. Owen, a successful factory owner, reduced the hours of work of his employees and then advocated a general voluntary adoption of this practise by industrialists. On the basis of his experiment he argued that the reduction of hours would not affect output, as the added rest would make the worker more efficient; although there would have to be a rise in wages sufficient to compensate for the reduced hours, the actual labor costs of production would not be increased. Moreover every element in society would benefit in other measurable economic forms, for the improved health and morals of the workers would lead to a continual diminution of the poor rates. This attitude has been characteristic of certain "welfare capitalists," especially in periods of expanding markets and comparative shortage of labor. Owen's arguments had no effect on the manufacturers of his time, however, and he turned from voluntary employers' action to legislative regulation of both child and adult labor. It was not from the industrial employers that the humanitarians and welfare capitalists of Owen's day received support but rather from certain conservative anti-industrialists who saw in the results of the methods of the upstart manufacturing class both a political and a social menace.

After the repeal of the combination acts working class associations arose in the 1830's, considerably influenced by the more revolutionary phase of Owenism, which sought a reorganization of society. The ten-hour strikes, which in some cases met with success, were in part motivated by the belief that the large masses of workers would be attracted to a movement for shorter hours.

In the United States, on the other hand, it was the trade unions which took the initial step in the short hours movement. As early as 1791 a Philadelphia union of carpenters agitated for a shorter working day. But the trade union movement was based on craft rather than on broad industrial organization, relied not on legislation but on bargaining power and economic action and was motivated not by the concept of revolution or by the argument of better citizenship, which was not voiced in the United States until the 1830's, but by job scarcity and the belief that the reduction of the excessive hours of work would lead to a wider distribution of employment opportunities. This motivation, which also dominated the shorter hours movement in England in the 1850's, was a reflection of the consciousness of limited opportunity and thus apparently was in direct contradiction to the production argument of Owen, which in subsequent periods of industrial prosperity gained acceptance among trade unionists.

After the 1860's, although the various trade unions in the United States and England won a series of local concessions by strikes and collective bargaining, utilizing the arguments of citizenship rights and distribution of employment, the revolutionary approach reappeared with the rise of the political labor movement. In the United States, it is true, the shorter hours movement in the 1860's was influenced largely by the gentle revolutionism of Ira Steward, who held that through a reduction of hours profits could finally be eliminated. His belief in the "golden law of wages"—that wages depend on the standard of living and not vice versa—led him to argue that increased leisure through reduced working hours would serve as the pivotal point in raising the standard of living. The shortening of the working day would mean that the worker would demand more pay or refuse employment, so that by constant reduction the employer's income would shrink to the point where industry could no longer be operated at a profit, and a transition could then be made from the capitalist system to one based on voluntary producers' cooperation. The movement inspired by Steward was not without effects in legislation for public employees and in trade union action. But its primary belief in an expanding society with the workers in an advantageous bargaining position was dispelled by the economic crisis of 1873.

By the 1880's, however, even the United States was affected by the revolutionary program of the First International, which stressed a universal eight-hour day not as an automatic means for the supplanting of the capitalist sys-

tem but as a rallying point for mass workers' organization and strikes, whose strength would lead ultimately to the attainment of the other demands of the workers. This revolutionary approach was introduced into the United States mainly by the anarchists, who saw the eight-hour movement as a prelude to a general strike, but also by the trade unions with the exception of the Knights of Labor. After the Haymarket riot, it was decided instead to start with a nation wide movement in one trade after another, beginning with the best organized and most strategically situated groups. The carpenters chosen in 1890 for this purpose met with only partial success; in 1894 the bituminous miners staged a nation wide walkout which despite its failure laid the basis for the more successful strike of 1897.

In England and on the continent, however, the movement in the 1880's was conducted along general revolutionary as well as national industrial lines. The Social Democratic Federation of England used the demand for the eight-hour day as an agitational device. And at the close of the decade a fresh impetus was provided through the rise of the "new unionism" among the dock workers and general laborers, who, after a long and bitter strike, succeeded in reducing their hours from twelve to eight. When the Socialist International issued a call for demonstrations on May Day, 1890, for the eight-hour day, there was in Germany despite the suppressive legislation still prevailing a wide response precipitating the Hamburg lockout which laid the basis for a unified trade union movement. In London it was estimated that almost 250,000 people participated in the demonstration. Similar demonstrations were held in other countries, and the socialist agitation for shorter hours finally affected czarist Russia in the widespread strike movements of 1896 and 1905. Indeed it was a strike for reduction of hours which inaugurated the general uprising of 1905. One of the first acts of the Soviet government in 1918 was the introduction of the universal eight-hour day, which has since been reduced to a seven-hour day.

Before the World War, although the demand undoubtedly had a stimulating effect on labor movements all over the world, the universal eight-hour day was nowhere achieved except in Australia; elsewhere it was won in certain well organized trades as the result of trade union action. It was enacted into law, however, in the period of the war, in Germany, Austria and France. In the Germanic countries it was part of the republican governmental program, especially in the days of Social Democratic control; in France, after a long period of labor legislation introduced mainly to curb revolutionary activity and rarely enforced, the eight-hour day came as the culmination of a series of changes in the relations between the labor movement and the government. In England the struggle took place mainly on the economic front. In the United States, although in some localities in certain organized trades, like the building and garment industries, working hours had been reduced to forty per week, the mass of unorganized labor with the exception of white collar workers had not won the eight-hour day or the Saturday half holiday. In the steel industry the evils of the twelve-hour day, one of the causes of the unsuccessful strike of 1919, were removed in part only after agitation by the Federal Council of Churches in 1923. For reasons which apply to all types of labor legislation in the United States the movement made little headway on the legislative front, except for groups such as women, public employees and workers in industries with special health hazards.

During the years of comparative prosperity organized labor in the United States and to some extent elsewhere once more revived the argument that increased per capita production, ascribed in part to technological improvements and in part to the increasing skill of the workers, justified a reduction in hours, since it would involve no loss in productive capacity. This argument has been attacked in revolutionary writings on the ground that increasing productive capacity would benefit the workers only in a socialist state and also because it implied "class collaboration" in the economic field. With the onset of the current depression in 1929 trade unions turned again to the argument of better distributed employment opportunities, although they opposed the "share the work" movement of certain employers, whose policy of spreading employment involved reduced wages. It is this argument of the trade unions, combined with the emphasis on the necessity of purchasing power, which has on the whole motivated the recent governmental policy of setting hours, in some instances as low as thirty-five per week, in many of the codes under the National Industrial Recovery Act.

Whatever its basic motivation or method of achievement, the short hours movement has in fact attained some of the goals set for it by labor, both revolutionary and reformist. The demand

for shorter hours has had a strong appeal in a period of rising costs of living as the most permanent gain to be obtained; and it is in fact integrally related with wage gains, since in all instances in which it has resulted from trade union action it has led to a rise in wages for the group as a whole. Whatever the rationale of the movement in various periods, its dominant impetus has always come from the basic concept of the rights of workers as producers and as members of society.

SELIG PERLMAN

See: HOURS OF LABOR; LABOR LEGISLATION AND LAW; CHILD, section on CHILD LABOR; WOMEN IN INDUSTRY; CONTINUOUS INDUSTRY; INDUSTRIAL HAZARDS; TRADE UNIONS; UNEMPLOYMENT; STRIKES AND LOCKOUTS.

Consult: Webb, Sidney, and Cox, Harold, *The Eight Hours Day* (London 1891); Robertson, J. M., *The Eight Hours Question* (London 1893); Cahill, M. C., *Shorter Hours; a Study of the Movement since the Civil War*, Columbia University, Studies in History, Economics and Public Law, no. 380 (New York 1932); Gompers, Samuel, *Eight Hours; the Workers and the Eight-Hour Workday* (Washington n.d.); Gunton, George, *The Economic and Social Importance of the Eight-Hour Movement* (2nd ed. Washington 1889); Bauer, Stephan, *Der Weg zum Achtstundentag* (Zurich 1919); Hertz, Paul, and Seidel, Richard, *Arbeitszeit, Arbeitslohn und Arbeitsleistung* (2nd ed. Berlin 1923); Wolff, Wilhelm, *Der 8-Stunden-Tag* (Berlin 1926); Kranold, Albert, *Das Problem des Achtstundentages* (Jena 1925); *40 Stunden-Woche*, compiled by Theodor Leipart (Berlin 1931); Doriot, Jacques, *Journée de 7 heures avec salaire de 8 heures* (Paris 1932); Saposs, David J., *The Labor Movement in Post-War France*, Columbia University, Council for Research in the Social Sciences, Social and Economic Studies of Post-War France, vol. iv (New York 1931); Rabinowitz, R., *Arbeitzeit- und Arbeitslohnpolitik in der sowjetrussischen Industrie*, Hamburger Wirtschafts- und sozialwissenschaftliche Schriften, no. 19 (Rostock 1931); Weber, Max, "Verkürzung der Arbeitzeit" in *Gewerkschaftliche Schriften*, no. 4 (Zurich 1931); Leder, Zenon, *Der Achtstundentag, Sozialreform oder soziale Revolution?*, Rote Gewerkschafts-Internationale, Bibliothek, vol. xxv (2nd ed. Berlin 1923); Heckert, Fritz, and Mann, T., *Der internationale Kampf um den achtstündigen Maximalarbeitstag*, Rote Gewerkschafts-Internationale, Bibliothek, vol. xxxiii (Berlin 1924).

SIB. *See* SOCIAL ORGANIZATION.

SICKEL, THEODOR (1826–1908), German historian. Sickel, the son of an Evangelical pastor, studied theology first at Halle and then at Berlin, where he came under the influence of Karl Lachmann. As a result of his connections with the young Hegelian and liberal circles during the Revolution of 1848 he found it advisable to leave Prussia. He went to Paris in 1850, where he established contacts with the École des Chartes. He was commissioned by the French ministry of instruction to visit various archive depositories, and in this connection he traveled to Vienna. It was about this time (1855) that the Institut für Österreichische Geschichtsforschung, dedicated to the advancement of Austrian history, was being opened. In 1856 Sickel was appointed professor of historical auxiliary sciences, including palaeography, diplomatic and chronology, at the University of Vienna and at the institute. The extraordinary importance of his scientific, pedagogic and organizational achievements soon made him the central figure at the institute, and he served as director from 1869 to 1891. As a result of his activities the original scope of the institute was extended to make it an institution for the study of mediaeval palaeography, diplomatic and chronology. The legal historian Heinrich Brunner, the former director of the state museums in Berlin, Otto von Falke, the general director of the *Monumenta Germaniae historica*, Paul Kehr, and most of the contemporary Austrian mediaeval and modern historians were pupils of Sickel, either directly or indirectly, as members of the institute.

Sickel's scientific importance consists in the fact that he applied to the documents of the Middle Ages the method of philological criticism used by Lachmann for the literary sources of antiquity and Middle High German poetry. Thus Sickel paved the way for the successful utilization of these sources for political, but above all for legal, economic and constitutional history. His work as an organizer was also of considerable importance. When Pope Leo XIII made the Vatican archives accessible to scholars, Sickel was instrumental in inducing the Austrian government to establish the Istituto Austriaco di Studii Storici at Rome, which he directed from 1891 to 1902. At this institute the historical auxiliary sciences were applied also to modern history.

WILHELM BAUER

Important works: Sickel edited the following: *Monumenta graphica medii aevi*, 9 vols. (Vienna 1859–69); *Die Urkunden der Karolinger*, 2 vols. (Vienna 1867); *Zur Geschichte des Concils von Trient*, 3 vols. (Vienna 1870–72); *Conradi I, Heinrici I, et Ottonis I, diplomata, Ottonis II, diplomata, Ottonis III, diplomata*, Monumenta Germaniae historica, Diplomatum regum et imperatorum Germaniae, vol. i, and vol. ii, pts. i–ii (Hanover 1879–93); *Liber diurnus romanorum pontificum* (Vienna 1889).

Consult: *Theodor Sickel; Denkwürdigkeiten aus der*

Werdezeit eines deutschen Geschichtsforschers, ed. by Wilhelm Erben (Munich 1926); Steinacker, Harold, *Theodor von Sickel* (Vienna 1907); Ottenthal, Emil von, in Institut für Österreichische Geschichtsforschung, *Mitteilungen*, vol. xxix (1908) 545–59.

SICKNESS. *See* MORBIDITY.

SICKNESS INSURANCE. *See* HEALTH INSURANCE.

SIDGWICK, HENRY (1838–1900), English philosopher. Sidgwick, who was trained in classics and mathematics at Trinity College, Cambridge, soon turned to the study of practical philosophy (moral, political and economic). During his forty-five years of residence in Cambridge he exerted a deep influence upon both the development of university policy and the growth of philosophical studies. He played a large part in the movement for the abolition of university tests which made subscription to the articles of the Church of England necessary for full membership in the university. He helped to promote the foundation of Newnham College for women and he was one of the protagonists in the cause of the admission of women to full university rights. He served for many years on the general board of studies of the university and from 1890 to 1898 was a member of the Council of the Senate, the mainspring of university policy. But his chief concern was with the Moral Sciences Tripos, the philosophical curriculum of the university, which had been founded in 1851 and which was made a qualification for a degree in 1860. He examined for it and lectured for it; and from 1883 to 1900 as Knightbridge professor of moral philosophy he was intimately concerned with its development. He had many distinguished pupils, among them Lord Balfour and Bertrand Russell, and he left the impress of a subtle, balanced, exact and cautious mind on his pupils and on the Cambridge curriculum.

In contradistinction to his contemporary at Oxford T. H. Green, who based his philosophy on Plato and Aristotle and the German idealists, Sidgwick built upon English utilitarianism. He was opposed to any form of transcendental philosophy; and he followed English traditions of common sense and prudent realism. In his ethics he sought to reconcile Mill's utilitarianism with the philosophy of conscience and the moral imperative which had been preached by Butler and Kant. In his economics he added his own good sense and his own profound interest in social questions to the doctrines of classical political economy. In his politics he brought a study of reality and a balance of judgment to bear on the tradition of Bentham and Mill. Perhaps the influence of his personality was deeper in his lifetime than that of his writings has been on the subsequent development of ideas; but he remains one of the foremost representatives of Cambridge thought in the latter half of the nineteenth century.

ERNEST BARKER

Important works: *The Methods of Ethics* (London 1874, 7th ed. 1901); *The Principles of Political Economy* (London 1883, 3rd ed. 1901); *The Elements of Politics* (London 1891).

Consult: Sidgwick, A. S. and E. M., *Henry Sidgwick; a Memoir* (London 1906); Bryce, James, *Studies in Contemporary Biography* (London 1903) ch. xv; Broad, C. D., *Five Types of Ethical Theory* (London 1930).

SIDIS, BORIS (1867–1923), American psychopathologist. Sidis was born in Russia, came to New York in 1887 as a poor immigrant and prepared himself for college. At Harvard he attracted the favorable attention of William James, whose strong admirer he became and remained. He served as associate psychologist and psychopathologist of the Pathological Institute of the New York State Hospitals from 1896 to 1901 and was director of the Psychopathological Hospital and Psychopathological Laboratory of the New York Infirmary for Women and Children from 1901 to 1904. For five years he practised psychiatry around Boston and in 1908 he received the degree of doctor of medicine from Harvard Medical School. The following year he established the Sidis Psychotherapeutic Institute in Portsmouth, New Hampshire, where he remained until his death. During his professional career he wrote sixteen works, chiefly on phases of abnormal and social psychology. He served also for a time as editor of *Archives of Neurology and Psychopathology* and was associate editor of the *Journal of Abnormal and Social Psychology* from its foundation.

Sidis was a pioneer in the United States in the scientific study of subconscious behavior. Strongly opposed to conventional psychoanalytic theory, he sought to emphasize rather the viewpoint of environment and social psychology. He repudiated the inheritance theory of the origin of mental diseases, tracing them back for the most part to environmental conditioning in childhood. He had little use for the eugenic theory of selection. His employment of the hypnotic technique, his professional reticence, his unswerving intellectual honesty, which some-

times led him to unsparing criticisms, and his preference for the clinical as opposed to the experimental method of research (a preference traceable to James' influence) prevented his securing the academic recognition he deserved. Only one psychological journal has reviewed his theories. Sidis was one of the first to show that abnormal behavior uses the same individual mechanisms as normal behavior and differs only in social pattern. He emphasized the importance of the study of the subconscious for sociology, especially in crowd behavior, holding that man is social because he is suggestible. Fear and suggestion he considered as the chief bases of social life. He agreed with Claparède in regarding sleep as a protective rather than as a recuperative phenomenon. His theory of laughter, whereby he maintained that the risible is always the unconventional, also was sociological rather than psychological.

L. L. BERNARD

Works: *The Psychology of Suggestion* (New York 1898); "An Inquiry into the Nature of Hallucination" in *Psychological Review*, vol. xi (1904) 15–29, 104–37; *Psychopathological Researches; Studies in Mental Dissociation* (New York 1902), in collaboration with W. A. White and G. M. Parker; *Multiple Personality* (New York 1905), in collaboration with S. P. Goodhart; "Studies in Psychopathology. The Psychotherapeutic Value of the Hypnoidal State" in *Boston Medical and Surgical Journal*, vol. clxi (1909) 242–47, 287–92, 323–27, 356–60; *An Experimental Study of Sleep* (Boston 1909); *The Psychology of Laughter* (New York 1913); *The Foundations of Normal and Abnormal Psychology* (Boston 1914); *Symptomatology, Psychognosis, and Diagnosis of Psychopathic Diseases* (Boston 1914); *The Causation and Treatment of Psychopathic Diseases* (Boston 1916); *The Source and Aim of Human Progress; a Study of Social Psychology and Social Pathology* (Boston 1919); *Nervous Ills, Their Cause and Cure* (Boston 1922).

Consult: Bruce, H. Addington, in *Journal of Abnormal Psychology*, vol. xviii (1923–24) 274–76.

SIDNEY, ALGERNON (1622–83), English republican and political theorist. Although his father was earl of Leicester, Sidney took the parliamentary side in the civil war, sat in the Commons, urged the deposition—but not the trial—of Charles I, protested Cromwell's expulsion of the Rump and lived in retirement until the latter's death. The Restoration made exile seem desirable, and he remained abroad until 1677. On his return he reentered politics and, although he failed of election to Parliament, did much to organize opposition to Charles II. He was arrested as a sequel to the Rye House Plot and after a trial which, fully reported, became one of the important documents of eighteenth century republicanism was condemned for treason and beheaded. One of the charges against him was that he had written a book proving kingship unlawful. This was the *Discourses concerning Government*, then simply in manuscript and first published, probably by Toland, in 1698. The book was hardly treasonous. Most of it was a massive refutation of Filmer—and about on Filmer's plane. Filmer's theory of patriarchal rule, for instance, was shown false in its Biblical application, because the first earthly king was Nimrod, "sixth son of Cush the son of Ham, Noah's younger and accursed son," instead of, as divine right would seem to require, a descendant in the eldest male line. Yet there was also a good deal of straightforward republican theory on parliamentary supremacy, the delegation of magisterial power by the people, the advantages of "mixed" governments and so on. The book, although less clear and coherent than Locke's political writings, served along with the latter's as an inspiration to English Whigs and as one of the chief arsenals from which the American revolutionary writers drew their arguments. But Sidney's life, trial and martyrdom probably had greater influence on republicanism in America and in France than his actual writings. In French literary societies he was, with Franklin, Washington, Voltaire and Rousseau, one of the few moderns whose bust was thought worthy of a place alongside that of Brutus. In America many a patriot who had never read the *Discourses* appealed to Sidney's memory as a symbol of defiance to tyrants. Sidney's own republicanism was of an aristocratic cast; he was neither politically nor economically a leveler. In his lack of interest in religion as in other ways he anticipated the temper of the eighteenth century.

CRANE BRINTON

Consult: Ewald, A. C., *The Life and Times of the Hon. Algernon Sidney*, 2 vols. (London 1873); Gooch, G. P., *Political Thought in England from Bacon to Halifax* (London 1914) p. 164–71.

SIEMENS, (ERNST) WERNER VON (1816–92), German industrialist and inventor. Siemens was the founder of the electrical manufacturing industry. The most catholic of industrialists in his interests, he combined successfully the business man with the natural scientist, technician and inventor. Originally an army officer, he organized in 1847 in partnership with Halske, a mechanic, the telegraph construction firm of

Siemens und Halske. The growth of the firm was definitely related to Siemens' technico-scientific research work and his many inventions and discoveries. At first occupied only with the manufacture of a dial telegraph invented by Siemens, the firm rapidly developed into a producer of large technical equipment, including the apparatus for telegraph networks in Germany, Russia and India and for transatlantic cables. With Siemens' discovery of the electrodynamic principle and his invention of the dynamo in 1866 the firm expanded into the field of heavy current equipment. He demonstrated the first electric railway and contributed to the development of the electric light, the telephone and electro-chemistry. In his business activity Siemens stressed quality, not price, the supremacy of collective economic interests over private ones. He recognized the trend toward mass production and deliberately prepared the market for the acceptance of standardized mass machine products. His financial policy was to resist outside control of his business and to defend the unlimited autonomy of the industrialist—a policy maintained even after the concern became a stock company in 1892. By the time of Siemens' death the firm was Germany's leading electrical manufacturing enterprise, employed 3500 workers and had branch plants in Russia and England. After the World War it was still under family control, employing a maximum of 137,000 workers in its domestic and foreign branches.

Siemens was one of the founders of the German Progressive party (later the National Liberal party), the political expression of the large industrialists. He was an unswerving opponent of strikes, which he considered harmful to employers and employees as well as to the community. In 1891 he introduced the $8\frac{1}{2}$-hour day, at a time when 10 hours and more constituted the standard working day in Germany. Before the adoption of legislation to this effect, he established a system of profit sharing and a fund for pensions and widows. These reforms, calculated to develop a stable and efficient working force, Siemens considered "healthy egoism"—cultivation of the workers in the interests of the factory owner himself. "Reform," he said, "raises the productive capacity of an enterprise," and he advocated reform only as long as it did so. This sums up both the justification and limitation of paternalistic reform.

KARL BURHENNE

Important works: *Lebenserinnerungen* (Berlin 1892, 12th ed. 1922), tr. by W. C. Coupland as *Personal Recollections* (London 1893); *Wissenschaftliche und technische Arbeiten*, 2 vols. (Berlin 1881, 2nd ed. 1889–91), tr. as *Scientific and Technical Papers* (London 1892–95); *Ein kurzgefasstes Lebensbild nebst einer Auswahl seiner Briefe*, ed. by Conrad Matschoss, 2 vols. (Berlin 1916).

Consult: Burhenne, Karl, in *Allgemeine deutsche Biographie*, vol. lv (Leipsic 1910) p. 203–13, and *Werner Siemens als Sozialpolitiker* (Munich 1932); Ehrenberg, Richard, *Die Unternehmungen der Brüder Siemens* (Jena 1906); Winterfeld, Ludwig von, *Entwicklung und Tätigkeit der Firma Siemens und Halske in den Jahren 1847–1897* (Kiel 1913).

SIEYÈS, ABBÉ JOSEPH EMMANUEL (1748–1836), French statesman and political writer. Sieyès was born at Fréjus. Until his fortieth year he was virtually unknown save to his fellow ecclesiastics and a small circle of *philosophes*, but in 1789 he gained a renown which clung to him long after his popularity and influence had waned and political reverses had driven him into retirement and exile. Forced to pursue an ecclesiastical career against his wishes and ordained a priest in 1773, Sieyès remained in the church, at least nominally, until the later revolution. In the decade and a half immediately preceding the events of the revolution he subscribed in ever increasing measure to the regnant views of the *philosophes*, and on the basis of his faith in rationalism, natural law, human progress and perfectibility he built a comprehensive political and social system. His possession of a fully elaborated scheme of reform stood him in good stead in the exciting years of 1788–89, and early in the latter year he found himself popular and famous virtually overnight. This he owed to the publication of four pamphlets, in particular to that masterpiece of polemical writing, *Qu'est-ce que le tiers-état?* (Paris 1789, new ed. 1822). Here he raised demands which were applauded to the echo throughout France—demands for a declaration of rights and a written constitution, for the establishment of a system of representative government, for the separation of the legislative power from the executive.

The third estate of Paris elected him to the Estates General, where he at once played a decisive role in creating the National Assembly. His immense reputation and his membership in the first three committees on the constitution enabled him to impress the essentials of his political and social scheme on the completed constitution of 1791. The peak of his influence was reached in the summer of 1790, and his active political career ended definitely with the coup

of Brumaire in 1799, which his scheming made possible. Although a member of the National Convention (1792–95) and of the Council of Five Hundred (1795–99) and one of the five directors (1799) he played no real part in the events covered by those years. In that period, when not in deliberate retirement, he executed policies not of his making and enunciated views, on popular education, universal military training, the relations of church and state, foreign policy, which link him definitely with the pronounced nationalist spirit of the age.

LEO GERSHOY

Consult: Clapham, J. H., *The Abbé Sieyès* (London 1912); Van Deusen, G. G., *Sieyes; His Life and His Nationalism*, Columbia University, Studies in History, Economics and Public Law, no. 362 (New York 1932); Sainte-Beuve, C. A., *Causeries du lundi*, 15 vols. (new ed. Paris 1857–62) vol. v, p. 189–216.

SIGHELE, SCIPIO (1868–1913), Italian sociologist. A disciple of Enrico Ferri, Sighele achieved fame as a young man through his *La folla delinquente* (Turin 1892; 5th ed. as *Delitti della folla*, 1923). This was followed by numerous other works on sociology and especially criminology as well as by psychological and literary essays on such questions as love, feminine psychology and the crisis of infancy, which brought him wide renown as a publicist.

Developing an idea which he credited to Ferri, Sighele pointed out the difference between the psychology of the people, or social psychology, the foundation of sociology, and collective psychology, the study of temporary aggregates, particularly the unorganized and heterogeneous, like crowds. In *Delitti della folla* he clarified the phenomenon of suggestion by the ringleaders, its effect upon the crowd and the consequent reaction upon the former. The fact that man is agitated by the suggestion of a tumultuous crowd, he held, implies lessened psychical control and therefore ought to be taken into account as a circumstance minimizing penal responsibility, a thesis which has attained legal application, as in article 62, section 3, of the Italian Penal Code of 1930. Continuing to study joint crime in general and criminal society in particular in *La coppia criminale* (Turin 1893, 3rd ed. 1909), Sighele distinguished in any pair of criminals an individual who dominates (*incube*) and an individual who follows (*succube*). In his *Delinquenza settaria* (Milan 1897; new ed. as *Morale privata e morale politica*, 1913) he pointed out the difference between private and public morality and the inferiority of the latter.

In accordance with his psychological premises Sighele attacked not democracy but parliamentarism. He was an early advocate of Italian nationalism, which he conceived as an energetic patriotism, but he left the nationalist movement about 1912 when he thought that it assumed a reactionary and antidemocratic position. He was accustomed to spend much time in his native Trentino, which was then outside the boundaries of Italy; for his nationalist propaganda, especially effective among young people, he was expelled from Austria in 1912.

ALESSANDRO LEVI

Other works: *L'intelligenza della folla* (Turin 1903; 2nd ed. 1911, including *Mentre il secolo muore*, Palermo 1899); *Letteratura e sociologia* (Milan 1914, including *Il nazionalismo e i partiti politici*, Milan 1911, *Pagine nazionaliste*, Milan 1910, and *Ultime pagine nazionaliste*, Milan 1912).

Consult: "La morte di Scipio Sighele" in *Scuola positiva*, vol. xxiii (1913) 915–16; Giachetti, C., *Scipio Sighele, il pensiero, il carattere* (Milan 1914); Castellini, Gualtiero, "Introduzione biografica" to Sighele's *Letteratura e sociologia* (Milan 1914).

SIGMAN, MORRIS (1881–1931), American Jewish labor leader. Born in a Rumanian village, Sigman after a year in London came to New York in 1903. Here he organized a unit of cloak makers which joined first with DeLeon's Socialist Trade and Labor Alliance and later became a unit of the Industrial Workers of the World. The injection of political issues, however, led Sigman to affiliate with the International Ladies' Garment Workers' Union. Although he later became a Socialist, he fought attempts on the part of any political party to dominate union affairs. As manager of the New York joint board of cloak makers, then the most important unit in the national union, of which he was also an officer (1910–15), he led the successful strikes of 1910 and 1914 and introduced internal reforms and trade union benefits. Indicted on a charge of murder in connection with the 1910 strike, he spent several months in jail but was acquitted. Upon his return to the managership of the cloak makers' board in 1917 his militant leadership led to the strengthening of union forces and the scrapping of the vicious piecework system. His continual struggle against bureaucratic and selfish craft interests, which resulted in his resignation in 1921, led the progressive elements within the union to call on him to take the international presidency in 1923. Sigman's struggle first against Communist party domination of the union, which led to the dis-

astrous strike of 1926, and later against dual unionism for a while completely overshadowed recognition of his fight against reactionary right wing elements, against high salaries for officials and in favor of a more aggressive campaign among women and Negro workers as well as his sound program for economic reorganization of the industry. When in 1929 certain reactionary elements to some extent regained their hold on the union membership, Sigman resigned his position. After having returned to the shop as a rank and file worker he died in 1931 in New York. The policies which Sigman advocated have now become the accepted program for the union, which has recently regained and strengthened its position.

ELSIE GLÜCK

Consult: Lorwin, L. L. (Louis Levine), *The Women's Garment Workers* (New York 1924), especially ch. xxxiii; *Justice*, vol. xiii (1931) no. x.

SILK INDUSTRY. The most beautiful and highly prized of all materials used in the making of clothing, silk is also the strongest fiber known to man. With all its skill science has never been able to produce a thread as strong, elastic and durable. Because of its fineness, strength and luster as well as its receptivity to rich and delicate dyes silk has enabled the weaver and embroiderer to produce the most elaborate ornamental designs and has added considerably to the wealth of the decorative arts. Its products play an important part not only in daily life as articles of dress but also in the progress of medical and electrical sciences. During the World War it was found indispensable for the production of war supplies, such as cartridge bags, balloons, parachutes and the like. Because of its high price silk was originally beyond the reach of all but a small number of purchasers; its use has since been extended by the economies of modern high speed power looms and by its intermixture with less expensive fibers. While it is the most valuable for its properties, raw silk constitutes only 1 percent of the total world production of all textile fibers; cotton, hemp, wool and rayon account for 64, 23, 9 and 3 percent respectively.

Silk culture is apparently of Chinese origin and dates back for many centuries. The empress Si-Ling-Chi, wife of the emperor Hoang-Ti of China, is said to have originated the silk industry about 2700 B.C. A voluminous ancient literature testifies not only to the antiquity but to the importance of Chinese sericulture and the care and attention bestowed on it by royal and noble families. It gave employment to multitudes of people and profoundly influenced secular and religious customs. Although the Chinese kept silk culture a profound secret for several centuries, the knowledge spread gradually to other countries. About 199 A.D. it was carried to Japan by Koma-O, a Chinese subject. Later through the influx of Chinese and Korean immigrants and the encouragement given by successive emperors it was firmly established in Japan. About the fourth century the art of producing silk was well known in India and in central Asia, where it appears to have been introduced overland from China. There is evidence that silks were imported into the Mediterranean countries before 400 B.C. At that time of course there was no direct trade between the Mediterranean and China. The Romans bought their silks from the Persians, who in turn got them from northern India. Rome tried to limit the use of silk, but the effort failed; wealthy citizens even buried their dead in silk robes. In addition to the high price of silks in China the fact that all silks were imported over thousands of miles of difficult and dangerous caravan routes made them extravagances even for emperors. Persians held a monopoly of this lucrative trade, and silk importations caused a heavy drain on the gold of Rome for many years. Later on the silk trade changed its channel and the sea route over the Indian Ocean became popular. Alexandria became the central distribution point for southern Europe. At the beginning of the sixth century A.D. the emperor Justinian imposed heavy duties on silks in order to check their inflow into the Roman Empire. Moreover in the sixth century Justinian engaged in wars with the Persians and thus cut off that source of silk supply. At that time no one, on pain of death, was allowed to export silkworm eggs from China. In the middle of the sixth century, however, two Nestorian monks bribed by Justinian succeeded in bringing eggs and all necessary information about silk culture from China. Justinian held a monopoly of the trade and encouraged the extension of the industry. Nevertheless, silk culture spread but slowly from Constantinople throughout Greece. The conquering Arabs after the seventh century introduced it to Algeria and Morocco. As late as 1146 there was apparently no silk produced in Europe outside of the Greek Empire except by the Saracens in Sicily and southern Spain. The successful introduction of silk into the rest of southern Europe was largely the result of several

minor wars and of the crusades. In 1146 Roger, the first Norman king of Sicily, waged a war against the Greek Empire and during its progress carried off a large number of silk raisers and weavers to Palermo in Sicily. In a similar manner the Venetians in 1203 through their victories over the Greek Empire acquired a number of the best silk districts of Greece. From Venice the industry spread throughout Italy, which reaped a rich harvest from this industrial and commercial development and became famous for its beautiful woven silks. Silk goods developed a rare artistic quality and were worn exclusively by the nobles and wealthy merchants. The guilds of silk weavers played an important part in the commercial and political activities of the Italian city-states.

Although in early periods several attempts had been made to develop a silk industry in France, it was Henry IV who really established sericulture in 1603. Colbert, in line with the mercantilist policy of other European countries, encouraged the development of silk culture, and the textures of Lyons and Tours became famous. The industry was, however, hard hit by the revocation of the Edict of Nantes in 1685. This drove some 400,000 Huguenots from France, many thousands of whom were engaged in the production and weaving of silk. Many settled in other countries, notably England, Switzerland and Germany, where they gave a tremendous impetus to the growth of silk manufacture. At the beginning of the nineteenth century the invention of the Jacquard loom provided a new stimulus for the silk industry of France and especially for that of Lyons, the main center of manufacture.

The manufacture of silk seems to have existed in England as early as 1363, when it is mentioned in an act of Parliament. There was a guild of silk throwsters at Spitalfields in 1562. The influx of Flemish weavers about 1585 gave a powerful stimulus to English silk manufacture. As the demand for raw silk increased, James I tried to establish a native silk culture, but with little success. This demand for raw silk, however, was supplied by the East India Company, which then monopolized silk culture in Bengal. Later the influx of the Huguenot weavers finally established the industry, which during the fifteenth century was favored by absolute prohibition of the import of silk goods. Another important event in this connection was the erection of a silk throwing mill at Derby by Lombe about 1718, which made it possible for England to compete with the industry in foreign countries. This development was strengthened by the easing of the protective system in 1824. But the commercial treaty with France in 1860, which completely abolished the duty on silk goods, proved disastrous to the English silk industry, and with the opening of the Suez Canal in 1869 the center of the silk market was moved from London to Lyons.

The eighteenth century was marked by epoch making inventions for improved textile production. They signalized the real beginning of the factory system and ushered in the industrial revolution. The Jacquard loom was the most important for the silk industry and was followed by the mechanization of other silk manufacturing processes. It must be remembered, however, that since silk required much more delicate handling than either cotton or wool, most of the textile inventions were in use in the cotton mills some twenty years before it was found feasible to apply them to silk.

In 1623 James I tried to encourage the production of raw silk in the North American colonies, especially in Virginia and Georgia, but with little success. In the beginning of the nineteenth century silk culture was revived in the United States. From 1836 to 1839 there was a silk boom, called the Morus Multicaulis speculation. For a time it seemed as though the whole country were turning to silk culture. Then suddenly the boom collapsed, although interest did not completely disappear. In addition to the encouragement to the development of sericulture by both federal and state governments in the form of bounties and appropriations, many individuals and associations were organized to this end. In the 1860's the raising of silkworms was introduced into California, which was found to have a suitable climate. It soon became apparent that both the soil and the climate of many parts of the country were favorable to the production of a superior quality of silk. But economic conditions prevented the establishment of the industry on a profitable basis. Tobacco in Virginia and cotton in Georgia were more profitable than silk culture. Moreover the fact that labor costs are much greater than in Japan, China or Italy has made wide scale silk cultivation impracticable in the United States. After having failed in the raising of cocoons the American people turned their attention to the manufacture of silk goods. The great development in this field was accelerated by the high protective tariff policy. At present the United States is the

largest silk manufacturing country in the world, producing silk goods and rayon amounting to over $700,000,000 in 1929.

There are three main sources from which the consuming markets of the world now receive their supplies of raw silk (Table 1). The most

TABLE I

WORLD DISTRIBUTION OF RAW SILK PRODUCTION
(In 1000 pounds)

	1871–75*	1910–14*	1924–25	1929–30
Europe	8,102	10,180	12,533	11,243
Italy	6,348	8,437	11,585	10,648
France	1,450	873	739	430
Spain	304	178	209	165
Austria-Hungary		692		
Levant	1,490	5,331	1,984	2,601
Asia: total exported	11,448	39,840	69,631	85,221
Shanghai	6,603	12,111	8,817	13,755
Canton	2,083	4,979	6,550	6,243
Japan	1,523	22,384	54,064	65,036
India	1,239	366	200	187
Tussah Silk			1,712	1,060

*Yearly average.

Source: Figures for 1871–75 and 1910–14 adapted from Syndicat de l'Union des Marchands de Soie de Lyon, *Statistique de la production de la soie, récolte de 1915* (Lyons 1917) annex i; figures for 1924–25 and 1929–30 from Silk Association of America, *Twenty-Sixth Mid-Year Report* (New York 1925) p. 15, and *Thirty-First Mid-Year Report* (New York 1930) p. 10.

important source is the Far East, particularly Japan, China and India. Japan and China are now the principal suppliers of the world's requirements of raw silk. India has lost its former position of importance because of the prevalence of various diseases among the silkworms. The second important source is Europe, where Italy is the chief silk producing country with France a poor second. Russia, Austria, Hungary and Spain are also producers of raw silk, but the supplies from these countries do not play a very important part in the world's silk market. The third source is Asia Minor and the Levant, but these sections of the world have receded in significance in recent years.

Since the total production of raw silk in Asia is an unknown quantity, export figures have been used in Table 1. It is estimated, however, that in 1929–30 70 percent of the Japanese production and 45 percent of the total Chinese production were exported, indicating crops of 93,957,000 pounds and 44,440,000 pounds respectively. In the same year Italy exported 65 percent of its production, while France imported 96 percent of its consumption requirements. The total world production of raw silk in 1929–30 amounted to 153,488,000 pounds, about 50 percent being consumed in America and about 60 percent produced in Japan.

Since the 1870's there has been both a rapid increase in output and a shift in production supremacy from Europe to the Far East. In 1871–75 the oriental production constituted 54 percent, while in 1929–30 it accounted for 85 percent of the world total. Three factors seem to have contributed to the decline of European silk production: the spread of mulberry tree parasites and silkworm diseases; the higher wages and more attractive work in manufacturing plants; and the emigration of many silk workers. Above all, the higher wages paid to the silk workers made it difficult to compete with oriental countries. In the beginning of the last century China was the main exporting country, with Japan and India in second and third place respectively. In the first decade of the present century, however, Japanese exports surpassed those of China. This lead was increased, and finally in 1930–31 Japanese exports constituted 66 percent of the total silk estimated as available for consumption in America and Europe.

In line with the policy of creating its own independent sources of raw materials for the textile industry the Soviet Union has made the cultivation of silk part of its planned economic program. State and collective silkworm farms have been established, with silk mills erected close by. In 1931 the Soviet Union produced 860 metric tons of raw silk, double the pre-war figure. The entire Soviet consumption of silk is now supplied from domestic sources; before the World War Russia imported 80 percent of its silk; in addition 123 tons of raw silk were exported in 1931 as well as a large amount of mulberry tree seed, which was formerly imported. A central institute of sericulture in Moscow is given over to the scientific study of the industry's problems and to the training of lecturers and experimenters.

For a time the raw silk industry was threatened with extermination in France and Italy, where beginning in 1853 the pebrine disease spread through the silk districts killing the worms. The French and the Italian producers finally turned to Japan for healthy stock to rebuild their industry. In 1875 the method discovered by Pasteur of controlling the pebrine disease was in general use, and thereafter importation of eggs ceased. Developed for the production of eggs, the Japanese silk industry now had to find other means of maintenance. At this time the United States was importing an inferior quality of Chinese raw silk; Japan thereupon set out to produce raw silk which would meet American needs. As a result Japanese exports of

raw silk to the United States increased by leaps and bounds (Table II); this country absorbed 95

TABLE II
RAW SILK IMPORTS OF THE UNITED STATES
(In bales)

SOURCE	1914–15	1919–20	1924–25	1929–30
European	12,653	12,637	10,787	19,264
Canton	21,300	34,066	31,225	34,322
Shanghai	15,488	32,713	22,981	44,143
Japan	131,786	214,399	388,127	465,649
Tussah	6,555	6,279	6,913	4,660
Total	187,782	300,094	460,033	568,038

Source: Silk Association of America, *Semi-Annual Report* (New York 1916) p. 13, *Mid-Year Report, Season 1920–21* (New York 1921) p. 15, *Thirty-First Mid-Year Report* (New York 1930) p. 11.

percent of Japan's silk exports in 1930. Total American imports of silk in 1929 were valued at $432,300,000, whereas the yearly average in 1910–14 was $79,500,000. Imports from Japan increased not only absolutely but also in relation to those from other countries. Before the World War Italy supplied about 10 percent of American imports, China 20 percent and Japan 60 percent; in 1930 the respective proportions were 4 percent, 16 percent and 79 percent.

The silk industry plays an extremely important part in the economic life of Japan. Over 2,000,000 farmers, or about 40 percent of the total number of farmers, are engaged in sericulture, employing about 600,000 farm hands. In 1932 mulberry plantations covered about 1,612,594 acres, about 30 percent of the total cultivated area of Japan, excluding rice fields. About 500,000 operatives are engaged in the silk reeling industry, constituting about 20 percent of all the factory workers. The commanding position which Japan now occupies in the world's silk industry depends in part upon a climate favorable to the mulberry and to the cocoon and in part upon cheap labor. While China has as favorable a climate and much cheaper labor, Japan has secured the virtual monopoly of the silk trade through efforts of the government and of producers to improve quality. Raw silk constitutes from 30 to 40 percent of the export trade of Japan and over 95 percent of it goes to the United States. Dependent upon one commodity and one market, the economic stability of the nation is endangered. Largely because of the rapid growth of sericulture there has been difficulty of recent years in disposing of the raw silk crop at profitable prices; this has led the government to introduce measures for price stabilization, but not limitation of production.

Two dangers threaten the raw silk trade of Japan: the rapid development of rayon and the growth of the silk industry in China. In 1919 the world consumption of rayon was estimated at about 44,500,000 pounds; in 1931 it was 468,000,000 pounds, over a tenfold increase in twelve years. A few years ago rayon had only a limited use because of its inferior quality. This has since been improved. At present moreover durability and tensile strength are of less importance because of the rapidity with which present day fashions change. In addition to the relative cheapness of rayon in comparison with silk the fact that its price is not subject to marked fluctuations has contributed to its increased utilization in recent years. In spite of the enormous rise in the use of rayon for silk the amount of silk consumed has likewise increased, although not so rapidly as in former years. The reasons for this growth are principally the fall in the price of raw silk, progress in productive technique and higher standards of living. It is now impossible for prices of silk to rise to high peaks in periods of low supply, since buyers may turn to rayon. In the past rayon affected cotton goods more than silk. But since the depression which set in after 1929 the lower price and improved quality of rayon have made serious incursions into the silk trade. Reduction of the cost of silk production is considered the most effective way of meeting this competition. The improvement of silkworm eggs, the industrialization of cocoon raising, the utilization of by-products and similar measures of rationalization are being seriously considered and to a certain extent introduced, especially in Japan.

During the first half of the nineteenth century the largest raw silk market was London. The opening of the Suez Canal in 1869, however, shifted the center of the silk market from London to Lyons. In 1867 the China line of the Pacific Mail Steamship Company was opened, and two years later the Union Pacific Railroad was completed. These new transportation facilities made it possible for the United States to import raw silk directly from the Orient. New York has since become the world's largest silk market.

The gap between the American manufacturer and the Japanese silk grower is spanned by a highly organized system of marketing. The farmer sells his cocoons to the reeler, who ordinarily is financed by *tonya*, or commission merchants, in Yokohama or Kobe. The reeler pays a high rate of interest and is obliged to ship raw silk in return for the money advanced. In many

instances the amount of the loan is such that the creditor virtually controls the sale of the raw silk. The farmer is at the mercy of the reeler in the same way that the reeler is at the mercy of *tonya*. Cooperative associations have been formed for the purpose of selling raw silk and of financing the farmers, and some progress has been made in this direction. The exporter in Yokohama buys raw silk from *tonya* and sells it to the importer in New York, who in turn sells it to the manufacturer directly or through a dealer or broker. The basis for quotations for raw silk is a bale in Yokohama and Kobe, a pound in New York and a kilogram in Europe. The weight of a bale differs in silk producing centers: in Japan and Shanghai, 133⅓ pounds, Europe 222⅓ pounds and Canton 106⅔ pounds. Both in Yokohama and in New York there are exchanges for raw silk transactions. Raw silk is sold for cash in Europe as well as in every market of the world. Long credits extended in the New York market are often considered the cause of overproduction and consequent business failures.

The price of silk varies widely from year to year. The fluctuation of raw silk prices, however, arises from the nature of the demand for and supply of raw silk. Raw silk production is greatly influenced by changes in weather, while the demand for silk goods is largely subject to changes in fashion. In recent years prices of raw silk have been relatively stable chiefly as a result of stabilization in production by development of a summer and an autumn crop, improvement in systematic cocoon transactions among farmers, modifications of the Yokohama exchange, development of the rayon industry and better knowledge of the market on the part of American manufacturers and Japanese reelers.

Sericulture is a small household industry all over the world, carried on by farmers and their families. It has never succeeded on a large scale because of the care and attention required. Not much machinery can be used in silk raising. Generally four or five members of a family participate in the production of cocoons; this united labor force increases the output of the produce and allows the head of the family to engage in other agricultural work. Its great economic advantage lies in the utilization of any surplus labor in the family.

In Italy and France silk culture is subsidiary to fruit raising and other forms of farming. In Japan it is second only to rice growing. In each country sericulture is concentrated in particular districts where favorable climatic and economic conditions prevail. The most important requirement today in the culture of silk is abundance of cheap labor; and in this respect Japan and China have a decided advantage over France and Italy. Moreover in the Orient much more than in Europe the entire cocoon output is produced as a secondary farming occupation. Any income above the cost of eggs and the rent of the mulberry land is considered as profit. The labor of the farmer's wife and children is not included in the costs.

Before the beginning of the nineteenth century the reeling of silk was a widely scattered industry; it had no proper organization and was more or less confused with other agricultural occupations. In the beginning of the nineteenth century reeling by individual unit began to disappear in France and Italy and the new system of modern filature was begun. Although reeling has become very largely a factory industry, the manufacturing process is a comparatively simple mechanical one requiring little power and no complicated machinery. The special skill of the filature operators and the extreme deftness of their treatment of the delicate fiber have become an important factor in the development of the internal organization of the industry. In the Orient raw silk is manufactured either with power reeling machines or with hand reeling apparatus. In Japan the first modern factory was established in 1872. Today over 90 percent of the reeling in Japan is by power driven reels in factories.

Realizing the inadvisability of relying on one country for such an important material as raw silk American manufacturers have sought other sources to insure a steady supply of the raw material. India, Latin America, the Levant and China are considered to have possibilities in this direction. Among these China is regarded as the most promising. In China sericulture is as important a part of the economic life of the farmer as it is in Japan, but it yields a smaller return largely because of unsettled political conditions; lack of an organized market for the export of raw silk; and the conservatism of the Chinese, which militates against application of progressive and scientific methods. American manufacturers have recently endeavored to develop Chinese sericulture with the cooperation of native producers. Their activities are concentrated on the elimination of silkworm disease, the establishment of sericulture in suitable regions, the founding of sericultural schools and the

extension of power reeling in factories. There are ample possibilities for the development of the silk industry in China with its large areas suitable for the cultivation of the mulberry and its quantities of cheap labor. The Chinese product is being improved and exports to the United States are increasing. But progress along this line must inevitably be slow, depending as it does upon the speed with which the Chinese adopt modern scientific methods.

SHICHIRO MATSUI

See: TEXTILE INDUSTRY; GARMENT INDUSTRIES; RAW MATERIALS; COMMODITY EXCHANGES; COMMERCE; FASHION; LUXURY; DRESS.

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SILVER. From time immemorial silver has been treasured by man as ornament and store of wealth. Its popularity has been confined to no one race or continent, for its natural qualities are universally appreciated. As a store of value it is used chiefly in Asia. Almost all countries employ it in the form of coin. In the arts its chief use is in the chemical industries, particularly photographic film manufacture.

Historically silver has been bound up with the development of mining, commerce and exploration. It was a most important source of wealth in the ancient world, especially in Greece and Spain. Along with copper, silver was a valued product of the renascence of mining in the late mediaeval and early modern periods, particularly in south Germany and Spain. Both the monetary uses of silver and its influence—with mining in general—on the forms of capitalist organization contributed greatly to the commercial expansion of the sixteenth and seventeenth centuries, facilitated by the influx of silver (and gold) from the New World.

As money silver has been used continuously for centuries. It was the chief European form of coinage from the end of the Middle Ages to the second half of the nineteenth century. Today it is China's standard measure of value, but in most occidental countries the "white metal" for decades has been subordinate to gold. In England silver yielded first place to gold as long ago as 1816, but general abandonment of silver as standard metal did not set in until after the Franco-Prussian War. The early 1870's witnessed the break up of bimetallism, as one country after another closed its mints to the free coinage of silver. The important discoveries of gold in California and Australia about the middle of the century made gold more plentiful and thus disturbed the market ratio of silver and gold. Silver tended to disappear from circulation. Later new silver mines were discovered and the silver question came into being. Unification of Germany's currency with the creation of the empire was an important factor in the decline of silver, for following the war of 1870–71 Germany used the French indemnity to set up the gold standard and followed with large sales of demonetized silver during the next three decades. The United States in 1873 closed the mints to free coinage of silver. A few years later, when mining and agrarian interests demanded "easy money," it purchased silver and coined standard dollars in quantity from 1878 to 1893; but it never remonetized the metal. In the Latin countries silver coinage was restricted in 1874 and in Holland and Italy in 1875. In 1877 the Latin Union closed the mints completely to silver. Other countries followed and the remainder of the century saw the rapid spread of the gold standard; even India abandoned free coinage of silver permanently in 1893. There had been frequent international negotiations and conferences looking toward the reestablishment of bimetallism, but all such efforts failed. In the United States William Jennings Bryan's defeat on the issue of greater silver coinage in 1896, soon followed by the Alaska gold discoveries, constituted the last important effort in this direction for many years.

The progressive abandonment of silver, accompanied by frequent sales of demonetized

coin, caused the price to decline after 1873 and particularly from 1890 to 1902. During the World War it rose rapidly, but it dropped sharply in 1920–21 and again in 1930–32. In contrast to the fluctuations of its price silver's value in relation to other commodities showed a more uniform trend, consistently downward. In the United States the purchasing power of silver definitely began to decline in 1890 and with interruptions continued to shrink until 1933.

Silver is mined mainly in the western hemisphere. The leading producing countries, with their estimated 1933 production, are as follows: Mexico, 69,100,000 troy ounces; United States, 21,400,000; Canada, 15,400,000; South America (chiefly Peru and Bolivia), 13,500,000; other countries, 43,600,000. Although the United States accounts for less than 15 percent of the total of 163,000,000 ounces, American capital controls an estimated 66 percent of the world's mine output and 73 percent of the refinery output of silver.

In addition to new production there is marketed each year a certain amount of old silver obtained from melted coin, ornaments and the like. These other supplies are irregular in amount. Thus in 1932 and 1933 the Soviet Union sold an estimated 57,000,000 ounces, and since 1926 the British Indian Treasury has disposed of no less than 205,000,000 ounces, obtained from melted rupee coins. Demonetized silver from all sources sold by Europe, French Indo-China and British India from 1920 to 1933 aggregated over 650,000,000 ounces.

The production of silver, unlike that of other commodities, cannot respond closely to price changes because about three quarters of the amount mined is produced in conjunction with lead, copper, zinc and other metals. Not much more than one quarter of the world's output is from silver ores with 80 percent or more silver content; almost one third is produced from ores with not more than 20 percent of their value in recoverable silver. When these base metals increase in output, silver is mined with little regard to its market price. For this reason control of silver production is hardly feasible, and price regulation through such control is no solution when the price declines. Another factor affecting the price is China's balance of payments. Since silver is China's standard money, anything which tends to make the international value of Chinese money rise or fall has a precisely similar effect on the price of silver. Thus, for example, if China's *yuan* declines, a New York arbitragist can profitably buy Chinese exchange, simultaneously sell silver futures in New York, then convert the Chinese exchange into bullion, bring it to New York and, by using it as "delivery" against his forward sale, realize a profit. Operations such as this will soon end the disalignment caused by the original drop in silver. Hence silver and Chinese exchange move in close accord, and control of the one implies control of the other.

Usually most of the silver marketed finds its way to Asia. In 1933, however, American agitation for governmental purchases, the conclusion at London of an agreement whereby leading producing countries were to withdraw their own production from the market over a four-year period and other factors all resulted in heavy speculative accumulations of the metal. By March, 1934, 200,000,000 ounces were estimated to be warehoused in New York alone. Some of this rapidly amassed silver naturally had to come from old supplies, including Chinese stocks; thus in 1933 for the first time since 1917 China became a net exporter of the metal.

The distribution of the demand for silver varies from year to year. The following percentages represent the absorption of world supply in 1930, here cited as typical of recent times: India, 30; China, 39; industries in the United States, Canada and Great Britain, 11; coinage and other uses, 20. China's consumption supplied both its monetary needs and the demand for a medium for saving, the Chinese hoarding the metal in the forms of bullion, coin and often ornaments. India's demand is primarily for hoarding, particularly in the form of articles of personal adornment. Any requirement of additional silver as a circulating medium can at present be supplied by the reserves of the Indian Treasury.

The most recent period of silver agitation dates from 1930, when as a result of the world wide business depression the price of silver depreciated rapidly. There is very strong evidence that the shrinkage in Chinese demand for silver —a most important factor in the price—was a result of reduced foreign purchases of Chinese exports. Accordingly Chinese oversea funds available for silver purchases fell, and the regular movement of silver to China slowed down. Meanwhile continued large sales of demonetized silver by the governments of India, Indo-China and other countries after 1926 contributed to its price decline. Silver looked for new markets.

Persons interested in the metal urged that it be used more extensively as currency, at least as subsidiary metal. As the depression deepened, its use as a basic metal was advocated. The principal arguments advanced were that the decline of silver meant a proportionate drop in oriental purchasing power and that a gold shortage confronted the world, causing depression; such shortage was to be remedied by a broadening of the currency base through the addition of silver. Subscribing to one or the other of these arguments were various groups not directly concerned with silver production. Many interested merely in exporting goods to China felt that the purchasing power argument was a sound one. Others supported the silver thesis in one form or another on general principles, as an inflationary step. Throughout the period 1930–33 there was active agitation in the Congress of the United States, the chief protagonists being various senators from Rocky Mountain states producing silver, influential men occupying key committee posts. Their views accordingly received wide circulation and encountered little opposition. For long, domestic action to aid silver seemed unobtainable; an international silver conference was therefore urged and money to send delegates eventually appropriated. But European nations were apathetic, for they produced very little silver and held it impractical to attempt control of the price of a metal whose output could not be regulated.

This was the situation when, toward the end of 1932, preparations were initiated for an international economic conference at London. In accepting the invitation to the conference the United States government stipulated that silver be placed on the agenda. Thus at London Senator Pittman of Nevada, one of the American delegates and chairman of the Senate Committee on Foreign Relations, successfully obtained an agreement with seven foreign governments. The main provision was that the governments of five leading producing countries during a four-year period should buy 35,000,000 ounces of silver per year and keep it off the market. The American share was 24,421,410 ounces per year. Pursuant to this agreement President Roosevelt on December 21, 1933, proclaimed ratification and opened the mints to the entire American output for four years on a basis which would yield to producers 64.64 cents per ounce, or about 50 percent above the prevailing market price. In addition all the delegations at the London conference subscribed to a general resolution on silver but made no specific commitments.

That silver has a direct bearing on the external purchasing power of a silver exporting country like Mexico is self-evident. China's case is different. Because China's monetary unit is a weight of silver and appreciates on the world market whenever silver does, the argument has often been made that to increase the price of silver is to augment China's purchasing power abroad. However, a nation's purchasing power is not inherent in the purchasing power of its medium of exchange. So long as China on net balance imports silver which it must necessarily pay for out of the proceeds of goods and services sold to foreigners, silver is the thing bought, not the thing bought with; and "higher silver" means that China can afford to buy less of it. On the other hand, when the price of silver is rapidly raised to such an extent that silver can be exported from China profitably, China's ability to purchase goods abroad is to that extent enhanced. Chinese observers hold, however, that such a movement has an undesirable deflationary effect on the domestic market, since it reduces China's monetary stock. Careful examination of Chinese trade figures fails to bear out the contention that a declining price of silver caused the drop in Chinese imports; rather the reverse. Moreover restoration of the trade of China and all so-called silver using countries to predepression levels would still play but a very small part in restoring world trade as a whole to its predepression volume.

Considerable misunderstanding prevails regarding the portion of the commercial world using silver as standard of value. Such territory includes only China, Hongkong, Macao and Manchuria. India, Mexico and South America are excluded, despite an extensive use of subsidiary silver coinage. To call these silver using countries in connection with the purchasing power argument is erroneous. Indeed one of the largest silver using countries is the United States itself.

As to the supposed need for adopting silver-gold bimetallism, or symmetallism, so as to broaden the monetary base, the necessity for such action would seem to depend upon proof of inadequacy of the world's existing gold stock. Such inadequacy has never been self-evident. At any rate, the recent devaluation of currencies in most countries cannot but have relieved the need for more metallic reserves for a long time to come.

So long as the economic depression continues in severity, agitation for more extensive use of silver as currency seems likely to continue in the United States and Mexico; and should it be prolonged, some additional success for the movement may be expected. Greater employment of silver as subsidiary currency has indeed commenced in various countries; also some governments permit inclusion of silver in the monetary reserves. That this use of silver will expand moderately with the passage of time seems not unlikely.

HERBERT M. BRATTER

See: MONEY; COINAGE; BIMETALLISM AND MONOMETALLISM; FREE SILVER; GOLD; FOREIGN EXCHANGE; CURRENCY; MONETARY UNIONS; BULLIONISTS; HOARDING; METALS; MINING.

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ŠIMÁČEK, FRANTIŠEK (1834–85), Czech cooperative leader and journalist. During his student days in Prague Šimáček published anonymously several articles advocating economic action, especially through cooperative associations, as a solution of some of the problems confronting the Czech nation. During the period of Austrian absolutism under Bach he founded in 1857 *Posel z Prahy* (The herald of Prague), a periodical in which he carried on energetic propaganda for the establishment of credit societies on the Schulze-Delitzsch model. His appeal met with a quick response in artisan circles, and the first Czech credit society was created in 1858 at Vlašim in central Bohemia by the shoemaker Jan Platenik. Although this cooperative society was not legalized until 1860, it served immediately as the pattern for others, so that by 1863 Šimáček estimated that there were 52 credit societies in Bohemia and Moravia; and by 1874 the number in Bohemia alone was 307, of which 226 were Czech and 81 German. This growth was all the more remarkable in the light of the oppressive measures of the Austrian government and the Viennese bank crisis of 1873.

Šimáček's contribution was singularly important both to the cooperative movement and to Czech independence. Not only did the credit societies, in the absence of any national credit institutions, fulfil a necessary function, but economic mutual help was the first field in which the struggle of the Czech nation for independence found self-expression. When in 1863 Šimáček transformed his periodical into a weekly political and social review, it became the vehicle for the propaganda of Kampelik, founder of the first rural cooperative banks in Bohemia, and for information regarding consumers' cooperatives in other countries. According to Šimáček the most vital function of cooperative effort was the restoration to labor of those essential rights of which it had been deprived by capitalism. Šimáček was twice imprisoned by the Austrian government, in 1861 and again in 1868; but he continued his activities until 1882, when he established a private publishing firm.

V. TOTOMIANZ

SIMMEL, GEORG (1858–1918), German philosopher and sociologist. As is clearly evidenced in his most important philosophical work, *Lebensanschauung; Vier metaphysiche Kapitel* (Munich 1918, 2nd ed. 1922), Simmel is to be grouped with the "philosophy of life" (*Lebensphilosophie*) school. It was in connection with his general philosophy and more particularly with his epistemology that his sociological views were evolved. In his early *Die Probleme der Geschichtsphilosophie* (Leipsic 1892, 5th ed. Munich 1923) he took the position that such general concepts as progress, general welfare, freedom and society, which were being used by philosophers of the period, were from an epistemological point of view inadequate. For the unity of the object which all these concepts take for granted does not as a matter of fact exist: it is merely an illusion attributable to a lack of proper dissection. Such a dissection of complex phenomena constituted for Simmel a prerequisite of scientific knowledge.

According to Simmel this is particularly true in the case of the concept of society and in the realm of social reality, each of which must be reduced to its individual components. The individual alone is real: neither society nor group is imbued with genuine unity. The true essence of society or group consists in that interworking of individuals which is able to invest its regularity and comparative homogeneity with the semblance of real unity. Although Simmel occasionally referred to such facts as the independent life of the group or the objective spirit, he never allowed himself to be influenced by them in his conception as a whole. To a much greater extent he expresses an outspoken individualistic point of view, in which he was followed by the school of German sociologists, typified by von Wiese; while others, as, for example, Spann and Vierkandt, represent the universalistic approach.

In both his *Soziologie* (Leipsic 1908, 2nd ed. 1922; ch. iii tr. by A. W. Small in *American Journal of Sociology*, vol. ii, 1896–97, p. 167–89, 392–415) and his *Grundfragen der Soziologie* (Berlin 1917) Simmel maintained that of all the various types of problems with which the discipline has to deal the most important is "formal" sociology or, in other words, the theory of the "forms" of association. From the heterogeneous stuff of social life it is possible to isolate certain elementary and invariable forms of this type, such as subjection, prestige, grant, contract and competition. In a series of separate essays Simmel treats a number of such forms, illustrating each with a wealth of examples drawn from the most varied periods and cultures. Inasmuch, however, as he failed to make due allowance for the fact that general concepts vary in accordance with particular historical complexes, his "sociological" writings tend merely to pile up examples without really digesting them and therefore often seem amateurish in character. This tendency has not been without its effect on later German sociology, the development of which until recently was deeply influenced by the formalistic system.

In his *Philosophie des Geldes* (Leipsic 1900) Simmel attributes the peculiarities of the capitalistic way of life—which in company with Sombart, Scheler and Hammacher he identifies primarily with rationalism and individualism—to the nature of money; that is, of the modern money economy. In thus deriving the spirit of modern culture from the form of the economic system he seems to be lending countenance to historical materialism. But as a matter of fact his work is a refutation of such a philosophy, since for him the ultimate source of all spirit is to be traced to the general peculiarities of ways of thinking and standards of living, which are the real determinants of the economic system no less than of spiritual culture.

A. VIERKANDT

Consult: Abel, T. F., *Systematic Sociology in Germany*, Columbia University, Studies in Economics, History and Public Law, no. 310 (New York 1929); Spykman, N. J., *The Social Theory of Georg Simmel* (Chicago 1925); Troeltsch, Ernst, *Der Historismus und seine Probleme*, his Gesammelte Schriften, vol. iii (Tübingen 1922) p. 572–96; Cohn, Jonas, in *Deutsches biographisches Jahrbuch 1917–1920* (Berlin 1928) p. 326–33; Frischeisen-Köhler, Max, in *Kant-Studien*, vol. xxiv (1919) 1–51; Kracauer, Siegfried, in *Logos*, vol. ix (1920–21) 307–38; Utitz, Emil, "Georg Simmel und die Philosophie der Kunst" in *Zeitschrift für Ästhetik und allgemeine Kunstwissenschaft*, vol. xiv (1920) 1–41.

SIMON, JULES (1814–96), French statesman. At the time of his election in 1848 as deputy to the Constituent Assembly, Simon was professor of philosophy at the Sorbonne; but three years later as a result of his protest against the coup d'état of December 2 he was forced to resign his chair. During the ensuing decade he wrote and published a number of works on ethics, political theory and social science, notably *La liberté* (2 vols., Paris 1859) and *L'ouvrière* (Paris 1861). Dedicated to the principles of liberal republicanism, he was a consistent champion of

liberty, whether in the political field, where he identified it with parliamentarism; in the religious field, where it implied for him toleration of all cults; or in the economic and social field, where it was synonymous with free trade. He was an opponent of socialism, attacking all state intervention except in the interests of women and children or of free, compulsory education. He served without interruption as deputy from 1863 to 1875, when he became a senator for life. Following the collapse of the empire he was made a member of the national defense government and under Thiers was appointed minister. In 1876 he assumed the presidency of the Conseil d'État, but he was dismissed on May 16 by MacMahon, who sought to form a conservative ministry. For a number of years he was one of the republican leaders; but when Jules Ferry introduced a measure to exclude the Jesuits from the educational system, Simon successfully opposed it on grounds of religious liberty. During the remainder of his political career he aligned himself with the Catholic and conservative groups, without, however, abandoning his moderate republican principles. In 1890 he served as head of the French delegation to the Berlin Conference, where he was received with considerable acclaim. As member of the French Academy, as permanent secretary of the Académie des Sciences Morales et Politiques and as contributor to a number of reviews both in France and abroad Simon continued until the end of his life to enjoy international prestige.

GEORGES WEILL

Consult: Séché, Léon, *Jules Simon, sa vie et son oeuvre* (Paris 1887), and *Jules Simon, ses dernières années* (Paris 1903); Picot, Georges, *Notices historiques*, 2 vols. (Paris 1907) vol. i, p. 1–48; Soltau, Roger H., *French Political Thought in the Nineteenth Century* (London 1931) p. 258–61.

SIMON, SIR JOHN (1816–1904), English pathologist and sanitarian. After having studied medicine at St. Thomas's Hospital and having served as senior assistant surgeon and lecturer on pathology at King's College Hospital, Simon was appointed surgeon at St. Thomas's, retaining this position until 1876, when he was made consulting surgeon and governor of the hospital. Simon lectured on pathology with distinction and made two significant contributions to this science in essays on the thymus and thyroid glands. His chief accomplishment, however, was inaugurated by his appointment as medical officer of health of London in 1848, the second appointment of its kind in England, Liverpool having established such an office a year earlier. When a general board for England and Wales was set up in 1855, Simon was placed at the helm as chief medical officer and he continued in this post until 1876.

Simon ranks with Chadwick as a founder of the modern public health movement. More persuasive than the latter, he developed during his twenty-eight years of official service the legal and administrative basis of state medicine. His annual reports, the chief of which were later collected as *Public Health Reports* (London 1887), are marked by sympathy for the suffering and a broad and statesmanlike vision of remedial public policies; and his classic in the early history of public health, *English Sanitary Institutions* (London 1890, 2nd ed. 1897), exerted wide influence on public health practise and legislation. Simon was especially active in his advocacy of sanitary measures to prevent the spread of cholera and other epidemic diseases, and his important international inquiry on the efficacy of vaccination was in a large measure responsible for the British compulsory vaccination laws. He must be credited also with having initiated pioneer studies in industrial diseases resulting from metal poisoning.

C.-E. A. WINSLOW

Consult: Simon, John, *Personal Recollections* (London 1898, rev. ed. 1903); Walker, M. E. M., *Pioneers of Public Health* (Edinburgh 1930) p. 100–14.

SINCLAIR, SIR JOHN (1754–1835), British politician and agricultural administrator. Sinclair's amazing energy and self-confidence, which were directed toward organization rather than invention, enabled him to carry through to a successful conclusion projects conceived on a grand scale and to encourage others to undertake tasks which they might otherwise have regarded as impracticable. He began by developing his own estates of 100,000 acres in Caithness county, Scotland, where he built roads, enclosed fields and introduced the cultivation of turnips and grasses. He also planted trees extensively and established a herring fishery at Wick. In 1791 he founded the British Wool Society, which, on the basis of its examination of the quality of various wools produced under different conditions, was responsible for popularizing the Cheviot breed of sheep.

Sinclair's greatest achievement was the *Statistical Account of Scotland*, published at Edinburgh in twenty-one volumes between 1791 and 1799. With the cooperation of the local ministers

Sinclair had a questionnaire filled out for each parish containing replies to one hundred and sixty inquiries grouped under the four heads of geography and natural history, population, productions, and miscellaneous subjects. While the result was not a uniformly reliable statistical document, it was of immense value at a time when governmental census reports were unknown.

In 1793 Sinclair persuaded Pitt to set up by royal charter the Board of Agriculture, actually a society but with the status of a semi-official body because it received an annual Exchequer grant of £3000. He was its first president, serving in this capacity from 1793 to 1798 and again from 1806 to 1813. Arthur Young was the board's secretary from its inception until 1820. The board collected statistical and other information, promoted scientific research and disseminated knowledge, all with the object of stimulating and improving British agriculture. Thus it agitated for the compulsory commutation of tithes and the enclosure of waste lands; it established an experimental farm and organized the first British agricultural show; and it encouraged Joseph Elkington's work on drainage, Sir Humphry Davy's studies in agricultural chemistry, J. L. McAdam, the road maker, and Andrew Meikle, the inventor of the threshing machine. Sinclair wanted to undertake a parish survey of England, but the objection to the use of the clergy for this purpose caused him to make his study on the basis of counties and with the assistance of leading residents. Upon his retirement in 1813 the Board of Agriculture began to decline; it ceased to exist in 1822. Sinclair was active in financial affairs and wrote a standard work, *The History of the Public Revenue of the British Empire* (3 vols., London 1785–90; 3rd ed. 1803–04).

T. H. MARSHALL

Other important works: *The Code of Agriculture* (London 1817, 5th ed. 1832); *Correspondence . . . , with Reminiscences of the Most Distinguished Characters Who Have Appeared in Great Britain, and in Foreign Countries, during the Last Fifty Years*, 2 vols. (London 1831).

Consult: Sinclair, John, *Memoirs of the Life and Works of the Late Right Honourable Sir John Sinclair, Bart.*, 2 vols. (Edinburgh 1837); Smiles, Samuel, *Self-Help* (new ed. London 1866) p. 376–81; Macdonald, William, *Makers of Modern Agriculture* (London 1913) ch. iv; Floud, Francis L. C., *The Ministry of Agriculture and Fisheries* (London 1927) p. 2–9.

SINEY, JOHN (1831–80), American labor leader. Siney was born in Ireland, passed his youth in England and emigrated to the United States in 1863. His union career began in 1867, during a strike of anthracite miners, which was followed by the organization of the Miners' and Laborers' Benevolent Association, of which Siney became president the following year. After the disintegration of the American Miners' Association (1861–68), the first national union of bituminous miners in the United States, he advocated the formation of a union to include both bituminous and anthracite miners and in 1873 organized the Miners' National Association, of which he was elected president. The new union survived the panic of 1873 and by 1875 had 347 locals and over 35,000 members in all the coal mining areas of the United States. From the outset this union was organized on an industrial basis. Although Siney's contemporaries rated him as "the best known man in the ranks of organized labor . . . universally liked and respected by all labor organizations," his own followers, who constituted only a minority in some districts, were impatient with his emphasis on businesslike bargaining, conciliation and, if necessary, arbitration—a policy which had won him the support of Mark Hanna, then the largest operator in the Tuscarawas valley of Ohio—and by acting in sympathy with striking non-unionists often violated the wage agreements which he had negotiated. Siney himself was indicted with another union organizer in 1875 for conspiracy and inciting to riot on the evidence of coal company detectives, and despite his acquittal the trial brought about the disintegration of the association in 1876. Thereafter Siney lived in retirement. Nevertheless, the principles and methods which he advocated for the structure and spirit of the organization and for its mode of procedure were brought to fruition in the final organization of the coal miners of the United States.

ARTHUR E. SUFFERN

Consult: Roy, Andrew, *A History of the Coal Miners of the United States* (Columbus, Ohio 1903) chs. xiii–xv; Suffern, Arthur E., *Conciliation and Arbitration in the Coal Industry of America* (Boston 1915) p. 7–15.

SINGER, PAUL (1844–1911), German socialist leader. Singer came of a Jewish bourgeois family. After completing his studies at the *Realschule* he became a merchant and in 1869 established a factory for ladies' coats. An ardent adherent of democracy, he finally joined the Social Democratic party and was elected to the Reichstag in 1884. In 1887 he became a member of the central committee for the Social Democratic

party and in 1890 was made its chairman. He also was a member of the praesidium of the international socialist congresses at Brussels, Zurich, London and Paris and in 1890 became a member of the International Socialist Bureau at Brussels.

Paul Singer's name is most intimately linked with the beginnings of the German Social Democratic party in the period of persecution and proscription under the antisocialist Law. Like many of the exiles, he became one of the outstanding party leaders after the rescinding of the suppressive legislation. The frequent references to his capitalistic antecedents in no way prejudiced his popularity, which undoubtedly was attributable to the fact that both in appearance and in speech he personified the typical respectable citizen of Berlin and as such made a great impression on the workers of that city. For the wage earners of Berlin were more petty bourgeois in their outlook than is generally assumed. Skilled workers, who with certain groups of the petty bourgeoisie accounted for a majority of party supporters, were hardly distinguishable in their manner of living from the members of the lower middle classes, and even in times of struggle and political tension a man like Singer could win more sympathy than intellectuals who appealed only to principles.

Singer's most significant talent was his ability as an organizer. His most important activities therefore were carried on behind the scenes. Despite his close intimacy with the uncompromising August Bebel he was always realistic, practical and amenable to compromise. His influence rested to an unusual degree upon the confidence of the masses of Social Democratic voters, although he lacked the force of oratory and positive thought upon which August Bebel's power of leadership was based. In the later controversies regarding party principles Singer sided with the moderate realists. He was never revolutionary in character or in outlook.

EMIL LEDERER

Consult: Schippel, Max, in *Sozialistische Monatshefte*, vol. xv (1911) 159–62, and in *Neue Zeit*, vol. xxix, pt. i (1910–11) 649–52.

SINGLE TAX is the term generally applied to the proposal for collecting all tax revenue from a levy on the value of land and other natural resources. Although the plan was earlier put forward by certain writers as a means of fiscal convenience, necessity or justice, for the last fifty years it has been identified chiefly with a philosophy of social reform. The concept from which the device springs, that the earth is the heritage of mankind and should be enjoyed in common, is necessarily ubiquitous and has given rise to innumerable partial anticipations of the doctrine as recently developed. Suggestions of this thought and sometimes of its sequel are to be found in the Bible, the advocacies of church fathers and the acts of ancient Chinese emperors. The first connected reasoning upon the subject was that of John Locke in the late seventeenth century. Locke may be said to have supplied two important elements which figure in the later discussion: a theory of natural rights and as a corollary the contention that the only justifiable property claim is that resulting from personal labor. His recommendation did not go beyond eliminating the speculative holding of land.

The physiocrats, or *économistes*, of prerevolutionary France derived something from Cantillon but more from the decadence of their country. They witnessed mercantilism gone wrong: a profligate court was living at the expense of a peasantry burdened by many and onerous taxes; encouragement of industry was confined to luxuries; internal and external trade were entangled in vexatious duties; population, especially on the land, was declining. Agriculture to the physiocrats was the only source of wealth, and upon its *produit net* should be imposed the *impôt unique*. The physiocrats sought to absorb only a third of economic rent in taxes, thus leaving private ownership of land undisturbed; considering industry and commerce as unproductive, they were not positively solicitous for these branches, their proposal being inspired by fiscal rather than by ethical motives. If the single tax idea may be regarded as more continuous than it was, the service of the physiocrats consisted in centering attention with much spirit upon land and liberty.

The classical economists—Smith with unconscious accuracy and Ricardo with perfect perception and emphasis—supplied the formula, in the differential theory of rent, which permitted James and John Stuart Mill to draw the conclusion that land value was a peculiarly eligible source of public revenue. These latter, however, proposing the taking in taxes of only the future unearned increment, were too circumspect to invest their advocacy with logical and startling completeness. Other scattered writers anticipated in most respects, but all of them with some gaps, the proposals of Henry George.

Thomas Spence, a self-taught Newcastle workman, delivered in 1775 a blunt lecture (published in London 1793 as *The Real Rights of Man*) in which he advocated the collection by parishes of a single tax on rent; he understood better than some how this would liberate labor and enterprise. William Ogilvie, a professor in King's College, Aberdeen, published his *Essay on the Right of Property in Land* anonymously (Aberdeen 1781); this best articulated of the early expositions suffers in effect from the compromises which the author devised. Thomas Paine's *Agrarian Justice* (Paris 1797) declared that so long as private property in land was permitted, want beside wealth was the cost of progress, and so urged the absorption of ground rent for social purposes. Patrick Edward Dove (*The Theory of Human Progression*, London 1850), a Scottish landlord turned scholar, was a generation earlier on all fours with Henry George, including his high ethical objectives. Gerrit Smith in the United States House of Representatives in 1854 opposed alienation of public lands with the philosophy but without the practical proposals of the single tax; Edwin Burgess, a Wisconsin tailor, published letters in a local newspaper (1859–60) which embodied the essentials of the scheme later developed. Others deserve mention—Herbert Spencer, Charles Bray, Marx and the German advocates of *Bodenreform*.

In the hands of Henry George (*q.v.*), a San Francisco journalist, the single tax became an exhaustive analysis, an inclusive social philosophy and a resounding crusade. The origin and substantial development of George's thought lay not in the works of previous writers but in his keen observation of the changes in economic conditions in California between his arrival in 1858 and the completion of his *Progress and Poverty* (San Francisco 1879). Free and rich natural resources enjoyed by a sparse population had resulted in high wages and high interest; later, profligate grants of land to railroads, active private land speculation and increasing immigration witnessed the narrowing of opportunities to labor and capital; finally, the depression of the 1870's brought to this recent frontier the unemployment and bankruptcy familiar in older communities. George possessed three faculties which above others were responsible for the modern single tax movement; they were the power of inductive inference, the capacity for patient analysis and the gift of persuasive and eloquent exposition. The first was illustrated in his paper "What the Railroad Will Bring Us" (in *Overland Monthly*, vol. i, 1868, p. 297–306) and *Our Land and Land Policy* (San Francisco 1871), in which he laid the basis for his future work by showing that private property in land was the wedge which pried part of the population into affluence and depressed another part into pauperism. At this stage George knew next to nothing of economic writings. In *Progress and Poverty* he turned, with his essential views already formed, to the classical economists; the confirmation of his opinions which he found here, particularly in the Ricardian law of rent, spurred him to a revision of economic theory which should bring all of the principles of distribution into harmony with the rent concept. In his view private property in land confined interest and wages to marginal gains, while landlords—non-producers—reaped the benefits of social advance. Labor and enterprise should be freed of incubus and community created value returned to the community by a single tax amounting to the whole or practically the whole of economic rent. Free trade was a necessary corollary. *Progress and Poverty* was both an analysis and a standing appeal to mankind, but after its publication George entered more especially upon the propagandist period of his career, which was to continue to the end. In addition to raising up loyal followers in America, through lectures, the Anti-Poverty Society, his weekly *Standard* and campaigns in 1886 and 1897 for mayor of New York City, he made repeated trips to the British Isles, whither he was preceded by a wide distribution of *Progress and Poverty* and where he greatly augmented the existing active discussion of land reform. He lectured in Australia and New Zealand. More copies of *Progress and Poverty* have been circulated—several million, mainly in cheap editions—than of any other economic work, not to speak of George's many other writings.

George's influence in favor of all democratic movements was as wide and deep as it is insusceptible of precise calculation. The very specific and, to many workers, indirect character of his reform proposal made him acceptable as a candidate of the labor unions in New York only so long as compromise did not break down into factional hostilities, which occurred in little more than a year (1887). George's influence upon socialism, particularly in England, was not only inspirational but in good part formative. His work made a sensation at a time when that of Marx, although launched earlier, was known

to few. The young Fabian Society, which gave British socialism its characteristic turn, owed its beginning and much of its maturer development to George's fierce indictment of predatory landownership.

Efforts to embody the single tax in practise, despite repeated and intelligent work of adherents in many lands, have met with slight reward. Partial successes, however, have been scored not only in thinly settled regions first encountering the land monopolist but in old countries where the landed interest has been intrenched for centuries. The largest number of favorable acts has been obtained in Australasia, where the principles of separate valuation of land and improvements, a discriminatory land tax on absentee owners and the drawing of local revenue mainly or wholly from land taxes are widely accepted. Sydney with a population of a million relies entirely for its revenue upon a single tax on land values, and many smaller municipalities do the same. All land in the Australian capital district of Canberra is leased from the government at its economic rent. The four western provinces of Canada have in varying degree sought by taxation to discourage land speculation and have required villages, towns and cities to reduce assessments on improvements to 50 or 60 percent of their value. Several cities, including Vancouver and Victoria, which had exempted all improvements, in consequence of extraordinary revenue needs during the World War, partially restored the old taxes. In Great Britain social as opposed to merely fiscal objectives have been frankly avowed. The Finance Act of 1910, the result of Lloyd George's budget of the year before, imposed land value increment taxes (20 percent maximum), taxes on undeveloped land and upon mineral rights and provided for a new valuation of all the land in the United Kingdom. At the end of a decade of public debate these measures were repealed. The Finance Act of 1931, however, following Snowden's budget, included a tax of a penny in the pound on the unimproved capital value of land but with important exemptions; the tax was to become effective in the financial year 1933–34, but its operation was suspended by the national government and the tax was subsequently repealed.

In the United States unsuccessful attempts were made in Colorado, Oregon, California, Washington and Missouri to secure constitutional amendments permitting exemption of improvements and taxation of land values. At intervals in the last twenty-five years some exemption of improvements and a small increment tax have been hotly discussed in New York City, but to no effect. In Pittsburgh and Scranton, Pennsylvania, as the result of a gradual process two thirds of the revenue comes from land values and one third from improvements. The United States has ten of the fifteen enclaves which practise as close an approximation of the single tax as national and state taxation will permit. Denmark by acts of 1922 and 1926 has a national tax on the value of unimproved land and local taxation of land at rates higher than those on improvements. In Germany, which has had a long history of land tax reform, local increment taxes, beginning in Frankfort in 1904, were repealed by a too complicated imperial increment tax in 1911; this soon proved unworkable and the local and state increment taxes were restored. Despite an "unearned increment" clause in the Weimar constitution Anhalt is the only state with such a tax.

The adequacy of ground rents as a general thing to supply needed public revenue seems to be established. Many single taxers, including Henry George, have believed they would yield a surplus. Several sources of revenue, not now classified as ground rents, are properly such; chief of these are franchises to railways, pipe lines and radio. Critics arguing that land values only, taken in taxes, would prove insufficient in times of emergency have frequently forgotten that the absorption of economic rent by the treasury would have an effect in diminishing economic insecurity.

Space limits must confine critical appraisal of the single tax as a philosophy of social reform to a few points. Its proponents in directing attention to predatory wealth have performed a service beyond the content of their specific advocacy. The common reliance of single taxers upon the premise of natural rights is not necessary to their argument, which may be sustained by appeals to social expediency. The right of society to socially created value, of which economic rent is one expression, is not to be denied. However, the other distributive shares of interest and profit ought not to be excluded from discriminatory taxation until it can be shown more convincingly than has been done that they derive from land monopoly.

BROADUS MITCHELL

See: UNEARNED INCREMENT; APPRECIATION; RENT; LAND TAXATION; LOCAL FINANCE; CAPITALIZATION AND AMORTIZATION OF TAXES; LAND SPECULATION;

ECONOMICS, section on THE PHYSIOCRATS; SOCIALIZATION.

Consult: *Henry George and the Single Tax; a Catalogue of the Collection in the New York Public Library*, by R. A. Sawyer (New York 1926); George, Henry, *Complete Works*, 10 vols. (New York 1871–97), including a life by Henry George, Jr.; Shearman, Thomas G., *Natural Taxation* (3rd ed. by C. B. Fillebrown, New York 1915); Geiger, George R., *The Philosophy of Henry George* (New York 1933); Scheftel, Yetta, *The Taxation of Land Value* (Boston 1916); Higgs, Henry, *The Physiocrats* (London 1897); *The Pioneers of Land Reform: Thomas Spence, William Ogilvie, Thomas Paine*, ed. by Max Beer (London 1920); Damaschke, A. W. F., *Die Bodenreform* (18th ed. Jena 1920); Young, Arthur N., *The Single Tax Movement in the United States* (Princeton 1916); New York City, Committee on Taxation, *Final Report* (New York 1916) pt. ii; Ely, R. T., "The Taxation of Land" in National Tax Association, *Proceedings*, vol. xiv (New York 1922) p. 228–300; Seligman, E. R. A., *Essays in Taxation* (10th ed. New York 1925) ch. iii; Johnson, Alvin S., "The Case against the Single Tax" in *Atlantic Monthly*, vol. cxiii (1914) 27–37; Brown, Harry Gunnison, *Economic Science and the Common Welfare* (5th ed. Columbia, Mo. 1931) pt. ii; Post, Louis F., *What Is the Single Tax?* (New York 1926); *Enclaves of Economic Rent*, vols. i–xiii (Cambridge, Mass. 1921–33); *Single Tax Year Book* (*Quinquennial*), ed. by Joseph D. Miller (New York 1917). See also *Public*, published weekly in Chicago and New York from 1898 to 1919; *Standard*, published weekly in New York from 1887 to 1892; *Land and Freedom* (formerly *Single Tax Review*), published bimonthly in New York since 1901; *Land and Liberty* (formerly *Single Tax* and *Land Values*), published monthly in London since 1894.

SINKING FUND. The term sinking fund covers a variety of forms of debt retirement. It achieved prominence after 1688 with the appearance of large long term public debts incurred during the wars of William of Orange. The first sinking funds were established after the Peace of Utrecht (1713–14), when Great Britain created three permanent funds, the Aggregate, General and South Sea funds, the revenues of which were attached to the interest on the public debt. A fourth fund, known as the Walpole-Stanhope Sinking Fund, was made up of the surpluses remaining after the charges upon the other three had been satisfied [General Fund Act, 3 Geo. 1, c. 7 (1716)]. Thus through early practise the sinking fund came to mean a group of revenues regularly and exclusively applied to the principal of the public debt and definitely derived from budget surplus. It was cumulative, since as the debt was retired the surplus from the three funds increased. The Walpole-Stanhope Sinking Fund did not prove very successful; there was "amortization" of debt by further loans during periods of deficit, and genuine surpluses were not applied to debt liquidation. In the course of time the fund was almost entirely diverted from its original purpose of debt retirement.

The renewed rise in public indebtedness as a result of frequent wars continued, however, to maintain public interest in the efficacy of sinking funds as a means of debt retirement. In 1772 Dr. Richard Price offered his popular plan, which involved a permanent annual sinking fund to be used to buy public debt. This debt was to be kept "alive" by continuation of the interest payments to the sinking fund, and these interest payments were to be used to purchase more public debt. The "magic wand" of compound interest would rapidly reduce the debt, even though the initial fund was small. Pitt put the Price plan into operation in 1786 (26 Geo. 3, c. 31) by combining the revenues attached to the four permanent funds into a "consolidated funds" and by creating a special Board of Commissioners of the Sinking Fund, which received an initial fund of £1,000,000. At first the interest on the debt was paid from budget surpluses, but gradually the optimism concerning the magical powers of the sinking fund led to deficits. Before long it was pointed out that only a surplus could "sink" the debt. Gallatin, Robert Hamilton, Ricardo and finally Grenville successively demonstrated that the compound interest feature would not make possible the actual payment of the debt with borrowed money. The essential fallacy in Price's theory lay in the assumption that the public debt is productive property, i.e. that it adds to the net income of a country. In 1829 the old sinking fund, which reverted to the simple practise of appropriating budget surpluses, replaced the Pitt sinking fund. For a time, however, the latter had strengthened government credit. It possessed psychological advantage, partly because it introduced the principle of debt management by a special governmental body.

Out of this experience came also the conception of the sinking fund as a plan for as well as a means of retiring public debt. A plan of debt retirement might include any one or several of the principles of retirement worked out through this century of English practise, such as the cumulative principle, the attachment of special revenues, the payment of a definite yearly sum, the payment of anticipated but indefinite surplus. In practise sinking funds have tended to combine these principles as exemplified in the

experiences of the leading nations in the years following the World War. Thus the United States Victory Loan Sinking Fund is proportional and cumulative, following the precedent of 1862, since it amounts to 2.5 percent of the aggregate amount of bonds and notes outstanding on July 1, 1920, and the interest that would have been payable on the bonds redeemed. In the post-war period it has been the practise to consolidate numerous special sinking funds and to set up definite rates of retirement in lieu of indefinite budget surplus. The sinking funds of Great Britain, Germany and the United States are cumulative; that of France is not. The French sinking fund differs also in that it is attached to special revenues. Great Britain and France retain the practise of special management of the sinking fund. On the whole the history of sinking funds shows no agreement as to the best combination of amortization principles or as to the proper speed of amortization.

The theory and practise of sinking funds have been extended to private business, where the sinking fund is essentially a fund accumulated to meet an ultimate liability. When used in connection with depreciation, as in mining enterprises, it consists of charging each year a sum that would, if invested annually at a certain rate, cover the amount of the depreciation. Sinking funds are usually created to prevent misuse of assets and to extinguish future liabilities. The term sinking fund is sometimes loosely used to mean any kind of systematic accumulation of money. The sinking fund may be considered by accountants as either a debit or a credit item. It may be derived from profits or surplus, and in the latter case it is properly spoken of as a sinking fund reserve. In this light it takes the character of a liquid fund to meet contingencies as well as a fund set aside to meet an anticipated liability. The sinking fund when considered as a sum of invested money available for a future liability is essentially a method of amortization. The distinguishing features of this method are unequal times of distribution of debt retirement and investment of retirement funds. The sinking fund method is frequently contrasted with the serial bond and annuity methods.

It is not an uncommon practise for corporations issuing bonds to establish for their payment a sinking fund to be accumulated out of income. The funds may be invested in the bonds issued or, although the procedure is ill advised, in other bonds. If invested in the bonds issued, it is customary for the bonds purchased to be kept alive. Sinking funds are sometimes turned over to trustees, in which case they are not assets of the company either legally or equitably. Debt contracts in many cases may require the corporation to make payments to a trustee, a measure which recalls the occasional separate management of public sinking funds.

As a rule the sinking fund method has been used more frequently among private corporations than among municipalities. The price of sinking fund bonds has been raised by the popularity of this method as well as by the purchase of bonds for the sinking fund which this device involves. Before the years 1914–24 sinking fund bonds were employed by railroads more commonly than by industrials and public utilities, but at the end of this period the situation was reversed. About 50 percent of public utility bonds now contain sinking fund provisions. The experience of the railroads, however, shows that sinking fund bonds are scarcely more secure than other types.

Mathematical analysis has demonstrated that the sinking fund is a more expensive method of debt payment than the serial bond or annuity methods, as measured by the total interest paid. But such analysis has led to confusion, beginning with the case of Price's sinking fund. If the greater "psychological costs" of the larger immediate payments under the serial bond method are taken into account, it can easily be argued that the sinking fund method, if properly managed, is no more costly than the serial bond method.

The sinking fund method may be attacked on the ground that it is seldom properly managed, especially when used by local governments. Most authorities on municipal bonds favor the serial type of retirement. It is charged that the sinking fund involves additional expense for the administrative department; it seldom receives the expert financial management it requires; the funds may be invested in bonds that cannot be liquidated; there may be misappropriation of funds; finally, the fund may be raided easily. Some writers have stated that the simplest methods of retirement are the safest, and that the serial bond provides the maximum of security with the least cost. For these reasons, beginning with Massachusetts in 1913, about half of the states in the United States have made compulsory the use of either serial or amortization bonds.

There is, however, a place for the sinking fund or for a flexible method of allowing unequal

times of debt payment. The uncertain character of public revenues interferes with the compulsory features involved in serial bonds. Furthermore the retirement of large amounts of debt requires an adjustment of the burden involved to capacity to pay. Mathematical estimation of the amount of interest to be paid throws light neither upon the capacity to pay nor upon the burden of payment. It is conceivable that the payment of the principal and interest of the debt may not be an economic burden, no matter how burden is defined. The national income may actually be increased. The sinking fund method allows the establishment of a plan of retirement adjusted to the totality of economic conditions and not arbitrarily based upon an overrefined and narrowly abstract analysis of mathematical and alleged psychological factors. For national governments the sinking fund, conceived as a plan of debt retirement, is still justly popular. Were the management of local debt properly taken out of local hands, the serial bond method would have less significance. Moreover a rigid mathematical system of debt retirement precludes any adequate use of debt payment to adjust the volume of credit to the volume of production.

WILLIAM WITHERS

See: PUBLIC DEBT; PUBLIC FINANCE; FINANCIAL ADMINISTRATION; LOCAL FINANCE; MUNICIPAL FINANCE; WAR FINANCE; CORPORATION FINANCE; DEBT; BONDS; INVESTMENT.

Consult: Ross, E. A., *Sinking Funds*, American Economic Association, Publications, vol. vii, nos. 4–5 (Baltimore 1892); Chandler, A. D., "Amortization" in *American Economic Review*, vol. iii (1913) 875–93; Burton, J. H., *Sinking Funds, Reserve Funds, and Depreciation* (London 1922); Withers, William, *The Retirement of National Debts*, Columbia University, Studies in History, Economics and Public Law, no. 374 (New York 1932); Jèze, Gaston, *La garantie des emprunts publics d'état* (Paris 1924); Baby, G. G., *La caisse autonome d'amortissement* (Paris 1932); Adam, Henry, *L'amortissement de la dette publique* (Paris 1916); Dewing, A. S., *The Financial Policy of Corporations* (rev. ed. New York 1926) p. 592–616; Turner, E. H., *The Repayment of Local and Other Loans, Sinking Funds* (Manchester 1913); Ketler, F. C., *Reserve Funds in Public School Finance*, Columbia University, Teachers College, Contributions to Education, no. 456 (New York 1931); Educational Finance Inquiry Commission, *The Financing of Education in the State of New York*, by G. D. Strayer and R. M. Haig, Publications, vol. i (New York 1923); Essex, D. L., *Bonding versus Pay-as-you-go in the Financing of School Buildings*, Columbia University, Teachers College, Contributions to Education, no. 496 (New York 1931).

SINN FEIN. *See* IRISH QUESTION.

SISMONDI, JEAN CHARLES LÉONARD SIMONDE DE (1773–1842), Swiss economist, historian, historian of literature and publicist. Sismondi, a Genevan descended from an old French family, emigrated to England in 1793 and to Tuscany the following year but in 1800 settled in his native city, where from 1809 on he lectured at the Academy of Geneva on ancient and literary history and economics. His development, particularly as historian and historian of literature, was profoundly influenced by his friendship with Madame de Staël and by the prominent personalities whom he met in her cosmopolitan salon at Coppet.

Through his *Histoire des républiques italiennes au moyen âge* Sismondi was the first to awaken general interest in the mediaeval history of Italy. But while he was a pioneer in the reclamation of the Middle Ages from the contempt of the eighteenth century rationalists, he shared the tendency of the latter to use history for didactic purposes: he wrote his history of the Italian towns as an anti-Bonapartist republican who wished to remind an enslaved nation of its glorious past. He was one of the first to understand that the liberation of the mediaeval Italian cities enabled them to take precedence in the development of a bourgeois society. His descriptions of currency, trade, manufactures, agriculture and the role of productive capital often reveal technical precision, although he had little inkling of the interdependence between politics and economic drives. His subsequent *Histoire des Français* without transcending the limitations of the earlier work won recognition as the earliest comprehensive survey of the subject based on original research and as a suggestive synthesis of varied currents particularly in the mediaeval period.

As author of *De la littérature du midi de l' Europe*, a revision of his lectures on the evolution of Arabian, Provençal, Italian, Spanish and Portuguese literature, Sismondi became cofounder with Madame de Staël of the "philosophy of literature," which paved the way for the sociological approach to the subject. Just as his investigations of the mediaeval history of Italy had convinced him that national character was determined by social and political institutions rather than by racial or climatic peculiarities, so he now presented literature as the natural if sometimes belated reflection of the same forces. His use of the comparative method enabled him to show the universal parallelism in the stages of intellectual development of differ-

ent nations and his defense of national art smoothed the path of romanticism especially in France.

Sismondi's general political outlook, as represented, for instance, by *Études sur les constitutions des peuples libres* (Paris 1836), was liberal but anti-Rousseauistic and antidemocratic. Believing that both the proletariat and the lower middle classes were not yet ready for democracy, he offered an apologia for the privileges of minorities, particularly of the urban bourgeoisie and the intellectuals, whom he regarded not only as the progressive elements but as the representatives of national tradition.

Although in his earliest economic writings, *Tableau de l'agriculture toscane* (Geneva 1801) and *De la richesse commerciale* (2 vols., Geneva 1803), he had defended Smithian liberalism and popularized it before J. B. Say, his *Nouveaux principes d'économie politique* (2 vols., Paris 1819; 2nd ed. 1827), which reflects his observation of the economic crisis during his second trip to England (1818–19), constitutes a devastating criticism of the basic axioms upon which the classical economists built their idealized and static conception of capitalism. He showed clearly the untenability of the doctrine that competition always tends to establish an equilibrium between production and consumption. More specifically he emphasized that general crises, or gluts, are not only possible—a fact denied by the classical economists, although they admitted the possibility of partial gluts arising from an occasional disproportion between individual branches of industry—but an inevitable periodic concomitant of the prevailing economic structure. The direct cause of such crises he found in underconsumption on the part of the working classes, whose purchasing power is insufficient to absorb the annual national output. The second inherent characteristic of capitalism overlooked by the classical economists was the necessity of continuous expansion and conquest of new outlets, resulting from the restriction of the internal market. While Sismondi was incorrect in limiting demand to consumers' demand and in other aspects of his argument, the essential validity of his conclusions makes him the scientific discoverer of capitalistic dynamics.

The deeper cause of underconsumption, that is, of the simultaneous decline in income and increase in the volume of production, Sismondi attributed to the fact that in a capitalistic society the extent and direction of economic activity are determined by exchange value, which by reason of the unevenness of technological advance within each branch of production is in a constant state of flux. The only possible basis for a harmonious and stable adjustment is the social need measured in terms of the quantity of useful commodities. Since the latter has no determining effect in a capitalistic system, Sismondi denied categorically the possibility of regulating economic activity in such a system. His various reform proposals, including his demand for public protection of workers, were consciously advanced merely as palliatives, which he realized could not correct the evils inherent in the existing order.

Among his contemporaries Sismondi was recognized chiefly as historian and historian of literature and subsequently fell into oblivion, except in Italy, where his work as a national historian influenced the spiritual revival during the Risorgimento. After 1850 the protagonists of social reform, frequently exaggerating Sismondi's really limited faith in reform measures, rediscovered him and hailed him as a precursor. Today he is famous especially as a theorist of crises, whose ideas were taken over not only by his contemporaries Malthus and Rodbertus but under the disguise of Marxist terminology by such socialists as Heinrich Cunow, L. Boudin, Karl Kautsky and Rosa Luxemburg. Since the outbreak of the present world crisis this underconsumption theory, which Lenin justly attacked as non-Marxist, has become the official doctrine of numerous socialist parties and trade unions in Europe and America.

HENRYK GROSSMAN

Works: *Histoire des républiques italiennes au moyen âge*, 16 vols. (Zurich and Paris 1807–18; new ed., 10 vols., Paris 1840–41; abridged ed. as *Histoire de la renaissance de la liberté en Italie*, 2 vols., Paris 1832), tr. as *A History of the Italian Republics* (London 1832; reprinted in Everyman's Library, London 1907); *Histoire des Français*, 31 vols. (Paris 1821–44, abridged ed. as *Précis de l'histoire des Français*, 2 vols., Paris 1838, and a third volume by E. Robinet, 1844); *De la littérature du midi de l'Europe*, 4 vols. (Paris 1813; 4th ed., 2 vols., Brussels 1837), tr. by Thomas Roscoe as *Historical View of the Literature of the South of Europe*, 2 vols. (4th ed. London 1853); *Études sur les sciences sociales*, 3 vols. (Paris 1836–38).

Consult: Salis, Jean R. de, *Sismondi, 1773–1842*, Bibliothèque de la Revue de Littérature Comparée, vol. lxxvii, 2 vols. (Paris 1932); Aftalion, Albert, *L'oeuvre économique de Simonde de Sismondi* (Paris 1899); Grossman, Henryk, *Simonde de Sismondi et ses théories économiques*, Warsaw, Bibliotheca Universitatis Liberae Polonae, no. 11 (Warsaw 1924); Tuan, Mao-Lan, *Simonde de Sismondi as an Economist*, Columbia Uni-

versity, Studies in History, Economics and Public Law, no. 298 (New York 1927); Festy, O., "Sismondi et la condition des ouvriers français de son temps" in *Revue d'économie politique*, vol. xxxii (1918) 46–72, 119–36; Lenin, V. I., "K kharakteristike ekonomicheskogo romantizma" (Characteristics of economic romanticism) in his *Sochineniya*, vol. ii (2nd rev. ed. Moscow 1926) p. 9–115; Jeandeau, René, *Sismondi, précurseur de la législation sociale contemporaine* (Bordeaux 1913); Pellegrini, Carlo, *Il Sismondi e la storia delle letterature dell' Europa meridionale*, Biblioteca dell' Archivum romanicum, 1st ser., vol. vii (Geneva 1926); Gooch, G. P., *History and Historians in the Nineteenth Century* (London 1913) p. 165–68.

SKARBEK, COUNT FRYDERYK FLORJAN (1792–1866), Polish economist. Skarbek studied at Warsaw and Paris and obtained private instruction in economics from Camille Saint-Aubin and Piotr Maleszewski. After his return to Poland he divided his time between official administrative work and writing on economic subjects. In 1818 he was called to the chair of political economy at the University of Warsaw, where he taught with great success until the closing of the institution by the Russian authorities after the collapse of the Polish insurrection in 1831. He then returned to public life, held various administrative posts and took a prominent role in the organization and direction of numerous institutions of public welfare. His literary legacy includes besides several works on economics, which established his reputation as the foremost Polish economist of his period, a number of studies in the field of history, criminology, statistics and general social reform.

While Skarbek regarded himself as a follower and interpreter of the classical school of economics, he departed from its teachings in a number of significant respects. Even in his early writings he drew a sharp distinction between theoretical economics, which has for its purpose the discovery of universal principles on the nature and source of the wealth of nations, and applied economics, in which the general principles should be modified in accordance with the geographical location, degree of economic development and other peculiarities of the respective nations. By introducing thus the viewpoint of historical relativism he limited considerably the principle of universalism implied in classical teachings, and by emphasizing the influence of national characteristics on economic development he further qualified the individualistic approach of classical doctrine. His treatment of the theory of circulation of commodities, division of labor, population, distribution of the national dividend and of wages is marked by independence of thought and in many respects anticipates subsequent contributions to economic doctrine.

K. KRZECZKOWSKI

Works: *Elementarne zasady gospodarstwa narodowego* (Elementary principles of national economy), 2 vols. (Warsaw 1820; new ed. by Bibljoteka Wyższej Szkoły Handlowej, 1931); *Théorie des richesses sociales*, 2 vols. (Paris 1829, 2nd ed. 1839–40), tr. into Polish as *Ogólne zasady nauki gospodarstwa narodowego* (General principles of national economy), 2 vols. (Warsaw 1859–60; new ed. containing bibliography of Skarbek's works, by Bibljoteka Wyższej Szkoły Handlowej, 1926); *Considérations générales sur le meilleur régime des prisons* (Warsaw 1842); *Idées générales sur la législation pénale* (Brussels 1848); *Essai de morale civique* (Brussels 1861).

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SKARGA POWĘSKI, PIOTR (1536–1612), Polish theologian and preacher. Skarga played a role similar to that of Bossuet in France. In a troubled epoch he defended Catholicism, both in tract and in sermon, against the Reformation and the monarchy against the republicanism advocated by the nobility. He regarded the state as the city of God; this view, essentially Augustinian, led him to ascribe to his nation an almost messianic role and made him a precursor of the Polish political romanticism of the first half of the nineteenth century. Skarga saw in Catholicism the foundation of the state and attacked Protestantism as the source not only of religious but also of political anarchy. His political ideas, essentially religious, contributed far more than the victory of Catholicism to the moral unity of the Polish state. He opposed to earthly wisdom, which makes for sedition, discord and loss of patriotism, divine wisdom with its command of discipline, love and moral integrity and asserted the supremacy of the ecclesiastical power over the secular rulers. In the name of this theocratic system Skarga defended the peasants against serfdom and intervened in favor of the burghers, who had been deprived of the privileges they had enjoyed during the Middle Ages; he warned his countrymen that continuation of oppressive laws and of social injustice would spell the ruin of the state. The order of Jesuits, of which Skarga was a member, continued the campaign,

although they suppressed those passages in Skarga's works which were too offensive to the nobility. In his sermons Skarga displayed a mastery of language which is unsurpassed in the history of Polish literature. It was this fact which contributed enormously to the spread of his authority not only among the Poles but also among the Ruthenians and Lithuanians, who formed large minorities in the Polish kingdom.

TADEUSZ GRABOWSKI

Works: *Pisma wszystkie* (Collected writings), vols. i–iv (Warsaw 1923–26).

Consult: Grabowski, T., *Piotr Skarga na tle katolickiej literatury religijnej w Polsce wieku XVI* (Peter Skarga in the light of Catholic religious literature in 16th century Poland) (Cracow 1913); Berga, A., *Pierre Skarga (1536–1612)* (Paris 1916), with extensive bibliography of and on Skarga; Winkler, Edward, *Myśli polityczne Piotra Skargi* (The political thought of Piotr Skarga) (Warsaw 1913); Tretiak, Józef, *Piotr Skarga w dziejach i literaturze Unii brzeskiej* (Piotr Skarga in the history and literature of the Union of Brześć) (Cracow 1912); Paczkowski, J., "Staat und Gesellschaft in Polen im Urteil des Jesuiten Skarga" in *Zeitschrift für osteuropäische Geschichte*, vol. ii (1912) 541–56; Korbut, G., *Literatura polska*, vol. i (Warsaw 1929) p. 346–51, with bibliography.

SKIDMORE, THOMAS (d. 1832), American agrarian. Skidmore is known almost entirely for his one book, *The Rights of Man to Property, Being a Proposition to Make It Equal among the Adults of the Present Generation* (New York 1829). His thought owed much to Thomas Paine, Robert Owen and perhaps to Thomas Spence and William Thompson, although parts of his advocacy bear evidence of originality. He stated forcefully his objection to exploitation of the working class by the rich and proposed as a remedy, in New York state, a constitutional convention which should abolish all debts and all claims to property, provide for an inventory of wealth and census of population and prepare the way for a general auction in which each bidder would have equal purchasing power. He went on to set up elaborate precautions against subsequent concentration of wealth, including abolition of inheritance and prohibition of monopoly in any form.

For less than a year, beginning in the spring of 1829, Skidmore, himself a mechanic, led the wage earners' faction in the new Working Men's party in New York. While upholding the ten-hour day, he tried to secure the workers' political support for his scheme of wealth redistribution. The party obtained more than a third of the votes in the fall election and sent an assemblyman to Albany, Skidmore himself barely failing of election. The criticism leveled at Skidmore's agrarianism, coupled with his dogmatism and personal impatience, soon weakened his influence; and Robert Dale Owen, Frances Wright and Robert L. Jennings told off the majority of his following in a demand for universal free education in guardian schools. Skidmore attempted unsuccessfully to restore himself to influence by publishing with Alexander Ming a daily paper, the *Friend of Equal Rights*. Like other reformers of limited training he dissipated his energies in blue printing his future society.

BROADUS MITCHELL

Consult: Commons, John R., and others, *History of Labour in the United States*, 2 vols. (New York 1918) vol. i, pt. ii, ch. iii; Carlton, Frank T., "The Workingmen's Party of New York City: 1829–1831" in *Political Science Quarterly*, vol. xxii (1907) 401–15.

SKINNER, JOHN STUART (1788–1851), American agricultural journalist. Skinner was the descendant of a landed proprietor in Maryland. His love of rural life and his deep interest in farm problems led him to abandon law and public service in favor of agricultural journalism. On April 2, 1819, he began the publication of the *American Farmer*, the first agricultural paper in the United States devoted almost exclusively to the farmer and his problems. In 1834 the paper passed into other hands, but five years later Skinner regained control, which he retained until 1845. Meanwhile he served as editor of the *American Turf Register and Sporting Magazine* and the *American Silk Society and Rural Economist*, in connection with which he did considerable writing on farm problems. In 1845 he became associated with Greeley and McElrath of the New York *Tribune* in the publication of the *Farmer's Library and Monthly Journal of Agriculture*. From 1848 until his death he edited *The Plough, the Loom, and the Anvil*, probably the most notable achievement in agricultural journalism prior to the Civil War.

The underlying motives of Skinner's journalistic endeavor were the improvement of the soil, the coordination of agriculture and industry and the elevation of the life and character of the farmer. He presented the most authoritative material he could gather on agricultural economy; he edited for publication in the United States several standard foreign works; he wrote numerous special articles and treatises; and he collaborated with other writers in the preparation of the *Farmers' Barn Book* (Philadelphia

1850). He was a pioneer in agricultural journalism in the United States, the educational possibilities of which came to be recognized by his successors in the establishment of farm journals during the later nineteenth century.

LOUIS BERNARD SCHMIDT

Consult: Poore, Benjamin Perley, *Biographical Sketch of John Stuart Skinner* (New York 1924); Ogilvie, William E., *Pioneer Agricultural Journalists* (Chicago 1927) p. 3–9.

SLANDER. *See* LIBEL AND SLANDER.

SLAVE TRADE. *See* SLAVERY.

SLAVERY

PRIMITIVE ..... BERNHARD J. STERN
ANCIENT ..... WILLIAM LINN WESTERMANN
MEDIAEVAL ..... MELVIN M. KNIGHT
MODERN
GENERAL ..... MARY WILHELMINE WILLIAMS
UNITED STATES ..... ULRICH B. PHILLIPS

PRIMITIVE. Although nowhere in primitive societies have human beings been subject to the gross exploitation characteristic of slavery among culturally advanced peoples, there has existed in many regions the ownership of persons outside of family relations whereby the owners control the lives of their slaves, often sanction their use in ritual sacrifice and frequently subject them to compulsory labor. Such slavery has been a characteristic aspect of native African life except for the area south of the Zambesi. It is unknown among the primitive peoples of Australia; it has been confined to a few islands in Oceania; while it has been a general feature of the social organization of the Malay Archipelago. Absent with one possible exception in central Asia and Siberia, it has prevailed among a considerable number of aboriginal tribes of Indo-China and of India. In North America it developed only along the Pacific coast from Bering Strait to the northern boundary of California, and it appears to have had but a scattered distribution in Central and South America.

There are wide variations in the behavior sanctioned in the relations between master and slaves and in the privileges accorded the latter in primitive societies; these differences depend largely on the general economic, political and religious setting in which the institution functions. Custom usually deters the owners from depriving their slaves of all rights and from treating them with extreme cruelty; in many primitive communities the life of the slaves differs but little from that of the freemen. Debtor slaves are almost invariably treated with more consideration than are foreign slaves obtained by capture and trade. It is frequently difficult, particularly in Africa, where an extremely diversified range of attitudes toward slaves prevails, to distinguish with any precision between such categories as slaves, serfs, subjects, submerged classes and low castes.

The incidence of compulsory labor in slavery is determined largely by the nature of the economic pursuits and the degree of cultural development. In primitive nomadic hunting tribes, which are small, barely self-subsisting units whose members are closely related by birth and marriage, the development of such slavery is precluded by the scarcity of food, the lack of regularity of labor and of differentiation in occupational functions other than that between the sexes, and the absence of numbers adequate to maintain regulative powers which would make possible repression and coercion. Contrary to the theory that the practise of appropriating the services of slaves was derived from the analogous appropriation of the labor of domesticated animals, and that therefore slavery originated and was a characteristic institution among pastoral peoples, the fact is that it was actually rare among them because of the low demand for labor. The practise has been current only among the flourishing pastoral tribes in northwest and northeast Africa and among a few tribes in the Caucasus and Arabia, while the pastoral nomads of Siberia, central Asia, India and south Africa have not had slaves. On the other hand, slavery has developed most markedly among agricultural tribes where habitation is settled, where there is a demand for labor coupled with a relatively plentiful food supply and flourishing trade. Such conditions, however, have not always given rise to slavery.

The distinctive nature of slavery in primitive societies may best be clarified by illustrations of its functioning in different areas. The non-

agricultural tribes on the northwest coast of America which had developed the institution lived in settled communities in relatively large numbers and derived their abundant food supply from salmon fishing in addition to hunting. Captives, who in other parts of North America where the social life was more democratic became equals of the tribal members through marriage and adoption, were in this region permitted to mate only with one another, and their descendants usually remained slaves. Although they often participated in other economic activities, they were as a rule compelled to perform menial tasks and to function for the most part as bearers of burdens. Their social and political status was generally lowly and they were commonly excluded from active participation in ceremonial functions. Slaves were sometimes traded or given away as gifts; the master could kill them at will just as he could destroy other property as a means of displaying his wealth. Among the Kwakiutl there are accounts of the killing of slaves to provide food for the members of the cannibal society; and among the Tlingit slaves were killed and buried under the house posts when a new house was being erected.

This widespread use of captives to provide for ceremonial needs has been pronounced in some of the head hunting districts of Melanesia. In contrast to their inferior status on the northwest coast of America, these captives, who are characterized by many writers as slaves, have not been subject to the attitude of derogation ordinarily associated with the institution of slavery, nor have they been taken or maintained for purposes of compulsory service. They might marry the women of their captors, perform important religious functions and even rise to positions of importance in political life. They have, however, been regarded as "heads" which might be utilized when needed to satisfy immediate ceremonial purposes. They thus may be considered property of the captors subject to their will and may be designated slaves in this sense.

In Africa the indigenous primitive institution of slavery was conditioned by the impact of the world slave traffic, as is shown by the fact that intertribal trade in kidnaped slaves has been developed most extensively in areas where there were slave raids for the European market. Besides the purchase of men and women from other villages with the express purpose of enslaving them and the subjugation of prisoners of war or persons received as a form of tribute from a defeated foreign power, the practise of voluntary and involuntary servitude as security for debt subject to redemption appears to have been developed more extensively in Africa than elsewhere. In certain localities persons enslaved as punishment for crime might also as a rule be redeemed.

BERNHARD J. STERN

ANCIENT. Slavery existed as a constant factor in the social and economic life of the Near East and Europe throughout the entire period of ancient history, differing greatly in intensity and effects according to time and place. Its validity as a system of labor was never seriously questioned. No attempt to abolish it was made by any ancient government. Nor did any ancient religious body, even Christianity, challenge the right of its believers to own slaves. Greek political philosophy discussed the institution of slavery, but only as to whether it was a condition grounded in natural law or made by man. Ancient slavery differed fundamentally from modern slavery in that the problem of race entered into it but slightly and only in theoretical discussion. Because of its essential differences as a social institution and the differences in the attitude toward it the subject cannot be approached successfully from the abolitionistic-moralistic point of view of the nineteenth century. To the ancient mind slavery was a fixed and accepted element of life, and no moral problem was involved.

That slavery already was established as a recognized institution in the Sumerian culture of the Babylonian area in the fourth millennium B.C. may be confidently assumed from the fragments of Sumerian legislation upon slaves which date from the first half of the third millennium. The old Sumerian ideograph for slave means "male of foreign land," indicating that the source of slavery was war and its prisoners. The Sumerian legislation which is now extant includes the requirement of mere restitution of a slave or payment of a definite sum by one who harbors a runaway slave, the possibility of protest by the slave against his own sale and the enforcement of sale in case a slave protests his master's rights over him. The numerous paragraphs dealing with slaves in the Code of Hammurabi about 2100 B.C. reflect a more sophisticated economic life based upon a more general use of money as interest bearing capital and a social system far more self-conscious and stringent in its social classifications. The treatment

of slaves was much harsher than under the old patriarchal master and slave relation characteristic of the previous Sumerian period. The chief sources of slavery were captivity in war, purchase abroad, bondage as a result of unpaid debts (sale of wife and children to meet unfulfilled obligations) and inheritance of slave status from slave parents. No convincing estimate can be made of the relative numbers of the free and the slave, but it is certain that the number of freeholds and the use of free labor in agriculture were always striking elements in Babylonian life. A tendency to exaggerate slave numbers may be checked by the observation that about 517 B.C., in the neo-Babylonian period, the head of the banking house of Egibi Sons left only ninety-six slaves when he died. This may be regarded as the upper limit owned by the richest individuals as opposed to the royal households and wealthy temple organizations. The Hammurabi legislation granted rights to slaves in considerable degree: the right of intermarriage with free women, the right to engage in business and to acquire property, and protection of slave concubines when they had given birth to children. But these protective rights looked to the slave as property and economic asset rather than as human being. The danger of generalization may be illustrated by the fact that the Hittite Code, applying to Asia Minor and northern Syria in the late second millennium, in contrast with the Hammurabi Code, regarded the slave as human being rather than as chattel. Under the Babylonian conditions, which are in general applicable to the Semitic world of that time, release from slavery might occur by manumission, by adoption of the slave and by self-purchase. The Hebrew legislation added to these methods release of a slave of Hebrew origin after six years of service and manumission because of maltreatment leading to permanent injury, the last provision applying to foreign born slaves as well as to those of Hebrew birth. Economic conditions prevailing in Palestine suggest that the use of slaves in that area was on a more restricted scale than in Babylonia.

In Egypt under the pharaohs slavery certainly existed from the earliest dynastic period, the number of slaves probably increasing during the period of the empire (*c.* 1600–*c.* 1000 B.C.). But royal ownership of the agricultural land in the Nile valley, combined with a teeming and industrious population under strict regimentation by the state, produced an economic situation which was unsuitable to the development of slavery upon a comprehensive and significant scale. Throughout the entire history of Egypt in antiquity—under its native rulers, under the Macedonian Ptolemies and under Roman imperial rule—agricultural slavery never was able to find a strong foothold. The numbers of captives recorded as resulting from the raids of Thutmose III (1501–1447 B.C.) and from his many campaigns into Syria are surprisingly meager: from Nubia 134 and 36 in two different years; from Syria a total of 8000. Debtor bondage existed until abrogated by Pharaoh Bocchoris (Bakenranef, about 718–712 B.C.). The reasons for this action are unknown; but it may be regarded as another proof of the comparative insignificance of slavery as an economic force in that country.

The origins of slavery in the Greek area are not ascertainable. In the period from about 1200 to 800 B.C., as depicted in the Homeric poems, slave owning was fully recognized as an element in private ownership of property. It was also the expected fate of captives in war. The largest number of slaves accorded to the household organizations of the most powerful chieftains was fifty. Despite casual raiding, which included slaves in the booty taken, there was as yet no organized slave traffic. No word for slave dealer appears in Homer. Women slaves were used in household services, with the customary accompaniment of concubinage, and in the household industry of weaving. Males appear in small numbers in agriculture but not in the handicrafts, which then supplied strictly local markets. The entire picture is one of a society using slaves only in limited degree. Treatment by the masters was notably kind. Conversely the attitude of the slaves was one of trust and loyalty, even of marked affection.

In the period from 800 to 600 B.C. three events, in their conjunction and interplay, created the set of conditions which became typical of the city-states of the Greek world and later of the urbanized culture of the Roman Empire. These were: widespread colonization of the Black Sea and Mediterranean coasts by Greeks; invention of coinage in the precious metals; and the development of handicraft industries centering in large towns, with the possibility of sale of the hand factory output throughout the extensive market of the Mediterranean coast and its hinterlands. During the sixth century and much more strongly in the fifth and fourth centuries these conditions gave an increasing impetus to the demand for slaves and shifted the emphasis and importance of slave employment

in the progressive parts of the Greek world from household and agricultural services to the handicrafts. In those states which were based upon a system of helotage, such as Sparta and Thessaly, and in the backward states of western Greece the old type of limited and simple slavery remained unchanged. A law passed by Solon at Athens in 594 B.C. abolished the right of mortgage for debt of the person of the debtor or his wife or of the persons of his children. This law, copied widely although not universally in the Greek world of independent city-states, removed the least important of the sources of slave supply. The constant warfare among the Greek city-states was the most fruitful source of slaves, with purchase from the peripheral non-Greek peoples and kidnaping and sale by organized piracy as additional methods of meeting the demand. Despite the enormous figures given by ancient writers for the slave population at Athens in the fourth century B.C. it is improbable that the slaves in that city-state, which offers one of the outstanding examples of slave employment in the handicrafts, ever reached a total of one half of the free population. Authentic contemporary evidence regarding labor employed in the building of the temple of Erectheus at Athens in the fifth century gives the following proportion of free men and slaves: Athenian citizens 20; free aliens (metics) 35; slaves 16. The ratio of slaves employed was in this instance 22.5 percent. The six hundred slaves owned by the Athenian Hipponicus and the thousand slaves of the rich Athenian general Nicias, both living in 430 B.C., must be regarded as exceptional. The method employed by these two wealthy slave owners of using their slaves as capital investment, leasing them out to those who operated the silver mines at Laurium or to owners of small handicraft shops, is typical. The figures given above suffice to emphasize the importance of slaves in the industrial labor market in those parts of the Greek and Roman world which adopted the Greek industrial system. The view that ancient society was based upon slavery is, however, quite incorrect as a generalization.

According to the Greek laws the slave was a property, hence a legal object. He could be sold or mortgaged or his services leased. He was also, however, regarded as a legal subject—a man as well as a thing. At Athens capable slaves might under given authority carry on business in behalf of their owners or engage in commerce independently, with the right to make binding contracts. In commercial trials slaves customarily testified without use of the bastinado. In general slave status was not regarded in the Greek city-states as degrading, nor was the social and legal treatment of the slave particularly harsh. The road out of slavery into freedom, through manumission as a reward granted for faithful service, or through self-purchase, was as easy as the many hazards of life which led into it. There were many slaves who "lived apart," with a social life of their own, paying to their owners a definite amount of their earnings. Slaves were admitted to participation in the popular Orphic mysteries and to social clubs, which also included free members. Instances are known in which these clubs helped to make up by loan the sum required for the purchase of freedom for a slave member. Because of the exclusive nature of ancient Greek citizenship and its essential implication that military service was both an obligation and a right of the privileged citizen class, slaves were not permitted as a rule to take part as combatants in war on land or as oarsmen on battleships. When crises and dire necessity required such use of slaves, it was always regarded as remarkable; and the general principle of exclusive citizen right in this respect was maintained by granting freedom to the slaves who were enrolled for service. This general rule applies throughout Greek and Roman history. There is no question that Greek political philosophy of the fourth century B.C. (Plato, Xenophon, Aristotle) adopted a derogatory and contemptuous attitude toward manual labor, exemplified by the use of the term "banausic trades"; but there is little evidence that this contempt was due to the widespread use of slaves. It is more probably explained by considerations of the compulsory military service resting upon citizens and the lowering of physical fitness brought about by manual toil (Xenophon) or upon the theory of pettiness of spirit, unbefitting the ideal citizen, which is engendered by trade haggling (Plato).

A new type of slavery was introduced in antiquity by the Carthaginians and by the Romans after their conquest of the peninsular section of Italy in 272 B.C. It was characterized by the use of slave gangs on a large scale in agricultural production and in ranching. In Roman Italy from 200 B.C. to the time of Augustus Caesar its methods were brutal and its results brutalizing. In north Africa the merchant nobility of Carthage owned many slaves, some employed in household service, others in industry, notably in naval construction; but their large plantations

also were worked by slaves, the trade in slaves being a part of their active commerce in the western Mediterranean.

The little that is known of slavery in the early Roman Republic indicates that it was of the mild type characteristic of household and small farm employment on a limited scale. The change in slave conditions occurred through a combination of circumstances. The Roman state in its conquest of Italy in the fourth century B.C. customarily retained some part of the conquered territory as state domain. This public domain was rented, preferably in large holdings, to wealthy men among the Roman citizens and Italian allies. Out of this system grew the great latifundia of a thousand acres or more which became typical of Etruria and of southern Italy in the second century B.C. The long period of the Carthaginian wars (264–241 and 218–201 B.C.) called into the naval and land campaigns a large element of the able bodied small farmers of Italy, both of the citizen classes and of the Italian allies. To meet the dearth of available native farm labor caused by military service the owners and renters of large estates made use of the captives taken in the constant wars of the third and second centuries and sold as slaves. In 262 B.C. after the capture of Acragas (Agrigentum) in Sicily 25,000 prisoners were sold; after the recapture of Tarentum in Italy in 209 B.C. 30,000 persons were sold. When the Roman state in the second century was advancing into Macedon, Greece and Asia Minor and extending its sway over Spain, the numbers of slaves placed upon the market increased. In 167 B.C. by order of the Roman Senate 150,000 persons were taken in the towns of Epirus in one day. At the end of the second century the island of Delos became a veritable slave market, in which 10,000 slaves might change hands in a single day. Both demand and supply grew. Under the bitter exploitation and general mismanagement of the provinces by Rome in the period from 110 to 67 B.C. organized piracy upon a large scale throve upon kidnaping and the sale of its victims to meet the demand of the west for slaves. The heartlessness of this western system of plantation and ranch slavery is fully borne out by the record of uprisings, from the intermittent outbreaks of rural slaves in Sicily and Italy in 200 B.C. to the final dangerous revolt of the slaves of Italy led by the Thracian Spartacus in 73–71 B.C.

The organization of the Roman Empire brought an end to the period of the exploitation of the provinces and established within the boundaries of the empire the *pax romana*. The endless supply of cheap slaves through the sale of war captives dwindled; and with the decrease in slave supply there came a gradual return to tenantry and leasing on the share system. Coincident with this change appears the encouragement of slave marriages in the west and the rearing of house born slaves (*vernae*) with its humanizing influence upon the master's behavior.

The growth of a new public attitude toward the slave class in the west, reflected in a series of legislative enactments by the Roman emperors, is part of a general spiritual change, the sources of which are difficult to trace. Neither stoicism nor Christianity was a primary or direct agency in the application of the new spirit to slavery, since both fully accepted it as a working economic and social institution. Believing that there would be no spiritual differentiation between bond and free, both stoic and Christian were indifferent to slavery although advocating humane treatment for slaves, in the one case as members of the fraternity of mankind, in the other as children of God.

Although statistical proof is out of the question, it may be assumed that the effects of slavery upon population numbers in antiquity were consistently counter to increase. The problem of its reaction upon public morals and standards of living cannot be solved by a general condemnation of slavery per se. The slave system of antiquity was a part of a general labor system. Except for the two hundred year period of western plantation slavery, free and slave labor customarily worked side by side with little actual differentiation in respect to wages or treatment.

WILLIAM LINN WESTERMANN

MEDIAEVAL. In western Europe, the Byzantine Empire and the Moslem lands mediaeval slavery took its cue from the later and more humane codes and practises to which the ancient world returned after the decline of the gang slavery of the Roman plantations. For centuries after Valentinian's edict of 377 A.D. forbidding the sale of rural *servi* separately from the land it is difficult in many cases to distinguish the condition of these people from that of the coloni. The word slave, a variant of Slav, gradually came into use from about the eighth century because of the number of captives from Slavic tribes. Dealers also bought Germans and Gallo-

Romans, Verdun being one of the great centers of the trade with the Mediterranean.

In a letter of about 600 freeing two church slaves Pope Gregory the Great repeated the ancient belief that manumission was a good act. Centuries before the Christian era the Jews had been warned (*Jeremiah* XXXIV: 8–16) of the Lord's displeasure because they enslaved their own people, a point specifically recalled by another famous manumission document of the twelfth century from the Abbey of Saint-Père at Chartres. The third Levantine "book religion," Moslemism, was to be equally clear as to the piety of releasing those of its own faith from bondage. Gregory's remark that nature had created men free in the beginning and the *jus gentium* had substituted slavery (*quos ab initio natura liberos protulit et jus gentium jugo substituit servitutis*) was good pagan philosophy, to be repeated almost word for word by Rousseau in the eighteenth century; but this part of Pope Gregory's statement must be read in its theological context. The redemption from bondage provided by Christ's sacrifice was for the benefit of those who embraced Christianity, and even in these cases manumission was not the right of the slave but a pious and commendable act on the part of the master. There was a growing agitation against the sale of Christians, especially abroad and most especially to Jews, Saracens and barbarians. But slavery itself continued to exist in every Christian country throughout the Middle Ages and the church made no attempt to abolish it. Indeed it did not free its own slaves. For generations the German clergy connived at the export of Slavonic people by Jewish merchants to Moslem countries.

Slavery and the slave trade declined materially and generally in western Europe for at least four centuries from about 900 to 1300. The supply of "barbarian" and "infidel" captives decreased. Serfdom was better adapted to the crude and non-commercial agriculture of central and northern Europe. Even house slavery must have been reduced through manumission and the substitution of dues and corvées from half free peasants. In Mediterranean Europe the colonate became standardized as serfdom rather than slavery, under the influence of Lombards and Normans during the period before these Germans became thoroughly Latinized and began to revive Roman jurisprudence. Slavery was also ill adapted to the commercial and industrial life of the Italian towns, furnishers of the vast transalpine regions, at a time when European civilization was rapidly expanding to the limits of the continent.

It is hard to date the definite increase in slavery toward the end of the European Middle Ages. Refugees and captives multiplied with the new Asiatic invasions of eastern Europe and the Near East which began in earnest in the thirteenth century. Venetian and Genoese slave traders bought Circassians, Armenians, Syrians, Bulgarians and Serbs from the Turks, for sale principally in the Mediterranean countries. The Spanish advance against the Moors provided many captives. House slaves were in demand in the Mediterranean trading towns after these became large and wealthy. Part of this market was supplied with Sudanese, brought across the Sahara to the Barbary ports. This trade had been large for centuries, but the bulk of it always went to Moslem countries. The Portuguese reached the Guinea coast in the fifteenth century and began to divert this ancient traffic to the sea near its source. The military successes of the Ottoman Turks aided the revival of slavery. Standard accounts assert that at least fifty thousand people were sold as slaves after the fall of Constantinople in 1453. It is common but hardly permissible to classify the Moslemized and privileged Janissaries as slaves on the grounds that they were obtained by levies of Christian children for three centuries after about 1326 and were not allowed to marry until 1566.

The late mediaeval combination of rising national spirit with religious militancy and intolerance made for increased numbers of captives. In 1452 Pope Nicholas V empowered the king of Portugal to despoil and sell into slavery all Moslems, heathen and other foes of Christ. A hundred Moorish slaves sent to Pope Innocent VIII in 1488 by Ferdinand the Catholic were distributed among the cardinals and other notables. Baptized Jews who associated with the unconverted were liable to enslavement. This was also the penalty for a variety of crimes, including conspiracy, high treason, wife abduction, soothsaying, inability to restore stolen property and the sale of arms to Moslems during the offensive wars called crusades. "Foes of Christ" was sometimes broadly interpreted. Pope Gregory XI excommunicated the Florentines in 1376, ordering their enslavement wherever found. Women slaves were sold cheap in Rome after the fall of Capua in 1501.

Being valuable, slaves secured their freedom for valuable considerations or out of the piety of masters, which might be stimulated by the hope

of reward in another world. The church slave admitted to holy orders might have to purchase the privilege or have it purchased for him by his fellow villagers. If he left the church or married, he could be reclaimed as a slave. As in ancient manumissions it was common to continue certain rights and obligations. For example, the church generally excluded the freed slaves of private masters from holy orders until evidence was produced that no *obsequium* remained, especially the right to reclaim the freedman for testifying against his former master or showing him disrespect. Too much independence on the part of ordained former church slaves could be guarded against by the threat of return to their former condition. A church slave freed to become a private person generally had to see that his former bond service was rendered. Sometimes he paid a stiff sum, in annual instalments or all at once. He could not buy property from relatives still in the church or summon anybody to court within the chapter except by its consent. If a freeman married the daughter of a church slave, he generally became a slave himself together with the children of the marriage; but he might avoid this by payments during his lifetime and the surrender of his property to the church at his death. Slave marriages were not generally solemnized by the clergy unless the master consented, for such a ceremony might be presented as evidence of freedom.

It is often asserted at the present time that private siaves were better off than church slaves, largely on the ground that the former had a better chance at manumission. Whether this is suitable evidence depends upon the point of view. The bishop or other administrator within a perpetual institution was not as free as the private master to follow any natural lenience at the expense of property rights in special cases. Sometimes a bishop was forbidden to free church slaves without payment from private funds and the freedmen were required to give evidence of their new status to one or more successors to the bishop conferring freedom. As a rule children of unions between freeman and slave took the status of the mother, but there were many exceptions, as in England. Since slavery was chiefly a personal and household relationship after the rise of feudalism and serfdom, it seems safe to assume that both the best and the worst conditions were to be found under private masters.

Slavery in the Moslem world had few special characteristics. Household slaves rather than field slaves were the rule. Because of the organization of family and household eunuchs were much more common in oriental societies. Emasculation was increasingly discouraged in Christian Europe and forbidden in some states but not entirely abolished. Like Christianity, Islam tolerated slavery and encouraged the enslavement of enemies; but the freeing of a Moslem slave was regarded as a pious act. Debt slavery and the sale of children into slavery by destitute parents were less common and more distinctly against the law than in Christendom. Prisoners of war and descendants of people already captives made up the bulk of the slave population. Young female slaves were often the concubines of their masters, with a special and stable situation in the family if sons were born. A slave could be freed by will, even by a clearly expressed verbal will. As in Christendom, he could be liberated by a contract to meet precise and regular payments. Such a contract might be almost the exact equivalent of the Roman *peculium* arrangement, save that the unfree Moslem could enter into a contract under which he could not be sold if he lived up to its terms during the period in which he was earning the price of his freedom. To forgive him part of this price was a pious and meritorious act. As in Rome or in mediaeval Christendom, manumission generally made a person merely a freedman for the time being, owing obligations similar to the *obsequium*. Moslem slavery during the European Middle Ages is not to be judged by the slave trade. The terrible journey across the Sahara was probably not as bad as the "middle passage" of later times. Organized Barbary corsair activities, by renegades originally of many nations and faiths, belong mostly to modern times; and the hope of tribute was responsible for many of the worst features. The most hideous aspect of the trade in Sudanese was probably the making of eunuchs. The operation was performed in the Sudan before the caravan trip, and about one out of ten survived. Once these valuable slaves had reached the Mediterranean, they were generally well treated. Of course the eunuch is a familiar figure in the history of the ancient Near East, of the Roman and Byzantine empires and even of Christian western Europe—the practise he represents was not originally Moslem in any sense.

The tendency to ignore the widespread existence of slavery in the Middle Ages may be attributed largely to the obsession of many philosophers and historians that history records a

reasonably consistent advance from unfreedom to freedom. This explains the uncritical rejoicings over the rise of serfdom. On the whole slavery has been associated with higher types of economic organization than serfdom and probably with social conditions at least as civilized and humanitarian.

MELVIN M. KNIGHT

MODERN. *General.* Although throughout the modern period various earlier types of domestic and patriarchal slavery have persisted in many regions of the world, the most significant and dynamic development of the institution has taken place in connection with the establishment and spread of the plantation economy in the Americas and with the transportation and sale of African Negroes. Around the middle of the fifteenth century the traffic in slaves from the interior of Africa, which since the rise of the Moslem power had been monopolized by overland Arab traders, began to be diverted by the Portuguese sea captains of Prince Henry the Navigator. In the course of their voyages of exploration along the west African coast they returned, first with Moorish captives and after 1444, the date of the first shipload of Senegalese blacks to arrive in Portugal, with Negro slaves from the various native tribes which they encountered. The development of this new oversea, as opposed to overland, trade in African Negroes was stimulated by the fact that slaves were in demand in Portugal as domestics and stevedores and to a far greater degree as agricultural laborers, especially in the southern sections of the country, where the wars against the Moors had helped to deplete the population. Furthermore, as Portuguese dominions expanded into the East Indies and South America, natives of these regions were sent in considerable numbers as slaves to the home country and to different parts of the empire. By the middle of the sixteenth century the inhabitants of the Algarve were largely Ethiopian, and even as far north as Lisbon blacks outnumbered whites. There was no marked color line, and the blood of the two races mingled freely, resulting eventually in Negroid physical characteristics in the Portuguese nation. African slaves were being sold in Spain soon after their introduction into Portugal, and although they apparently were not used to any extent in agriculture, the institution was soon established. Even the pious Queen Isabella favored it as offering salvation to the bondmen through contact with Christianity.

It was the discovery of America, however, which opened the new era in the history of slavery. In every colony sooner or later the essential prerequisite of prosperity became the capacity to furnish some commodity or commodities which people elsewhere would buy at a price greater than the costs of production and delivery. Staple products for sale in Europe were found in tobacco, rice, indigo, cotton and sugar cane, products which invited large scale production, by the use of gang labor, for the sake of large scale earnings. Wage labor was seldom available, for where there is opportunity to work for oneself few are willing to go into the employ of others, and it became necessary to resort to unfree labor.

Slavery in the Hispanic colonies of the New World was at first limited to the aborigines and was resorted to by Columbus. Although in the subsequent period, under the influence of the clergy, slavery as a formal institution was generally frowned on by the authorities in Spain, natives were forced to work in fields and mines under the oppressive forms of serfdom known as *repartimiento* and encomienda (*see* NATIVE POLICY, section on LATIN AMERICA). Long before the close of the colonial era most of the natives of the West Indies had been wiped out by harsh treatment or by European diseases. The aborigines were deprived of their liberty on the ground that otherwise they would flee to the forests and mountains and could not be taught the "true faith." Recognizing this difficulty, the Spanish sovereigns permitted the colonists to force the Indians to work; but they stipulated that the laborers must be treated humanely, paid for their labor and taught the Christian gospel. The royal mandates were, however, largely ignored, in spite of the efforts of Bartolomé de Las Casas and other members of the clergy to protect the Indians. Moreover on the pretext of suppressing rebellion or cannibalism extensive slave raids were undertaken first against neighboring islands in the West Indies and along the continental coasts and then, throughout the colonial era and to some degree even in the following century, in the frontier regions of the colonies on the mainland. Chattel slavery thus became common and supplied skilled craftsmen as well as domestic and agricultural workers.

Indian slavery began in Brazil with captives taken by the Portuguese on the coasts in their conflicts with the aborigines. Before long slave hunting had become an important and lucrative occupation, especially in the south and west,

where the mameluke inhabitants of the captaincy of São Paulo raided the Jesuit missions and carried off their aboriginal inhabitants, largely Guaranís. The Paulistas sold their captives for the most part in the coastal settlements, where they were used on the sugar and cotton plantations. The Indians of the lower Amazon basin were likewise enslaved on a large scale and forced to work in the tobacco plantations of Pará. Early roused by the high mortality of the natives under their oppressive taskmasters, the Jesuits became their champions at the Portuguese court and sought constantly to protect them. Although various royal decrees were issued to govern their treatment and to place them under the care of a council of missions, the greed of the white plantation owners and the remoteness from the scene of the royal officials prevented any considerable improvement in the lot of the native bondmen.

With the passage of time, however, Indian slavery proper was reduced to a position of relative insignificance through the large scale introduction of Negroes. The first Africans were landed in the New World about the year 1510, before Las Casas began seriously to champion the aborigines. His subsequent suggestion, which he later regretted, that blacks be brought in in sufficient numbers to save the natives from slavery, unquestionably accelerated importations from Africa. Furthermore it was found that Negroes made far better bondmen than did the wild aborigines, who were restive in captivity and died in greater numbers under the hardships it imposed. The arrangement also suited the needs of the royal hacienda, which taxed importations of Negroes while it derived tribute from many of the theoretically free Indians. The large scale importations into Brazil were the result of similar considerations.

Most of the African slaves were used as domestic servants, agricultural laborers and stevedores or in other unskilled occupations; but many expert craftsmen were found among them. The work to which they were put was determined in part by the ethnographic group from which the slaves had been drawn. Those from the Slave Coast tribes were commonly good natured and docile and were in demand as field hands. The Koromantes of the Gold Coast, who were noted for faithfulness, were desirable as servants. The Senegalese, the most intelligent of all of the slave types, were sought for high class domestic work and also for training in the crafts. The natives of the Congo and Angola, on the other hand, because of their dulness of wits, were used largely for gang labor.

Although they were introduced into all the colonies, the Negroes apparently did not thrive in the highlands, and the aborigines generally continued to toil in the mines and to share in the coarser work connected with the trades. But in the sugar growing West Indies and the Spanish Main black slavery became established on a large scale; and after many of the islands and neighboring areas passed into French, English or Dutch control the blacks continued to increase, forming a large majority of the population in several of the islands. In Brazil they were in especial demand in the northern plantations, where by the close of the seventeenth century they outnumbered the whites twenty to one. The opening of the mines in the eighteenth century brought large numbers farther south, a movement which continued with the growth of the coffee plantations in the late colonial era and the independent period.

It was not until the eighteenth century, when plantation production had spread into many areas, that the Atlantic slave trade became the most profitable branch of maritime activity. The trade with Brazil was in the hands of Portuguese or Brazilians throughout the period of the traffic; but the Spanish Indies were supplied by foreigners who were granted special concessions (*see* ASIENTO). The Dutch, French and English organized private slave trading companies and carved out spheres of influence on the African coast. In the eighteenth century the British, endowed with the asiento privilege, held the primacy in the trade. From the latter Liverpool drew its first great prosperity, and in this prosperity every part of western Europe and America shared.

The typical voyage of the slave traders was triangular. The first leg was from the home port to Guinea with a cargo of trade goods, including a heavy supply of rum if the ship had sailed from New England. On the coast of Africa this cargo was bartered for blacks, brought by their fellows from the interior to the coast. If the supply was abundant, the Negroes were thrust as thick as they could lie between the decks of the vessels or upon shelving. The second leg, the "middle passage," was the transatlantic run, which although it was swift, thanks to the trade wind, was wretched enough for the befouled and bewildered victims. At American destinations they were either sold by sundry quick devices or put into stockades to be retailed on demand. The

ship was then laden with sugar and molasses or with rice or tobacco for the third leg homeward, bearing money or bills of exchange to make up the difference between the proceeds of the slave sales and the purchase price of the cargo of plantation produce.

Of the millions of blacks who crossed the sea by far the greater number were sold in the West Indies and Brazil. This may be attributed not merely to the larger scale on which the tropical plantations operated and to the absence of competing white labor but also to the heavy mortality, particularly among the young.

In Africa the Negroes were taken from ten thousand hamlets; in America they were sold helter skelter among ten thousand purchasers. Their native languages were generally of no use; their crafts and creeds were primitive (although there were some Moslems) and of no service. Under coercion, whether harsh or mild, they had to learn a new technique of labor and the rudiments of the master's language. They were forced at least to compromise with his requirements as to conduct and in certain of the colonies were under some pressure to embrace his religion. Some resisted and were destroyed. In Brazil suicides, usually by drowning, were common. Another refuge for the unhappy and discouraged was flight; escape was most successful on the continents, where there were vast hinterlands, jungles and forests. Runaways in Brazil at times escaped capture through strong organization. During the war of the Brazilians to expel the Dutch in the seventeenth century slaves from the Pernambuco region deserted their masters in great numbers and set up communities in the jungle. One of these, the confederation of Palmares, numbering 8000 to 10,000 inhabitants, resisted conquest for nearly a half century. The great majority of slaves acquiesced in their condition in a perfunctory manner, but a substantial number even of imported Negroes became affectionate, loyal and painstaking servants. Those who were born in America, having no tribal memories to lament, were likely to offer less resistance to the system into which they were bred; and with each new generation acceptance became more and more a matter of course.

The system, however, continued always to chafe many of the slaves. Although in the Hispanic parts of America slave revolts seem to have been of rare occurrence and little feared, in the French, English and Dutch possessions as in the United States the white element lived in almost constant dread of servile uprisings. This difference is probably to be explained by the fact that on the whole the position of the slaves was much less unhappy and hopeless in Spanish America and in Brazil than in other parts of the New World. Whereas in the British possessions the Anglican church was as a rule wholly indifferent to their spiritual needs and the Moravian and Methodist missionaries began to work among them only in the eighteenth century, in the Roman Catholic countries the black man was regarded as an object of salvation. The clergy were the best friends of the helpless slave; they made efforts to have infants baptized and encouraged marriage among the adults, although masters generally preferred the customary loose unions, since the marriage tie of the Roman church was a handicap when slaves were to be sold. In Brazil and—presumably to a lesser extent—in Spanish America the slaves met for evening prayers with the master's family. Perhaps of equal influence in the Hispanic colonies was the absence of distinct racial prejudice, which permitted the free Negro to rise high in the social scale and prevented opposition to manumission or even laws prohibiting it, such as existed in many parts of the southern United States. By precept and example many of the Roman clergy encouraged voluntary manumission, as did also law and custom. Faithful nurses were often freed when their charges no longer needed them. In Brazil slave mothers at times asked white persons to serve as sponsors for their infants at baptism, and granting of this request carried with it a tacit promise to see that the child was liberated. In Brazil likewise law or custom stipulated that a slave woman who had borne ten children should be manumitted. Throughout Hispanic America, if a slave could furnish his master with his legal purchase price, the master was bound to accept the money and give him his certificate of liberation. Money for purchasing freedom was as a rule earned during the rest days, which generally included most of Sunday as well as the saints' days and other holy days.

In the Portuguese, Spanish and French colonies the autocratic system of government served to lessen local control over legislation regarding slaves and their treatment. In the British possessions, on the other hand, the slave codes during most of the period were entirely of local origin and manifested a marked tendency to variation and to change, particularly after the abolitionist agitation had begun to attract attention to their harshness. Like the codes in the

United States, the legislation everywhere aimed to benefit the white master and to restrain the bondman. The codes were rather laxly enforced, however, especially in the Hispanic sections, and the slaves really fared better than the laws permitted. In the Portuguese and Spanish colonies the public authorities cooperated in disciplining and restraining incorrigible blacks, employing for this purpose the slave whipping post and the slave jail. But nowhere was serious precaution taken to protect the bondman from his master; for, as in the United States, the assumption was that the property rights of the master in the slave would save the latter from serious harm. Consequently slaves were at times subjected to ferocious cruelty and even met death at the hands of white men.

Everywhere mingling of blood between slave women and white men was common. The children took the unfree status of the mother but in many cases were manumitted by the father. Apparently the only serious effort to prevent such relationships was that of Louis XIV, who decreed freedom for the mother as well as her half breed child in cases where the guilty master was unmarried. In the French colonies this decree resulted chiefly in the rise of a class of mulatto freedmen, who by reason of their education and wealth aroused the jealousy of the whites. The resulting race prejudice helps to explain the fact that the slaves in the French colonies (especially Saint-Domingue) fared worse than those in the Hispanic regions, despite the Catholicism of the French and the *code noir* of Louis XIV (1685). As in the United States, slave quarters in the other regions of the New World were commonly huts grouped at the rear of the master's residence. Their food consisted mostly of starches, such as maize or farina; but on the plantations Negroes were given bits of land on which they could raise chickens and pigs, fruits and vegetables. The favorite amusements were dancing, singing and playing on primitive musical instruments of African origin.

In lands of European culture the movement against slavery, which began in the eighteenth century in an attack upon the slave trade, was largely the result of the rising spirit of democracy and the recognition that the inherent evils of the system (*see* PLANTATION) affected the slaveholding element as well as the bondmen. The French Revolution was unquestionably the most important single factor making for abolition. Directly to it may be attributed the uprising in Saint-Domingue, which resulted in the establishment of the black Republic of Haiti; it was responsible also, but somewhat more indirectly, for abolition in most of the Spanish American republics. In the Brazilian Empire, next to the United States the largest occidental slaveholding country, the great dependence of the coffee planters upon slave labor was the chief cause for the prolongation of the institution, and the most potent single impulse toward abolition came from the Civil War and emancipation in the United States. The law of 1888, decreeing the total elimination of slavery, was the immediate cause of the downfall of the empire in the following year.

The antislavery movement turned its attention also to the various forms of slavery which had persisted in the Moslem countries, in the Orient and among the more primitive peoples. Although the predominance of a domestic and patriarchal type of slavery has made the system relatively mild in these areas, they have nevertheless proved particularly resistant to western moral and religious codes. An outstanding target of the reformers has been the east African and Red Sea trade, which remained after the Atlantic trade was checked and survives in a limited degree today. The leaders of the movement came to the conclusion that they could abolish the slave trade only by introducing Christianity and western civilization into Africa and by destroying the market through doing away with slavery itself. Such ideas provided an important pretext for the partition of Africa. In the abolition of slavery the British have been especially active; remembering, however, the disorganization caused by compulsory emancipation in the West Indies, they have been content with abolishing the legal status and in this respect have been followed by the other nations. In India this step was taken in 1843 and slavery began to disappear in the period after 1857, when railroad building supplied an outlet for labor.

Action on an international scale against slavery dates from the early period of the attack on the Atlantic slave trade. The Brussels Act of 1890, in which eighteen states participated, furnished the decisive move in the outlawry of such traffic. The convention of Saint-Germain of 1919 pledged its signatories to endeavor to secure the complete suppression of slavery in all its forms, including forced labor, pseudo-adoption, forced concubinage and debt slavery, and of the slave trade by land and sea. In 1926 another convention, prepared under the auspices of the League of Nations, bound the signatories

to suppress the slave trade and to bring about complete abolition as soon as possible. This convention was ratified by thirty-eight states. In 1932 it was assumed by the League of Nations Committee of Experts on Slavery that legal recognition existed only in central Asia and Tibet (although authoritative information was lacking), Arabia and Abyssinia; in the last named state the trade has been prohibited and freedom upon the death of the master and for children born after a certain date has been decreed.

Antislavery propagandists estimate the number of slaves existing today as at least 5,000,000. In China the purchase and ownership of children, particularly of young girls, for household service is still common under the guise of adoption. In Abyssinia perhaps one fifth of the population consists of slaves, and there are also numerous serfs. The institution there is ancient, the life of the Christian church is bound up with it, and the large Moslem population likewise supports it. In some cases the slaves work in agriculture, especially on the lands of the powerful chiefs in the south and southwest, but in the main they are domestics. Upon these slaves public officials, and even common soldiers, rely for their economic support and social prestige. The supply is recruited by raids upon the non-Abyssinian populations, even into neighboring territories. Suppression is difficult because of the limited power of the emperor. In Arabia similar conditions prevail. Among the aborigines in Liberia domestic slavery, especially of women, is widespread. Although the government has outlawed slavery, it has countenanced the African custom of pledging persons, usually children, for the debt of a relative. The pledge is salable. The Americo-Liberians have taken such pawns. High officials have been accused of forcibly shipping natives to the plantations of Fernando Po, and the practise is said to be scarcely distinguishable from the slave trade. The Portuguese have been charged with similar action with respect to shipments from Angola to São Thomé and Principe.

MARY WILHELMINE WILLIAMS

United States. In the North American colonies enslavement of Indian captives was sometimes resorted to, but they proved to be unwilling servants, prone to flee to their tribes if not to kill their masters. As a means of removing them to a safer distance from their tribes Indian slaves were frequently shipped to distant colonies, as, for example, from New England to the West Indies; but on the whole Indians played a minor role in the establishment of slavery. Indentured white servants from the British Isles and Europe were for some decades the main source of slave labor in Virginia, Maryland and Pennsylvania; but as experience revealed the superior adaptability and cheapness of Negro slaves, they were gradually replaced in all the plantation colonies. In these respects the sixteenth and seventeenth centuries were experimental; it was not until the eighteenth that the slave trade became the most profitable branch of maritime activity.

From the first intrusion of the blacks into a community the whites had assumed, whether by custom or by law, the functions of authority. At the time when the first parcel of slaves was imported into Virginia in 1619, there was no statute concerning Negroes, and for several decades the situation remained unchanged. Gradually, however, by a slow succession of laws, which served also as a model for neighboring colonies, the presence of slaves was recognized and a code elaborated to define their status both as persons and as property. Meanwhile Barbados, the oldest English colony in the tropical belt, evolved a more stringent code, which was copied by South Carolina and other Anglo-American jurisdictions in the sugar and cotton latitudes. In the Spanish and French colonies, including Louisiana, the codes were milder than in the neighboring English colonies, having been decreed by distant monarchs free from pressures arising out of local circumstances. The dominant purpose, however, even in the Spanish and French colonies was the promotion of the prosperity and the safeguarding of the security of the white population.

In early Virginia the enslavement of the blacks had been rationalized on the grounds of their paganism. But race quickly replaced religion as the basis of differentiation, and the law prescribed that every Negro be presumed to be a slave unless he could individually show title to freedom. By analogy with livestock the children born in the colony took the status of their mothers. This bracketed virtually all the mulattoes and quadroons along with the blacks in the slave category and the Negro caste.

As the ratios of colored to white began shortly to increase in the plantation colonies and sporadic insurrections began to break out, the laws of police were repeatedly stiffened with a view to providing complete restraint of slaves at every turn. They were forbidden to possess arms or

drums, to travel the highways or be out of their premises at night without written passes or white escort, to congregate for any purpose in the absence of whites or to resist any white person's exercise of authority. For a routine of surveillance the citizens were embodied into patrols to traverse their countrysides periodically by night. These laws, passed in anticipation of emergency, involved slaveholders and other citizens in heavier duties than as a rule they were willing to discharge. In normal times of quiet and confidence, the control was much more casual and easy going than the statutes would imply. In the colonies northward of Maryland, where the growing season was too short for the plantation system to flourish and where only a small number of Negroes had been imported for domestic and incidental service, the slave codes were much less elaborate and the social concern with any race problem was less acute. In these colonies the status of the Negroes might be changed with little disturbance to the prevailing order.

In the movement for American independence the doctrine that all men are entitled to liberty was not merely used as a campaign cry but was incorporated into the bills of rights which several states, including Massachusetts, attached to their first constitutions. Shortly afterwards this clause was declared by the Massachusetts judiciary to invalidate slave property. By 1804 all the other northern states had disestablished slavery by statutes which prescribed freedom, upon their attaining specified adult ages, for children born thereafter. In Maryland and Virginia similar proposals were defeated by the prevailing fear that industrial paralysis and social chaos would ensue. Farther southward no citizen of prominence made antislavery proposals of any sort. The main concrete result of liberal preachments in the South was a large number of private manumissions by qualm ridden proprietors.

The French Revolution, following fairly close upon the American, was more thoroughly committed to the inherent rights of man; and in due time the Jacobins applied their ideology to the slave situation existing in the French colonies. When in Santo Domingo (soon renamed Haiti) the white colonists resisted the enfranchisement of the colored population, the mulattoes and blacks, acting separately, rebelled and drove out such of the whites as they did not massacre. Eventually the blacks conquered the mulattoes as well and established a barbaric independent government. These occurrences around the end of the eighteenth century helped to produce a conservative reaction in the United States, where in the meantime Whitney's invention of the cotton gin had opened the way to a vast extension of the plantation area.

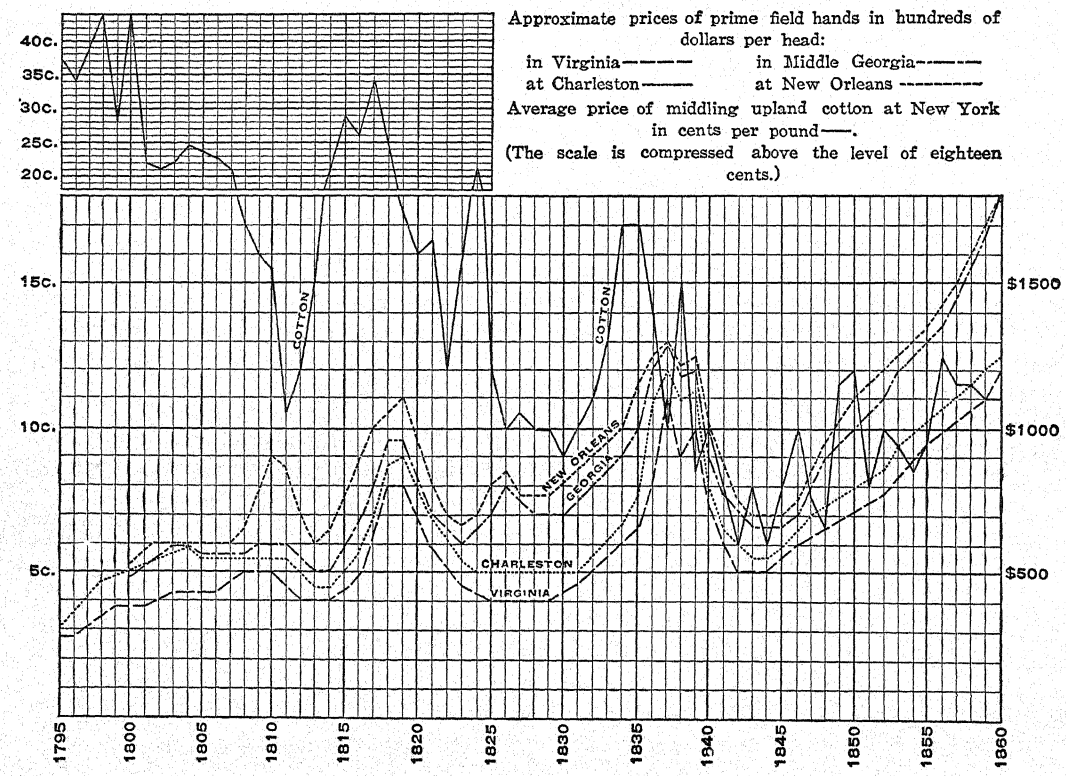
In the federal constitution, although the word slavery was avoided, the institution was recognized and to a certain degree safeguarded. Slaves, at a three-fifths ratio, were to be included in reckoning the apportionment of congressional representation among the states; interstate recovery of runaway slaves was not to be prevented by state laws; and Congress was not to prohibit slave importations prior to 1808. As this deadline drew near Congress, with little intersectional dissension, forbade further imports. At the same time Parliament prohibited slave trading under the British flag; and thereafter both the British and American governments took the lead in establishing an international outlawry of the maritime slave trade. Among the American states meanwhile slave imports had been permitted only by Georgia until 1798 and by South Carolina after 1803.

The rapid opening of the western cotton belt after 1815 created a great regional demand for plantation labor, which could be supplied only from the older slave states. Many migrating proprietors took their own slaves to the new country, and many prospering settlers bought recruits in the market. A long distance domestic slave trade was rapidly developed, with Virginia as the chief area of supply and New Orleans as the main center of distribution. Slave prices, which had been relatively stable as long as Africa was available as a reservoir of recruits, now became subject to sharp inflation and depression. The pivotal market category of slaves was that of prime field hands. These were able bodied men between eighteen and thirty years of age, on the threshold of maximum earnings for a maximum span of years. A newborn male pickaninny was a palpable addition to his master's assets, rating at about one tenth of prime for his period and region. Given a healthy and robust body, the slave's value grew with every year of his childhood and youth, not because of the investment represented by his food and clothing but because of the approach of the time when the value of his service would probably exceed the cost of his maintenance. If he were given special training as an artisan, a butler or a foreman, he was capable of attaining a higher value than if he became a mere field

hand; and his attainment of maximum rating would be deferred until perhaps his middle twenties, when his training would be virtually complete. After the age of thirty in the case of field hands—or perhaps thirty-five in the case of specialists—the value of the slave would begin to decline, slowly at first, then more swiftly, then more slowly again. In his early fifties he would be worth about one half of prime; in his middle sixties he might rate at zero or less, because of the probability that his future labor would not compensate for the cost of his maintenance until death. Girls and women at the several ages usually brought about three fourths of the price paid for boys and men. A fertile woman usually commanded no higher price than a barren one, since the prospective increment of pickaninnies was offset by the loss of the woman's service during pregnancy and suckling and by the possible loss of either mother or infant during childbirth.

For industrial purposes the primary category was "full hands." These comprised all men in full physique and such women as were able to do standard service, whether in the plow gang or in the hoe gang. Other women along with boys and elderly men might have a fractional rating as three-fourths, one-half or one-fourth hands. Thus a three-fourths woman and her one-fourth child might be set to "chop" a cotton furrow, leapfrogging one another to keep abreast of the gang without undue fatigue. Any slave might continue to rate as a full hand for many years after ceasing to be prime.

There are just enough records extant to permit the plotting of the accompanying chart (reprinted from Phillips, Ulrich B., *Life and Labor in the Old South*, Little, Brown & Co., Boston 1929, p. 177), which exhibits the course of prime field hand prices in four markets during the six decades of the nineteenth century. The number of slaves sold in any year seems to have been only 1 or 2 or possibly 5 percent of the gross, in contrast with a stock exchange regime in which it is not unknown for the whole share capital of a company to be turned over in a single day. In the chart of the slave price curves the peaks are usually sharp and simultaneous and are separated by fairly broad troughs. This suggests that the price tended to remain on industrial rather than speculative levels, except for brief periods of special enthusiasm. The crash which came just after 1860 is fully explained by the fact that the very basis of slave property was on the point of being destroyed; but the downward course in this instance was



obscured statistically by the plunge of Confederate currency at that time.

A good many slaves were hired out by the year. On such a basis able bodied men were in special demand by tobacco factories, ironworks and railroad builders. The wages current, which were additional to the cost of food, clothing, shelter and medication, ranged parallel to those of free labor. These wages bore a fairly definite relation to the capital values. In fact capital values depended mainly upon potential wage rates. In Virginia the price of a prime field hand tended to be about eight years' purchase of his labor and in Louisiana about six years' purchase. This did not imply an expectation of death in six or eight years' time but was due in part to the familiar economic practise of discounting probable future earnings, together with the chances of truancy, crippling or illness as well as of death.

As a rule the variation of slave prices as between the lowest and highest markets amounted to some 20 percent. This created an opportunity for the long distance traders, who moved their merchandise by diverse routes. From the Chesapeake to New Orleans they moved their charges mostly by ocean highway around Florida. After crossing the mountains, usually from the Potomac, they used river boats on the Ohio and Mississippi to Memphis, Vicksburg and thereabouts. From Virginia to Georgia, Alabama or eastern Mississippi there would be a trudge of a coffle overland, with perhaps a bit of peddling along the way. In the 1850's the Central Georgia Railroad operated a sleeping car for Negroes—a facility which it has not afforded since. Recruits for Texas went mainly by sailing lanes from New Orleans or Mobile or around Florida. Whatever their destination, slaves flowed by much the same channels as the free migrants and as a rule in their company. The destination had to be reached in good order if a profit were to be made, and sale had to be fairly quick in order to guard against excessive board bills and to keep the trader's capital fluid. For local dealings any merchant might act on commission, although his services were not indispensable, as buyers and sellers often negotiated without an intermediary. Sometimes in fact a slave mediated in his own behalf, bearing a written authority to find a purchaser for himself. The results of this traffic included some anguish of dislocation, personal and regional, and some improvement in the adjustment of labor to management and local resources.

Migrating slaveholders often took pains to register the fact that they were moving to a new plantation and were not "dealers in human flesh." But the slave traders traveling by the same ship would exert virtually the same effect upon the statistics. Migrant proprietor and traveling dealer together succeeded during the course of a lifetime or two in transferring a multitude of slaves from one region to another, from one staple to another; and in particular they created the western cotton belt. In this region there were large tracts, perennially fertile and contrasting sharply with the lean and eroding Atlantic slope: the limestone lands of Alabama alluvium and loess along the Father of Waters and limestone again in Texas. If the Negroes had been a free peasantry, they might have trekked west in the course of generations; as slaves they went in droves in quick response to new opportunity seen by their masters. No effort of will was required of them, merely obedience.

To this extent slavery was conducive to efficiency, as may be shown by the prodigious increase of the cotton output from a few thousand pounds in 1790 to four million bales of four hundred pounds weight in 1859. As is evident from the chart, this increase produced gyrations in the cotton price. By the 1820's the price depression brought severe hardship to the eastern belt, provoking nullification of the tariff by South Carolina in 1832 in an effort to discover a means of relief. In the early 1840's a serious collapse put the price below the presumable cost of production in any region; and in the 1850's recovery reached but a moderate level. Nevertheless, by the middle of the century cotton—together with the other young staple, sugar—had come to employ and maintain more than three fourths of all the slaves engaged in field work within the United States.

About an equal number of white farmers and their wives and children were likewise engaged in cotton production, for this industry gave no pronounced advantage to units large or small. Its processes were simple; its routine was long but light; and its yield, man for man and mule for mule, was probably not very different whether produced by whites or blacks. The Negroes, being on plantations, as a rule tilled the best acres. These had been bought with the money or credit derived from cotton production by slave labor; and this labor, as already noted, had in itself involved a considerable outlay. The soil exhaustion so often blamed on the planta-

tion technique was in reality due to the terrain, the soil texture, the character of the rainfall and a frontier economy, not to the plantation system or to slavery. The blacks, under supervision, probably spread many more bushels of barnyard manure than the whites of the period, and they strewed many tons of guano at forty to fifty dollars per ton. The planters put much plant food into the ground; the run off of the rains took most of it down the hill, down the creek, "beyond recovery by any process of law." The farmers' hills likewise eroded but were seldom replenished. The net earning per bale tended at all times to be small. A farmer's crop, which seldom could exceed five bales, yielded a very lean livelihood. The planter's fifty to five hundred permitted ease and elegance, provided only his costs were kept within firm control.

The ratio of brain to brawn required in successful cotton growing could be supplied by the general run of planters. Some of them were eager students of seed strains, crop rotation and even of correct stance and movement in manual processes. Nor did they neglect to investigate the complex tasks of human management. Some of them put their experiments and observations into print; some made record in their diaries; and some communicated the fruits of their inquiries by letter or in copious conversation. Many planters of course were not systematic students of anything; nearly all farmers, equally of course, could be systematic students of nothing. With backs bent over the plow by day, they would hardly make record of results by night. There were no government bureaus to conduct experiments and comparisons. The planters alone could or did initiate improvements in method.

The tone in which the immense authority of the master was voiced might range from gruff to gracious. The slave's response might be cringing or resolute, aggrieved or nonchalant, quick or slow. In a tense moment a humorous remark might send a guffaw through the gang and relax the master's brow. Whereupon the foreman might break into a ballad chant, "Did tom tit sot on de top fence rayull," and the gang would join in with a six or eight-line refrain which might deal with anything in creation and had to be interlarded with a wealth of impromptu rigmarole. The tempo would be as fast as the gang would stand, its hoes rising and falling to the cadence; or again as slow as the master would tolerate. The foreman would chant "He wiggled, he sassy he 'itty bitty tayull," and again the gang would give refrain. The tomtit would cut many another caper, until: "In de cose of time he died an' went to heyull"—beyond resurrection—at least until another day. Now his pappy and his mammy, his uncle and his auntie would go their several ways from a crossroads and find adventures many. Finally 'possum an' 'coon, old reliables, might take the stage their wonders to perform. To stave off the untimely death of the protagonist any member of the gang might intervene with a special episode, giving notice of its conclusion with a line of inarticulate ululation. The master would long since have gone elsewhere on business or pleasure. At length the foreman would shout: "Wawtah boyee, heist yo heels! De brudderin' an' sisterin' is gitt'n' dreffle dry," or upon hearing a bell or bugle from the steading: "Ladees an' ge'men, de time have came to pahtake of de good Lawd's provid'n'," viz. corn pone and bacon, turnip greens and pot liquor.

The slave was not often likely to suffer hurt. Overseers, "the cowhide fraternity" as one planter called them, tended to err on the side of severity; the masters themselves perhaps on that of lenity. Most plantations probably did not have overseers. The fear of punishment was a minimum stimulus as was known by all men. Many masters endeavored to replace or supplement it with a sense of loyalty, a pride of performance, a hope of reward. The degrees of success and failure were varied.

The violation of a slave woman was not a breach of the law but a mere trespass upon her master's property. She and her man could not legally marry. Marriage was a contract concerned mostly with the bequeathing of property; and slaves could hold no property and could make no contract. Some of the matings no doubt were dictated and were not always the worse for that. A few men were permitted to take wives on other plantations—"abroad wives," for short. Children in such a case were considered as their mother's offspring, the property of her master. The father and his master had no duties toward them or claims upon them. Some planters were quite averse to this practise, since it meant a traveler Saturday night, an absentee Sunday, a weary workman Monday and an unmated buck the rest of the week. A plantation had no bachelor bunk house; a large pickaninny crop was a necessity if the laborers were to be properly replaced through the years to come. In the main sex relations were normally peaceful.

But the actual conditions of life on the plan-

tation, which served as a rule to mitigate the letter of the slavery law, could hardly be known in England or the North. As a result a very different impression as to the nature of slavery prevailed among northerners and Englishmen. In the 1790's Wilberforce, Clarkson and Brougham began an agitation for the reform and eventual eradication of slavery in the British dominions. This bore fruit in a partially compensated emancipation by act of Parliament in 1833. Some of the British pamphlets, anticipating nearly everything ever said for abolition, procured American reprintings in the 1820's but barely produced a ripple. Meanwhile the struggle over Missouri's admission to the union had produced the beginnings of a portentous regional contest for power. In 1830 Garrison began his attacks on slavery. Some quick tempered southerners retorted with equal heat. A sprinkling of easterly zealots echoed Garrison. C. G. Finney, a revivalist preacher, and T. D. Weld, a systematic organizer, spread abolition through the Congregational churches of New York and Ohio. In Virginia Nat Turner, a slave preacher, led in 1831 an uprising which massacred some sixty victims. With one accord the slave states reenforced their laws by forbidding any person to teach the Negroes to read or to write.

A chain of antislavery societies began to bombard Congress with petitions regarding certain details of slavery. The two houses, to prevent the utter clogging of congressional business, adopted rules diverting these petitions and providing that they be handled much as all petitions are handled in our time. J. Q. Adams became "Old Man Eloquent" in defense of the "sacred right of petition," which was never really endangered. After some years of hot altercation the rules were discontinued. The mass of antislavery petitions thereupon shrank to small dimensions, and the great question of the territories took the right of way. This was never a valid question, inasmuch as the three and one half or four million slaves could not colonize either Utah or Kansas. Not only were the climates and crops of these territories antagonistic to slavery, but the migrations of all the whites of the north and the hordes pouring in from Europe foredoomed the institution in these regions.

A few southerners—James G. Birney, the Grimké sisters and Moncure Conway—were converted by the transcendental preaching and, moving north, joined in the propaganda, although they had little to say that was distinctive. Eventually H. R. Helper, a North Carolinian who had gone to California in the gold stampede and afterwards moved to the north, issued his *The Impending Crisis of the South* (New York 1857), packed, as he said, with figures of arithmetic and rhetoric. He compared the regions as to wealth and production, and found the South wanting. In the per capita production of wheat, oats, rye, Indian corn and Irish potatoes he found free labor strongly superior to slave, whereupon he said, "Dare they ever think of cotton again?" He did not, nor of tobacco, rice, sugar or sweet potatoes. These would have proved his error. The Republican party endorsed the book and issued a group of his chapters as a campaign document.

In general the South became increasingly hostile to both abolition and free soil. In 1832 Professor Dew examined on behalf of Virginia the several plans offered from any quarter for discarding the "peculiar institution" and found them all unfeasible. His weighty pamphlet persuaded a multitude that nothing should be done. Alert defense of "southern rights" became the watchword everywhere, engendering a disposition to take up every challenge and to fight on every field.

On the celebrated seventh of March Webster urged the North not to insist upon reenacting a decree of the Almighty concerning New Mexico and Utah, and his advice prevailed. At the same time a more stringent law was enacted for the interstate rendition of fugitive slaves. Thereupon Webster was vituperated and most of the northern states enacted "personal liberty laws" to paralyze the federal statute. Vermont's law proclaimed the liberty of every person in that state and penalized any assertion that another was a slave.

Lincoln declared that the nation could not endure half slave and half free; that it must become all one or all the other. This was in part election rhetoric. There was no economic possibility of the extension of slavery through the North. Even in Kansas, after the great struggle over the principle, the census of 1860 enumerated a slave population of two persons. The nation had endured as it was for seventy years; the slaves were now diminishing sharply in relative ratio. There was no proposal that slavery be legitimated in any free state nor the slightest prospect of success if it were proposed. The North could wait and benefit by the trend of statistics with an eventual prospect of being able

to crush the South on occasion with only half an effort. The South could not wait. If it were to strike for independence, the stroke must be made quickly.

There were naturally some wild rationalizations: that slavery, far from being an unmitigated evil, was a positive good for both races; that it was sanctioned throughout the Scriptures as well as embedded in the constitution beyond the possibility of removal. Finally George Fitzhugh, casting about in the middle 1850's for some novel theory, said that slavery was the equivalent of Marxian socialism in that it distributed the goods of life (i.e. among the slaves) not according to capacity but according to need. In fact he commended slavery to the world at large, likening a plantation to one of Fourier's phalanxes. All this meant little. What did have meaning was that the South was resolving, as a pamphleteer of 1860 put it, that "The South alone, should govern the South. And African slavery should be controlled by those only, who are friendly to it." The purpose at hand was highly conservative—social security to the nth degree. The procedure followed led soon to its defeat.

In war time neither belligerent found much use for the Negroes. As had been foretold in the South, they did not rise in insurrection but remained peaceful and incommunicado on the plantations. Tradition says that very many were obsequious and solicitous to the end—faithful friends with perhaps a special care for the family silver when Sherman's "bummers" came. There is no ground for doubting the truth of such reports. The Confederate authorities impressed some for work on fortifications. The government, when about to collapse, took steps leading to the use of slaves among its armed forces. It was then too late for anything to come of this experiment. When a Federal force invaded a district, many slaves stole away to get freedom, whatever that might mean. Some thousands were set spading the mud, trying to dig a canal just beyond the range of the guns at Vicksburg. Other thousands, men, women and children, became camp followers. Many were recruited in two military units. Charles Francis Adams II records a low appraisal upon the performance of these units. Their presence put the Confederates into a perfect rage for slaughter, thus neutralizing the effect of the increment of force.

The regime championed by the planters and their neighbors was overthrown and the system shattered by its victorious enemies. Slavery's overthrow in the United States was also its knell throughout the Americas.

ULRICH B. PHILLIPS

See: SERFDOM; PEONAGE; INDENTURE; FORCED LABOR; FEUDALISM; PEASANTRY; MANORIAL SYSTEM; PLANTATION; LATIFUNDIA; COLONATE; VILLAGE COMMUNITY; LANDED ESTATES; ASIENTO; COLONIES; EMPIRE; NATIVE POLICY; NEGRO PROBLEM; RACE CONFLICT; STATUS; SOCIAL DISCRIMINATION; EMANCIPATION; ABOLITION; HUMANITARIANISM.

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SLAVEYKOV, PETKO RACHEV (1827–95), Bulgarian publicist and nationalist. Slaveykov taught in the national elementary schools and attained fame as a journalist and poet. From 1864 to 1876 he lived in Constantinople, at that time the center of Bulgarian cultural activities and of church politics. During this period he published a number of periodicals, a satirical journal *Gaida* (Bagpipe, 1863–67), *Makedoniya* (1866–72), *Shumosh* (Jest, 1873–74) and *Chitalishte* (Reading room, 1874).

Slaveykov represents two phases of Bulgarian nationalism, the movement marked by peaceful cultural propaganda and constructive effort and that characterized by a sharp revolutionary struggle for freedom. He formulated an evolutionary program based upon the theory that the nation's destiny was dependent not solely upon political conditions, as the revolutionary elements claimed, but essentially upon the Bulgarian people, whose cultural deficiencies constituted the greatest menace to a national revival. At the same time, however, Slaveykov advocated political liberation. An outstanding leader of the group which favored legal methods, he realized that the primary needs of the country, then dominated by the Greek church and by Greek culture, were national schools, a national press and literature and a revived national sentiment. Despite continuous persecution he worked tirelessly for these ends. His collections of folklore, his poems based upon this material, his journals and the Bulgarian translation of the Bible which he initiated were instrumental in reestablishing the vernacular as the literary tongue of the Bulgarians and in thus stimulating nationalism. His *Makedoniya* exerted a great influence upon various popular causes, including the struggle for a free Bulgarian church, an important step toward national freedom. His program for an independent church and for a thoroughly democratic settlement of the relations between church and state won him a wide following among the younger Bulgarians. He headed the pro-Russian as opposed to the Roman Catholic trend, and the structure of the existing Bulgarian exarchate rests essentially upon his ideas. After Bulgaria became a principality Slaveykov helped to organize the new government. He was one of the chief advocates of liberal and democratic principles both in his parliamentary activities and in his journals. He was the first president of the regular National Assembly and served also as minister of the interior.

JOSEF MATL

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SLEIDAN, JOHANN (*c.* 1506–56), German Protestant historian and politician. Sleidan received his education mainly in France, where he came into contact with the French political groups which were supporting the German Protestants against Charles V. He was commissioned by Francis I to negotiate with the Schmalkaldic League, and as representative of the city of Strasbourg at the Council of Trent he participated in the conversations designed to bring about an agreement between Catholics and Protestants. His diplomatic efforts to insure the existence of the German evangelical system led him to write his *De statu religionis et reipublicae Carolo Quinto Caesare commentarii* (Strasbourg 1555, new ed. by K. am Ende, 3 vols., Frankfort 1785–86; tr. into English by J. Daus, London 1560), the most significant contemporary account of the German Reformation. Avoiding polemical discussion with the opponents of Protestantism, Sleidan presents a dispassionate and accurate chronological record of the course of events between the advent of Luther in 1517 and the meeting of the Diet of Augsburg in 1555. Most of the work is devoted to verbatim transcriptions of archive reports, speeches and extracts from books. Sleidan is interested chiefly in showing how the evangelical doctrine made its way despite all hindrances. Questions of doctrine, social conditions and piety as well as the leading personalities remain in the background. His attention is directed in the main to political relations and their significance for the Reformation and to the ecclesiastical events in England, France and Switzerland. Sleidan's work dominated the field of church history for several centuries, although he has been accused of a biased selection of source material. His

De quattuor summis imperiis (Strasbourg 1556; tr. into English by S. Wythers, London 1563) became a popular history textbook. Important also is his *Orationes duae: una ad Carolum Quintum Caesarem, altera ad Germaniae principes omneis ac ordines Imperii* (Strasbourg 1544, new ed. by E. Böhmer, Bibliothek des literarischen Vereins in Stuttgart, vol. cxlv, Tübingen 1879), in which he sought to persuade the emperor to abandon the "tyrannical" papacy and join the Reformation.

KARL VÖLKER

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SLUMS, urban or rural, are areas planned primarily for residential use, where deteriorated, overcrowded, insanitary or unsafe structures jeopardize public welfare. The term is frequently misapplied to blighted districts of drab appearance where population losses have left vacant houses and property maintenance has been neglected; but while such areas may be slums in the making, they do not present either the difficult problems of reclamation or the antisocial consequences of the true slum. The term slum indeed is always relative. It connotes the worst structural and sanitary conditions and the most degraded occupancy, usually by the lowest income groups, of any given period.

Throughout the world slum areas exhibit certain characteristic features. Most urban slums are based on excessive overcrowding of land. Plots are subdivided into small areas, houses built back to back or separated by narrow chasms which make rooms dark and damp. Types of structure vary from the one-story shack to the large multifamily building; but always the houses are drab, unclean, in disrepair and often they are structurally unsound; many have walls which are buckling or broken through and window frames, sashes and doors out of plumb. What sanitary equipment exists is old, often defective and dirty even to the extreme of being obstructed and grossly insanitary. Often one spigot serves many families; the toilet is in the yard or court and on unsewered streets is usually of the old vault type. Garbage and rubbish accumulate in hallways, yards and alleys. Overcrowding is common, with a high percentage of families living in single rooms, in which they carry on all their household activities. Few municipalities have been wholly free from such areas. They are found today not only in larger cities but also in an acute though restricted form in smaller towns and rural districts.

Slums are a universal phenomenon of communal living. Assyrian, Babylonian, Grecian and Roman towns all had their districts where the poor were housed in insubstantial buildings of mud, brick and frame, whole families living in one room and the tenements rising story upon story to shut off light and air circulation from the streets and rooms below. Mediaeval walled cities were also characterized by excessive land coverage, with dwellings huddled together and streets narrow, usually unpaved and filthy and so overhung by the timbered upper stories of the buildings that from the street level the sky could be seen only through a slotted opening. Even outside the city gates shacks with mud floors and thatched roofs were built in an ugly, insanitary mess. While the Renaissance brought improvements in architectural types for the wealthy and middle classes, the houses of the poor were practically unchanged. Congestion and lack of sanitation still led to periodic epidemics.

Modern slums date from the industrial revolution with its accompanying concentration of population. In England particularly the rapid growth of factory towns led to hasty building and shoddy construction. The characteristic structure was the row house, and land congestion took the form of back lot, court and alley buildings without street frontage or yard areas. Inadequate sewage facilities and room congestion appeared in aggravated form. On the continent, where industrial development appeared somewhat later, the concentration of population resulted in the erection of tall tenements of more substantial construction but brought about even more intensive occupancy.

The influences causing the breakdown of housing areas into slums fall into three general classes: economic, social and governmental. The most fundamental of the economic causes are those which raise the cost of housing beyond the capacity of most families to pay: excessive land values, high building material costs, high costs of construction financing, on the one side; and on the other low wage scales or intermittent employment, causing low annual income and forcing the poorest families to accept the slum home regardless of its location, equipment or size.

High land values, one of the anomalies of the

slum, are partly due to the intensive use which follows the conversion of one-family structures into multifamily dwellings. When houses and areas deteriorate until they fail to attract tenants capable of paying an income producing rent, owners subdivide dwellings into many suites and realize a gross rent which often exceeds that received from the former single family occupancy. Slum property may yield large profits. Other factors which affect land values are even more influential in the early stages of slum development. Frequently there is a high rental return from new and objectionable uses of structures in residential areas, which is reflected in appraisals and assessments and finally in sales prices.

High land costs are often to be attributed largely to governmental activity, such as faulty assessment and tax practises, especially those which make governmental revenues and not the equalization of land values the chief aim of a tax program. Assessment methods that place high values upon well constructed and maintained dwellings and allow reduced rates on structures which by virtue of their deterioration create tax burdens give a preferential consideration to owners of slum houses that helps to sustain values in areas which should have receded in value as they deteriorated. It is largely such sustained values which make the cost of slum clearance excessively high.

Contributing economic causes of slum development are management deficiencies resulting from "shoe string" ownership, the curtailment of expenses for repairs and upkeep during periods of industrial depression, excessive vacancies resulting from the violent swing from shortage to overproduction of new dwellings and exposing old substandard dwellings to the evils of vandalism. In short, the uncontrolled, unplanned real estate development of most cities encourages the wastage of old houses.

Of the social influences the most important are population movements. In the United States slums have flourished as a result of immigration, especially from the south and east of Europe, and of the northern migration of the Negro after the World War. Concentration of foreign speaking families into ghettos and the segregation of large colored populations help to make slum housing profitable and in some cities intensify its manifold dangers. Population movements within cities likewise encourage slum development. Residential areas deserted by their original occupants in the face of increased city business and traffic, with former yards and gardens built up with back lot and alley houses, add to the slum territory. Other population movements have a reverse effect: an exodus of slum families for one reason or another may change a district from one with teeming overcrowded tenements to an area of deserted houses, vacant stores and vandalized buildings. But while certain features of the slum are affected by this process, it still exerts a detrimental influence.

The third group of causes for slum development are those inherent in faulty municipal practises. Back of the mistaken tax and assessment practises already mentioned is usually an inefficient administration which saddles the community with excessive operating costs. Such costs in turn mean high taxes and higher rents for all housing. Unwise governmental economies, on the other hand, responsible in part for the withholding of sewers, water mains, street lighting, paving, repairs, parks and playgrounds and other open spaces, cause districts to remain substandard. The possible gains from replanning of old areas are seldom realized. But the most serious consequences of governmental inefficiency appear in inadequate regulations for old dwellings, as, for example, the toleration of lower standards for dwellings converted to multiple occupancy than those enforced for new housing of similar types.

There is considerable statistical as well as inferential evidence of the serious antisocial consequences of slums. Low standards of public health, delinquency and dependency and industrial inefficiency are all more pronounced in such areas than among those with normal housing. Thus a study made by the United States Children's Bureau in 1917–18 of two New England cities showed an infant mortality rate almost three times as high in tenements occupied by 7 or more families as in one-family dwellings in one town, and in the other more than 40 percent higher in alley houses than in those with street frontage. In a Washington, D. C., study made in 1910 the general death rate in alley houses was found to be 30.09 per 1000, while in the street houses in the same district the rate was 17.56. Similar results have been brought out by studies in other countries, particularly England and Scotland. Injurious effects are likewise indicated in studies of the physical development of children. Dr. Arkle of Liverpool, England, in 1912 reported a difference of 9.5 inches in height and 23.4 pounds in weight between the boys fourteen years of

age attending the higher grade schools and those attending the poorest Council schools. The same stunted development is recorded in other researches. Out of a study of 50 backward children in the public schools of Chicago 43 came from unsafe and insanitary homes. More significant in indicating the load of subnormal families in slum areas is an analysis made in 1924 by the Philadelphia Housing Association from the records of social agencies treating families living in typical slum areas. Thus over a period of four years the social histories of 40 families living in one slum tenement showed 42 cases of crime, 17 dependent families, 112 cases of sickness, including 14 tuberculous and 51 hospital and contagious disease cases. Altogether 48 social and health agencies had worked on the problem of these families.

These data tend to show the mental, moral and physical distress of the slum population rather than to prove the ill effects of slums, for there are other provocative factors. The slum with its low rentals attracts many weaklings—those who are already undernourished, whose vitality and mentality are low and who are often disease carriers. Naturally they increase the load of subnormal persons and families living in such areas. This high concentration of defectives creates additional hazards for the more normal families in the slums and raises the rates of morbidity, mortality and delinquency of the entire slum area.

Where slum clearance has been effected and the population rehoused in sanitary homes, a sharp decline in morbidity and mortality as well as delinquency has resulted. An excellent example is that of Liverpool. Rotten slums in the heart of the city inhabited by casual dock workers were destroyed and the buildings replaced by new dwellings at low rentals. One clearance project restored 77 percent of its old population, another 99 percent. Yet among this same population after a short period in the new structures crime had decreased to less than 25 percent of its former incidence, death rates had dropped from 50 to 27 per 1000, tuberculosis from 4 to 1.9 per 1000 and other sickness correspondingly.

There is, further, statistical as well as presumptive evidence of the inevitable deleterious effect of slum living on conduct as well as on health. Overcrowding leads not only to disease but to child and adult delinquency. Clifford Shaw in 1930 in a survey of over 9000 delinquent boys in Chicago found that the highest ratio of delinquency moved progressively toward congested districts—blighted and slum areas around the Loop, the stockyards and the steel mills. A similar broad association between delinquency and poverty areas was indicated by Burt's studies, made in 1916, of juvenile delinquency in London. Indeed it is not difficult to see how the slum with its unhealthful living conditions, overcrowding, lack of privacy and absence of play space would provide fertile ground for the growth of a powerful public opinion running counter to normal ethical and social standards and producing a high percentage of persons showing disrespect for, evasion of and disobedience to the law.

Equally detrimental to social welfare are the economic losses caused by slums. These are reflected chiefly in municipal finances. Tenement House Commissioner Post of New York stated at the beginning of that year that figures based on 1934 estimated expenditures by the city of New York showed that the cost of maintaining sanitation, police, fire and health protection was three times greater than the tax revenue derived from slum districts. When the stage of population loss sets in, there is a further decline in tax returns from slum areas. At the same time the demand for new homes in other areas resulting from such population shifts creates added governmental expenses—for new schools, fire and police stations as well as for sewers, water mains and other utilities—not compensated by the new values for tax purposes which such construction provides. In some cases the cost of these services is borne in part by abutting property but frequently it is distributed to the entire city. Unless there is concentrated land use, such as follows apartment construction, or the improvements are of costly character, the tax return shows a lower per capita earning than the per capita cost of operating the local government. An anomalous situation is created: population losses in the older areas decrease earnings from both public and private utilities; and population gains in the newer areas necessitate expenditures which do not yield tax returns equal to the pro rata share of government costs. If the older areas were rehabilitated for sanitary housing with the accessory uses of stores and work places, the necessity for the circumferential development of the city would be materially reduced and the gains to the municipality would be great.

Slums furthermore create losses for a community which are seldom recognized. The concentration of degenerated population types in-

creases the amount of work inefficiency due to the greater incidence of sickness, mental abnormalities, shiftlessness and poverty. Low earning capacity due to low wages and intermittent employment results in a low purchasing power. The large percentage of uncollectible debts increases the cost of goods; the consequent higher price deters their sale even further. Low consumption arising from small and irregular wages is intensified by abnormal marketing conditions, many small stores buying inferior goods in small quantities and at relatively high prices. The normal consumers' market which a population living under more favorable conditions would provide is absent in the slum, exerting thereby a deterrent influence upon the normal improvement of economic conditions of the general population.

Although slum problems have attracted much attention, it is difficult to point to any well balanced and comprehensive municipal or national program of slum prevention or slum clearance. New dwelling construction under governmental control or by subsidy must not be confused with slum clearance. The first has proceeded on an extensive scale, particularly in Europe; the second has hardly been attempted on any comprehensive scale. Thus, for example, Holland, most progressive as regards housing betterment, relies on preventive measures rather than on direct slum clearance. Since 1901 the government has provided credit for dwelling construction up to 100 percent of construction costs through loans and subsidies to cooperative building societies and city housing departments. Control of slums other than by competition with such new housing is by selective condemnation of unfit houses. But although thousands of houses have been built under government subsidy, a large percentage of insanitary houses reported by the Royal Institute of Engineers in 1854 are still occupied.

Other European programs for direct slum clearance exhibit a similar paucity of special legislation and of continuity of effort. There are building and sanitary codes, authorizations for condemnation and town planning regulations on the statute books of most countries, but there is a wide diversity in the use made of these powers. For example, little of any moment has been done in Norway, although in the last few years slum populations have been increasing. In Austria adequate authority for slum clearance exists only in Vienna as a result of the acts of 1929 and 1930. In Germany the scope of both the pre-war and the post-war program falls far short of the need. In 1930 it was reported that about 10 percent of the urban population were living three to a room, and doubling up of families has increased in the last few years. True, unfit houses may be condemned to make way for recreation areas and open spaces and some valuable results have followed street widening, but in general legal power to expropriate has been unsatisfactory. The free cities of the Hanseatic League are an exception in this regard, but only in Hamburg and Berlin has comprehensive slum clearance been carried to completion.

In France an act of 1850 provided authority to effect improvements in insanitary houses, especially in connection with other public improvement programs; but it remained a dead letter until 1902 and by 1929 had been applied to only seven departments. In Paris it was first applied in 1926 and then for only a small area. Some progress has been made there in wiping out the "islets"—tuberculosis breeding centers —which were first brought to public attention in 1895; but expropriation compensation is proving a stumblingblock in the elimination of these centers of infection. The same inactivity appears in Italy. The Naples cholera epidemic led to the act of 1885, authorizing condemnation of unfit houses and the opening of streets; further authority to condemn unfit structures was granted in 1919. In Rome some slum areas were removed around the Forum and the capitol in connection with the preservation of historic sites. The most effective work was done in Rome and Milan in the removal of slum conditions on the city outskirts resulting from the migration of peasants from their fields to factory work after the World War. The government program included subsidies to families on condition that they would return to the soil; to owners of land where these new slums were erected, if they would replace them with better housing; and for new housing, including temporary hostels.

Contrasted with continental countries, slum clearance in Great Britain has been more generally practised. Statutory authority to condemn unfit houses and to regulate occupancy in the interest of public health dates back to the Shaftesbury acts of 1851. In the subsequent forty years a few million pounds were expended in slum clearance, with some success in such cities as London, Liverpool, Birmingham and Glasgow. The rather cumbrous legal machinery of the earlier legislation was simplified with the passage of the Housing of the Working Classes

Act in 1890 and still further liberalized in 1909 in the Housing of the Working Classes and Town Planning Act. Local authorities and public utility societies organized for housing purposes were allowed to borrow government funds on amortization loans. The latter act established control over density of housing in new areas and obliged local authorities to study housing conditions and to submit proposals for new housing to the Ministry of Health whenever a house famine was found or whenever any considerable number of houses were held unfit for occupancy. Slum clearance thus became the responsibility of local authorities aided by government funds. In 1919 direct control was assumed by the central government, and after 1925 the central government extended its participation in slum clearance by the issuance of grants to local governments in varying amounts for each person removed from slums to better housing. In 1933, however, as a result of budgetary difficulties the authority of the Ministry of Health to grant subsidies was revoked, although the responsibility of local authorities to supply houses if and when a house famine occurred remained in force and cheap credit to building societies was increased. England has sought to meet the slum problem by direct action: by condemnation and demolition of unfit houses either as separate units or en masse; by replanning and rebuilding on the cleared sites or adjacent sites or in other areas; by writing off a portion of the cost and operating under a lowered value figure, thus making possible lower and differential rents; by indirect and direct grants to public utility companies by local authorities and by the state through the Ministry of Health. But slum clearance has been pushed forward also by indirect means: building and health laws, building societies, rent control, town and regional planning, financing or subsidizing new housing, and unemployment insurance.

In the United States very little slum clearance as such has taken place. Slum blocks have been demolished to make way for public improvements and playgrounds, but slum clearance has not been attempted as a government function. Some states have set up state housing boards and authorized limited dividend companies to operate on slum clearance projects. In 1933 a federal housing authority was created and empowered to acquire slum property by eminent domain or otherwise and to erect new houses on the cleared sites at government expense. It had authority to write off a substantial portion of the costs and establish rentals on the basis of the lowered values thus created, as was done in the Boundary Street area in London. By November, 1933, eight states had passed laws enabling municipalities to qualify for loans under federal authority—the Reconstruction Finance Corporation and the Public Works Administration.

The efforts thus far made to eliminate slums have been inspired more by an emotional and aesthetic revolt against their ugliness and the deprivations which they inflict than by an understanding of their consequences or a realization of the civic and economic burdens they create. The term slum clearance involves more than the demolition of old, insanitary structures in congested areas and the reconditioning of dwellings which might be able to stand for another decade or two. Any adequate program must take into account the average income of the present slum dweller and assure him of a new abode at a rent which he can afford to pay. Most slum clearance projects have merely provided new housing for higher income groups, sending the evicted inhabitants to surrounding slum areas. Thus, for instance, a report issued in 1933 by the Lavanburg Foundation of 386 families dispossessed by the Knickerbocker Village housing project in the notorious New York "lung block" showed that 86 percent moved to adjoining slums, being unable to take advantage of this slum clearance project. Only 7 families were able to pay the rents of the new houses. Thus the vicious circle proceeds, with land values of the new slum area further raised and real low cost housing made increasingly difficult.

There can be no guaranty against slums while a large group of wage earners have incomes so low that they must pay abnormal rents for sanitary dwellings. Similarly there can be few sanitary dwellings available to families of low income so long as construction and maintenance costs and land values make the erection of low cost houses impossible. Were these conditions satisfied, there would not then be any guaranty against slums until the public was educated to appreciate and apply the principles of hygienic occupancy. Granted these essential attainments, little attention would need to be paid to the slum heritage received from past generations, for slum houses would be eliminated through natural processes because they would be unprofitable. The essential point is that slum clearance cannot be comprehensive or prevention of slums be assured through the application of any single

measure of public control, be it through legislation for sanitary inspection, instruction in hygienic occupancy, the vacating or demolition of unfit houses, new low cost housing or expensive slum clearance. The problem is one of comprehensive community control over these and other predisposing and contributing causes in the creation and continuance of slums.

BERNARD J. NEWMAN

See: HOUSING; COMPANY HOUSING; REAL ESTATE; LAND SPECULATION; ZONING; CITY AND TOWN PLANNING; RENT REGULATION; EMINENT DOMAIN; STANDARDS OF LIVING; PUBLIC HEALTH; POVERTY; NEGRO PROBLEM; IMMIGRATION; URBANIZATION.

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SMALL, ALBION WOODBURY (1854–1926), American sociologist. After graduating from Colby University Small studied at Newton Theological Institution, where he became interested in an academic career. While attending the universities of Leipsic and Berlin he came under the influence of Schmoller, Wagner and the movements centering around the Verein für Sozialpolitik. He taught history and political economy at Colby, of which, after finishing his graduate work at Johns Hopkins, he became president. When the University of Chicago was established in 1892 he became the head of the department of sociology and the first to hold a university chair in that subject. In this capacity he exercised an important influence upon the first generation of trained sociologists. He retained a lifelong interest in advancing the scientific level and the academic prestige of his subject. In this the *American Journal of Sociology*, which he edited from its beginning in 1895, was an effective instrument. He was active in the organization of the American Sociological Society and became its president in 1912–13. In 1922 he served as president of the Institut International de Sociologie.

Small was effective in mediating the results of European (especially German) thought and in challenging the provincial, separatistic and dogmatic spirit of the older and academically respectable social science. He pioneered in the building up of a body of distinctively sociological literature and played a significant role in defining the scope of sociology as a science, in constructing its conceptual framework and in setting its problems. His original and searching critiques of method contributed to a more acute scientific self-consciousness in the separate social sciences, to a recognition of their essential unity and interrelations and to the effort to make them serviceable in practical affairs.

He traced the principal antecedents of sociology to the drive toward objectivity most evident among German historians since 1800 and to the cameralists, political scientists and economists. He minimized the influence of Comte and regarded Spencer as a deflecting

factor fortunately corrected by Ward. Having begun by regarding sociology as the unifying point of view which would coordinate and synthesize the disparate, inductively acquired knowledge of human experience, he later conceived of it as the science basic to and more general than the specialized studies of man. Toward the end of his career, as he saw concrete sociological research emerging, he envisaged sociology as a division of knowledge coordinate with the other social sciences, but commanding techniques for the understanding of human experience conceived as the group interrelations and interactions of men. Small held that while sociology must necessarily be a specialized and objective science, valid social science must eventually be a single, organized body of knowledge, which would be sterile unless it served not merely as the only possible intelligent basis for ethics but also as a means for the orderly improvement of social life. He was a critical and sympathetic student of Marx but advocated gradual, orderly and constitutional reform to bring private property and capitalism in harmony with a functional order based on service, justice and Christian ethics. The social group was for him the unit of analysis of the social process and the core of the organized interests. He advanced tentatively a sixfold classification of fundamental human interests. Their emergence, conflict and accommodation constituted the social process and provided a functional, dynamic and realistic, as contrasted with a structural, static and analogical, conception of society.

LOUIS WIRTH

Important works: *An Introduction to the Study of Society*, in collaboration with George E. Vincent (New York 1894); *General Sociology* (Chicago 1905); *Adam Smith and Modern Sociology* (Chicago 1907); *The Cameralists* (Chicago 1909); *The Meaning of Social Science* (Chicago 1910); *Between Eras from Capitalism to Democracy* (Kansas City, Mo. 1913); "Fifty Years of Sociology in the United States, 1865–1915" in *American Journal of Sociology*, vol. xxi (1915–16) 721–864; *Origins of Sociology* (Chicago 1924). See also: "The Letters of Albion W. Small to Lester F. Ward," ed. by Bernhard J. Stern in *Social Forces*, vol. xii (1933–34) 163–73.

Consult: Hayes, E. C., in *American Masters of Social Sciences*, ed. by Howard W. Odum (New York 1927) ch. vi; Barnes, H. E., "The Place of Albion Woodbury Small in Modern Sociology," and "A List of the More Important Published Writings of Albion Woodbury Small" compiled by F. N. House in *American Journal of Sociology*, vol. xxxii (1926–27) 15–44 and 49–58; Goodspeed, T. W., in *University Record*, n.s., vol. xii (1926–27) 240–65.

SMALL CLAIMS COURTS. One of the weakest points of the present system of administering justice in the United States has been the inability to provide justice in any real sense of the word for persons who have a case involving a very few dollars. Petty cases particularly have crowded the dockets of courts in large urban areas. Since it is almost as difficult to prove and reduce to judgment a claim for $10 as for $1000, it naturally follows that many claims for amounts varying from several dollars to $50 are simply allowed to lapse because of the fact that to collect them or even attempt to collect them is usually far too expensive and complicated to be worth while.

From time to time the lower courts in many large cities of the United States have tried the experiment of so-called conciliation, or arbitration, courts, which although constantly growing in favor for the settlement of complicated commercial disputes still, generally speaking, provide too elaborate a procedure for the settlement of minor cases. As a result there has arisen a movement to establish so-called small claims courts. Although these courts, as established in many of the larger cities today, may justly be called courts of conciliation, they are really not tribunals for conciliation, or arbitration, but rather what their name implies: courts wherein persons with small claims may have them heard and decided with an expenditure of the minimum amount of time and money. Such courts may be either distinct entities or branches of the regular court organization, such as the municipal or district courts found in the large cities. Again they may be parts of a state wide system or be confined to particular localities. But whatever the form of organization it is essential that the proceedings be conducted without lawyers. Nevertheless, while procedural law may be cast aside, the rules of substantive law must be observed. In the last two decades considerable progress has been made in the establishment and administration of small claims courts.

In 1913 Kansas established separate courts known as small debtors' courts, whose jurisdiction is restricted to claims not exceeding $20 in amount. Before filing an action the claimant must satisfy the judge not only that he has a good cause of action but that he cannot afford to employ counsel. The Kansas plan provides also that the judges do not necessarily have to be lawyers. Because of this fact and also because the whole system is too loose and informal, it is fundamentally unsound and not a success.

In Portland, Oregon, the small claims court, first established in 1915, is part of the District Court of Multnomah county. Small claims procedure has also since been provided in the justice's courts. The small claims branches have jurisdiction of all claims up to $20. The procedure is informal in inception and trial; the filing fee is $.75 in the district court and $1.00 in the justice's court. No attorneys are permitted. There is no doubt that this arrangement offers a cheap and ready way to litigate small amounts. It is unfortunate, however, that the jurisdictional limit is so low.

The Conciliation Division of the Municipal Court of Cleveland, which began to function in 1913, was established by rule of court. It is essentially a small claims court; its jurisdictional limit was at first fixed at $35 but later was increased to $50. While attorneys are not prohibited, their appearance is discouraged, and the procedure is informal. The success of this court has been great.

In the city of Chicago the Small Claims Court was established in 1916 by order of the chief justice of the Municipal Court. When the court was first established the jurisdictional limit was $50, but this was later increased to $200. While the pleadings are simple, all the rules of evidence are applied; and a litigant who does not have an attorney is therefore at a great disadvantage. As a result the court has not yet achieved the hoped for success and does not differ very materially from the usual district or municipal court found in every large city.

In 1920 the Municipal Court of Philadelphia created a special branch known as the Conciliation, Small Claims and Legal Aid Division. The latest of the municipal small claims courts to be established is that of New York City. They were created in 1934 by act of the state legislature as parts of the regular municipal courts. The jurisdictional limit was fixed at $50 and the filing fee at $1.25.

Massachusetts has a state wide system of small claims courts, which was established by legislative act in 1920. These are, however, branches of the regular municipal or district courts. The jurisdictional limit was originally set at $35, but this was subsequently raised (strangely enough over the objection of several judges) to $50, which limit still prevails. Lawyers are not prohibited but they seldom appear, and moreover the procedure is extremely simple. In general the judges administer the law in a very practical way.

The statistics of the Small Claims Branch of the Municipal Court of Boston show that the work of the court is increasing and that the public evidently appreciates the fact that it offers an easy and simple method of litigating minor cases. In 1929 the court tried 1397 cases and in 1931, 1421 cases. Plaintiffs' judgments amounted to $18,694 in 1929 and to $19,205 in 1931. Strangely enough the records of the court show that many more actions are entered in the last six months of each year than in the first. No explanation has ever been presented of this rather curious phenomenon. In the first six months of 1933 there were 604 new cases in the small claims courts and plaintiffs' judgments amounted to $7977.

The idea of state wide systems of small claims courts as parts of municipal, district or justice's courts has spread rapidly. In addition to Oregon and Massachusetts such courts have been provided for in California, Idaho, Nevada, Oregon, South Dakota and Washington.

One weakness of the present system is that the filing fee in the small claims court is usually too high. While it is the total outlay necessary for a plaintiff, it constitutes an item of real importance to persons who are endeavoring to collect a claim of $10 or thereabouts and undoubtedly deters many persons from applying to the court for relief. On the other hand, the provision in most of the state wide acts for the service of the notice of claim by registered mail is excellent. The discouragement of appeals as well as demands for jury trials by imposing heavy costs is also to be commended.

No more than in the higher courts does the rendition of judgment mean its collection. Defendants in small claims courts, moreover, are especially likely to be judgment proof. If a defendant has no tangible property which is subject to attachment, the plaintiff must again hale him before the court in an effort to ascertain what his resources are and if possible obtain a court order to satisfy his judgment. In Massachusetts a creditor who has an unsatisfied judgment has to spend at least $5 and probably more to collect the amount due him in "supplementary process." Supplementary proceedings are frequently complicated and are best handled by an attorney. If a litigant needs a lawyer to help him collect a judgment secured in the small claims court, there is obviously still a flaw in the machinery. Unfortunately there are no figures available to show precisely how many plaintiffs' judgments are actually satisfied.

Just how high the jurisdiction of a small claims court should be in general is a matter which is still unsettled. It has been satisfactorily demonstrated that $20 is too low and that $200 is too high. Lawyers then inevitably make their appearance, since the claimants simply cannot imagine proceeding without them. An amount which would be too high in a sparsely settled community may be too low in a large city. For the larger communities $50 to $75 appears to be the most satisfactory limit.

The movement for small claims courts is bound to continue to make slow but steady progress. At present, however, popular attention is directed more to the delays and complications of jury trials than to the need for reform in cases affecting small litigants. But the ultimate goal of procedural reform must be to make possible the disposition of claims of all sorts in a speedy, sensible and inexpensive manner.

RAYNOR M. GARDINER

See: COURTS; MUNICIPAL COURTS; COURTS, COMMERCIAL; ARBITRATION, COMMERCIAL; JUSTICE OF THE PEACE; JUSTICE, ADMINISTRATION OF; PROCEDURE, LEGAL; SUMMARY JUDGMENT; LEGAL AID.

Consult: Smith, Reginald Heber, *Justice and the Poor*, Carnegie Foundation for the Advancement of Teaching, Bulletin no. 13 (New York 1919); Willoughby, W. F., *Principles of Judicial Administration* (Washington 1929) ch. xxiii, and bibliography on p. 633–34; Nims, Harry D., "Law Courts for the Forgotten Man" in *Forum*, vol. xci (1934) 340–43.

SMALL HOLDINGS. The characteristic which differentiates small holdings from other farming enterprises is not the actual area which they include, for this is relative and variable, but the fact that they draw their labor supply chiefly from the family or from a group living and functioning as a family. If outside workers are employed, they are usually attached to the domestic household as unmarried farm hands or maidservants. At the beginning of historical time, because of the importance of the family as the traditional unit of human society, the system of small holdings was in general the prevailing mode of agricultural organization. Not infrequently in earlier periods the family economy was supplemented by certain cooperative undertakings carried on jointly by the broader social group; although these most often took the form of common ownership of forest and meadowland, occasionally even tilling of the soil was pursued in common. But the displacement of small holdings by larger agricultural units functioning on the basis of slave or wage labor occurred only at a rather advanced period and then only in comparatively restricted areas. It was in the Mediterranean basin of antiquity—in Egypt in the Ptolemaic period, in the Carthaginian Empire, in Italy following the Punic Wars and at a later date throughout most of the provinces of the Roman Empire—that the small holdings first tended to become crowded out or absorbed by large estates. Yet even after its introduction large scale enterprise was confined chiefly to the production of oil and wines, while the small holding continued to predominate in the cultivation of grain.

In the Middle Ages, as in antiquity, agricultural products were supplied almost exclusively by the labor of the farming families, although except in a few regions these families were never completely independent. Generally a manorial organization was superimposed upon the small holdings and the lords of the manor exacted dues and services from them in the form of produce or labor, in return relieving them of political and military obligations. Since the sixteenth century large scale production has been extended greatly both in England and on the European continent east of the Elbe. In 1913 only 16 percent of the land under cultivation in England and Wales consisted of farms of less than 50 acres. In eastern Germany a survey in 1907 showed that only 31 percent of the agricultural land in use was devoted to enterprises under 20 hectares, or 50 acres. In the rest of Germany, however, farms falling within the 20-hectare group comprised over half of all the arable soil and in the west and south from 65 to 90 percent. The proportion of small farms is about as great in Scandinavia and in Switzerland, where owner occupancy is predominant, and in France, Belgium, Holland and a great part of Italy, where a large percentage and sometimes a majority of them are operated by tenants. In Russia the complete effacement of the once widely extended large private estates by the agrarian revolution of 1917 and 1918 merely marked the climax of a tendency which had been in progress since the emancipation of the serfs in 1861 and which had been greatly accentuated by the agrarian reforms preceding the World War. The small holding had become the virtually universal unit of agricultural organization by 1929, when the Soviet government abruptly reversed the trend by inaugurating its present program of collectivization. Large estates and holdings suffered similarly in the other states of eastern Europe which felt the repercussions of the Russian

agrarian upheaval of 1917 and 1918. At present the family holding is almost the exclusive factor in the rural economy of these regions.

In the oversea territories which have been opened up since the sixteenth century the spread of small holdings has depended mainly upon the type of land policy pursued by the various states. In the northern part of the United States the small farm owned and operated by the family had become predominant without special governmental aid, but the fact that this type of agricultural organization was extended throughout the western lands was in large part the result of the Homestead Act of 1862. The small holding is especially common in the older regions, where stock raising is combined with agriculture; while in sections devoted entirely to wheat growing or grazing family farms are likely to consist of large holdings, and large scale enterprises employing great numbers of wage laborers are not unusual. In Argentina the distribution of newly opened up land on a basis similar to the North American homestead plan has been hampered by the manorial system inherited from the Spanish era. But while large private estates continue to prevail in this country, they have frequently been divided into smaller units and leased for agricultural purposes to tenants, recruited chiefly from Italian immigrants.

In general it may be said that the great progress which large scale agriculture, favored by political, economic and natural conditions, had been enabled to make throughout much of Europe was arrested by the middle of the nineteenth century. Until that period the operators of large holdings were generally able to carry out more rapidly and more successfully than the small farmers the changes involved in the scrapping of the old three-field system. In a comparatively short span of time, however, the operators of small holdings have succeeded in eliminating this disadvantage. Since 1850 they have challenged the large landowners in almost all regions and have made permanent gains, even when they have derived no particular support from the agricultural policy of the government.

The question of the relative advantages of large and small holdings has been the theme of much theoretical controversy and was discussed in economic literature as early as the mercantilistic period. The mercantilistic writers and statesmen were usually apologists and promoters of the small holdings, largely because they believed that such a system was more favorable to the growth of population. The physiocrats, on the other hand, advocated large scale enterprise on the purely economic ground that it yielded a larger net profit. A similar view was taken by Arthur Young. Under Young's influence the German Albrecht Thaer declared large holdings to be necessary to the prosperity, strength and welfare of the state, although at a later date he came to recognize also the productive power of small holdings when they were operated by industrious and thrifty farmers. Adam Smith was a supporter of the small operator-owner, who knew every detail of his business and felt a personal attachment for it. But most of Smith's successors in England rejected the small for the large holding because of the higher market productivity of the latter.

It was Theodor von Bernhardi who turned attention to the more profound issues involved in the problem concerning the optimum size of agricultural holdings. Discarding both gross and net return as a criterion, he undertook to discover a more valid standard for measuring the relative advantages of large and small units. According to his conclusions, an excessive proportion of large scale enterprises was quite as dangerous as an inordinate preponderance of small farms, the decisive consideration being the effect of the size of the agricultural holdings upon the total national income. Since Bernhardi's time the overwhelming majority of economists, among whom Roscher and Buchenberger deserve especial mention, have accepted his view that a "sound admixture" should be the objective. Among contemporary economists Aereboe has laid special emphasis upon the efficiency of the individual as a factor conditioning the productivity of the agricultural plant. Sering stresses the peculiar vitality of the family as a functioning economic unit and insists that the superiority of the family holding seems only to increase with the progressive intensiveness of production. Although he does not recommend the abolition of large scale agriculture, he believes that in the long run the large estates cannot survive unless their operators are able to retain the role of leadership and by intelligence to compensate for the advantages which peasant economy derives from family solidarity. Hainisch reverts to the older position that the essential consideration is market productivity, in which "in all probability large holdings are far superior to small"; for him therefore any attempt to discourage large estates is fraught with extreme danger.

Marxian socialism originally accepted the

superiority of large scale enterprise in agriculture as well as in industry. The Erfurt Program of 1891 contains an explicit prophecy that modern technique will inevitably spell the decline of agricultural small holdings. This view, of which Karl Kautsky has been a noteworthy defender, was, however, rejected by the revisionist wing, which under the leadership of Eduard David drew a distinction between industry and organic production and asserted that small scale enterprise was generally preferable in the latter. The agrarian program adopted by the German Social Democrats at Kiel in 1927 was based upon the so-called "stationary theory" that the development of capitalism has no effect upon property relations or upon the size of holdings in the agricultural sphere and will not therefore lead to the annihilation of small farms; hence government must guarantee to the latter satisfactory living conditions.

The degree to which small holdings prevail and prosper is seldom determined solely by natural conditions. It is true of course that mountainous regions, where the arable fields are widely scattered, must be cultivated by small holdings, whereas heavy soil requiring a great deal of team and machine labor many times offers insuperable obstacles to the independent family. But even in these cases the human factor is of paramount importance. One of the essential bases for the vitality of family holdings is the fact that men generally apply themselves most eagerly and most persistently when they are conscious that the fruits of their labor will accrue to a small, closely integrated group controlled by paternal authority. An important and often decisive factor is the economic efficiency of the individuals involved: if ambitious, well trained men till a small holding, they will derive a greater return than an indifferent landowner or a large scale tenant who depends on the labor of slaves or unwilling wage earners.

The price structure also may serve as a stimulus to small holdings when it favors the commodities, especially cattle and animal products, which are the output primarily of such holdings. Low prices of fodder or of other supplies required by small holdings operate in the same direction. Another important factor is the price of land. Agricultural small holdings tend to use more man power and more capital per unit of land than does large scale agriculture, so that they have an economic advantage when there is no particular attraction drawing labor and capital away from agriculture. Hence they normally become more numerous with any increase of population not absorbed by industrial expansion or indeed with any flight of labor from industry. It is in periods of distress that the firm foundations upon which small holdings rest become most clearly apparent. The reduction of the standard of living meets with less resistance in their case than in that of wage earners; and, for the very reason that the total number of human beings employed on the small farms bulks so large, this fact is of considerable importance to the national economy as a whole. Herein lies the basic reason for their well known immunity to crises.

The progress of agricultural technique and mechanization, by facilitating the exploitation of extensive consolidated holdings, not infrequently leads to the decline of small holdings. This is especially true when the operators of the large estates, profiting by their superior ability to acquire information and to secure the necessary financing, are more prompt than the small farmers to utilize the improvements and the market opportunities. But a great number of the technical improvements in agriculture, such as methods of simplifying farmyard work and livestock husbandry, are also advantageous to family enterprises. On the other hand, small holdings can make comparatively little use of agricultural machinery; in many places it has been possible to increase the acreage cultivated by each farm and by this means to meet the problem without discarding the characteristics of the family holding. The cooperative ownership of machinery is a potential solution, but it is generally confronted by grave psychological obstacles.

Frequently, however, the dominance or decline of small holdings is determined not by economic forces but by political or other factors. Thus in Prussia and certain other states the powerful monarchs of the eighteenth century—a period of crucial importance for the subsequent course of development—were very successful in consolidating the position of the peasantry; while in England, Swedish Pomerania and Mecklenburg, where the landowning nobility were able to retain political control through the early centuries of the modern era, the independent small holdings were effectively crushed. Drives and purposes of a non-economic nature may likewise be detected in many of the small holdings movements of modern times.

These movements have been associated to a large extent with the revival of internal colonization or land settlement which got under way in

numerous European states during the last two decades of the nineteenth century, when emigration to oversea territories had begun to wane. In both Prussia and England a movement was initiated in the 1880's to break up some of the large agricultural holdings into small units. In Ireland and Finland emphasis was placed upon the working out of plans whereby tenants might be enabled to become owners of their holdings; the trend in Ireland thus diverged from the movement in England, where despite the agitation for peasant proprietorship, which had derived such great stimulus from J. S. Mill's *Principles of Political Economy*, almost all of the land distributed under the Small Holdings and Allotments Act of 1908 was leased to tenants rather than sold. The Scandinavian kingdoms around the turn of the century began systematically to encourage agricultural laborers' holdings, a policy which soon resulted in the establishment of small peasant farms. Hungary under the laws of 1894 and 1911 set up several thousand small holdings, while in Austria a similar law was drafted in 1914. The most momentous of all such movements, however, was the great Stolipin agrarian reform in Russia. Although the development of a more progressive peasantry by the abolition of the intermixed strip system and the land commune represented one of the main objectives of the reform program, Stolipin and his collaborators were animated not only by economic considerations but by the desire to place the social structure of czarist Russian on a new and more enduring basis. In the case of the Prussian and English land reforms social purposes were similarly intermingled with economic objectives. Both the Prussian policy of internal colonization and the retaliatory measures adopted in Poland served as weapons in the nationalistic struggle, despite the fact that the methods used were in no way contrary to traditional legal conceptions. Even when expropriation was resorted to, as in England and to a much slighter extent in Prussia, the owners were fully indemnified.

On the other hand, the drastic agrarian reforms which occurred in eastern Europe after 1918 were generally effected by wholesale confiscation, with little or entirely inadequate compensation—a ruthlessness inspired to no small degree by the fact that the upper strata of large landowners generally did not belong to the nationality which had acquired political sovereignty. In Greece and Bulgaria the essential problem confronting the government in the post-war period was to provide new means of livelihood for nationals returning from exile. Germany also down to 1925 had to find support for refugees streaming back from Poland. In Germany, however, as well as in Austria, Hungary and Finland there was no expropriation without sufficient compensation. The same respect for the rights of the former landowners prevailed in Scandinavia, Holland and Great Britain, where with the exception of the Danish policy in northern Schleswig, which had a political basis, the agricultural reforms after the World War were motivated primarily by social and economic aims. The Dutch government has undertaken to promote settlement in the reclaimed areas of the Zuyder Zee. Norway has followed a similar plan, whereas in Germany only about 10 percent of the new farms set up since 1919 are located on swamp or waste land. With the recent derangement of the international economic structure the whole movement for agricultural colonization has assumed a new importance in the broad context of the national economy as a whole, since it has been widely regarded as a potential means of expanding domestic demand for industrial products and of assuring a greater measure of national self-sufficiency in the supply of food.

While the economic and political consequences of the pre-war and post-war policies cannot be definitely predicted, many observers think that the agricultural productivity of eastern Europe has been permanently injured by the decline of large scale enterprise. The outcome will probably depend upon the degree of ambition and efficiency which the owners of the new small holdings display. But, as British experience suggests, it is extremely difficult, if not impossible, to rebuild a strong native peasantry once it has been uprooted. In general the future of small holdings hinges upon the question as to whether or not the family has retained its vitality as a cooperative economic unit. If it has, and there are many reasons to believe that it has, progress in agricultural technique and mechanization may indeed lead to certain changes, but it will not result in any serious decline in small holdings. Technical and business training will enable their operators to take advantage of most of the improvements, and in the process the distribution of land traditionally associated with the small holding system will become adjusted to the demands of efficient production.

C. VON DIETZE

See: AGRICULTURE; AGRICULTURAL POLICY; PEAS-

ANTRY; LAND TENURE; FARM TENANCY; LAND SETTLEMENT; BACK-TO-THE-LAND MOVEMENTS; LANDED ESTATES; PLANTATION; MANORIAL SYSTEM; AGRARIAN MOVEMENTS.

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SMALL LOANS. Although generically the term small loans includes any lending of small sums, its reference has generally been restricted to the operations of agencies which specialize in making small loans, mainly to consumers. On the European continent small loans are supplied largely by pawnbrokers and by credit cooperatives. These forms of lending are known also in Great Britain, but the bulk of cash credit to consumers is provided by commercial moneylenders. In the United States, however, there have developed, in addition to the general moneylender, the pawnbroker and the credit cooperative, several highly distinctive credit agencies peculiarly adapted to dealing with consumers; these are technically described as small loan institutions.

The specifically American institutions as well as the other agencies specializing in small lending have certain common characteristics. Their loan funds usually consist of invested capital rather than of deposits as in the case of the banks. Their security is neither so liquid nor in many cases so complete as that of banks. In most types of consumer lending repayment is by instalment. These characteristics indicate that the charges imposed by small loan agencies are higher than those demanded by standard banking institutions; for the risk may be greater or the investigation to minimize risk will be costly, the method of collection is relatively more expensive, and the return involved must be a tradesman's profit rather than a broker's fee as in the case of the bank.

The phenomenon of small loans is not of recent origin. Since the Renaissance at least there has always been a demand for credit in small amounts. This demand was limited at first to the artisan and commercial classes and was met largely by commercial pawnbrokers and pawnshops operated under public auspices. It was nurtured by the gradual decay of the guild system from the fifteenth to the seventeenth century and was intensified in the eighteenth by the industrial revolution. Only in the second half of the nineteenth century, however, did the small loan problem assume its modern aspects. Pressure for higher standards of living under conditions of fixed income and lack of social provision for emergency expenditures connected with illness, death and unemployment created an increasing demand for small consumer loans. At the same time the growing reliance upon credit in the normal conduct of business affairs left small scale business more dependent than before upon financing by non-banking institutions, for the banking system as it developed in the course of the eighteenth and nineteenth centuries was not prepared to grant credits in comparatively small amounts. It was about this time that credit cooperation came into its own in continental Europe. Although it emphasized credit for productive purposes, the credit cooperative together with the pawnshop appears to have achieved a fairly adequate solution of the small loan problem as manifested on the continent.

Little room was left for the commercial moneylender charging high rates except perhaps in a few large cities, where buying pawn tickets and lending by the day or week to struggling pedlars and street venders offered lucrative opportunities.

In Great Britain, on the other hand, the commercial moneylender prospered, while the credit cooperative failed to take root despite legislative encouragement. The first enactment, passed in 1835, was designed to legalize and promote quasi-charitable loan funds for "the industrious classes." On condition that their rules of operation were certified by a procedure similar to that applicable to friendly societies, they were given special facilities for recovery of debts and were exempted from stamp taxes; their loans repayable in 40 or 50 weekly instalments were limited, however, to a maximum of £15, and the charges, deductible in advance, were restricted to 5 percent annually. The certified loan societies were established on a more secure footing under the law of 1840, which was made permanent in 1863; they were given virtually unlimited powers of recovery and allowed to charge 12 percent annually in addition to an inquiry fee not to exceed one shilling sixpence. This law is so broad that it covers not only purely benevolent societies and mutual societies but also commercial lenders seeking to take advantage of the unexampled facilities for the recovery of debts. The number of certified societies was never considerable and appears now to be steadily declining; of 122 societies in operation at the end of 1929 with an annual loan volume of less than £175,000, about 90 were located in London and the adjoining counties. Whereas the act of 1840 extends only to England and Wales, in 1876 the Treasury authorized registration under the Friendly Societies Act of loan societies also in Scotland and Ireland. Provision was made thereby for the registration of numerous money clubs throughout Great Britain as well as of deposit and loan systems attached to Scottish and Irish friendly societies. The loans of specially authorized societies, available to members only, are limited to a maximum of £50, are repayable in weekly instalments running over 3½ or 4 years and are secured by two or three signatures. The abuse of the special authority by an unscrupulous group of promoters, indicative of the internal weakness of these societies, led to the withdrawal of the authority in 1917. At the end of 1929, however, 250 such societies with an annual loan volume of about £600,000 were still in existence. Since 1893 cooperative lending societies have been permitted to exist under the Industrial and Provident Societies Act, but unless specifically exempted by the Board of Trade they are subject to the same regulations as commercial moneylenders. In 1929 there were 18 societies of this type, which during the year lent a total of about £130,000 to their members. Much more numerous than the registered societies are the informal savings and loan groups popular among working men; these, however, are for the most part very small and temporary organizations which divide their accumulations at the end of the year.

No single form of cooperative credit in Great Britain nor credit cooperation as a whole can be compared in volume of business or number of offices to commercial moneylending. Previously it was customary to distinguish several types of moneylenders: the big West End loan offices dealing with highly connected people who wished to anticipate their income or inheritance; the lenders in great provincial cities financing small or young business establishments which had no standing with conservative British banks; the general moneylenders who under a variety of disguises acquired a clientele among professional people, the clergy, farmers and shopkeepers in distress, government and bank employees; and the slum usurer catering to the working classes. At present, however, the only significant distinction is that between the general moneylender and the slum usurer, for the economic changes of the era following the World War have reduced the number of aristocratic borrowers and diminished the dependence of legitimate business upon non-banking credit.

The general moneylender will occasionally lend a large sum, but the vast majority of his loans are for sums under £100. They are advanced most frequently on a simple note of hand or bill of exchange, seldom with any signature other than that of the borrower and his spouse. The use of the bill of sale, corresponding to the American chattel mortgage, is not so extensive as might be expected, because it is not effective for sums less than £30 and it must state clearly the interest charged in terms of a percentage rate per annum. Since the attachment of workers' wages is prohibited in England and restricted in Scotland, wage assignments are practically unknown. The working class moneylender, who may be the plant foreman, a widow in the neighborhood or a storekeeper around the corner, lends sums counted in shillings from one

pay day to the next and seldom charges less than a penny in the shilling per week. The use of formal credit instruments is of course out of the question, and the enforcement of obligations is entirely a matter of extralegal pressure. For this reason legislative regulation of moneylending is of no consequence for this type of lender.

These legal restrictions were the natural consequence of the abuses and harsh practises which followed the repeal of the usury laws in 1854. Enactments relating to wage assignments and bills of sale in the 1870's and 1880's were followed in 1900 by the Moneylenders Act, which required the registration of lenders and gave to the courts the power to go behind the formal bargains to protect borrowers from undue hardship and exorbitant interest rates. This act, amended in 1911, was successful only in part: the requirement of registration was often evaded; moneylenders acted unethically in obtaining business and misused the judicial processes in enforcing their harsh contracts; and interest rates remained high, normally 60 to 100 percent a year, in addition to frequent fees, bonuses and penalties. The Moneylenders Act of 1927 seeks to eradicate these evils by requiring a license for each moneylending establishment based upon judicial investigation of applicants, by abolishing most types of advertising and circularizing for borrowers, by prescribing means of keeping the borrower informed about the loan, by enacting the method of computing interest and, although it does not fix a maximum interest rate, by presuming the interest to be excessive and the agreement subject to court intervention if the rate exceeds 48 percent a year.

In the United States commercial moneylending developed at a somewhat later date than in England; it is said to have been established as a separate business about 1875. In view of the difference in economic and political conditions its development followed quite distinct lines. Since there were few wealthy borrowers and numerous small banks were available to meet the demand for business credit, the emphasis from the outset was upon small consumers' loans. Because no restrictions were imposed upon the use of chattel mortgages and wage assignments, these became the predominant forms of security. The most obtrusive characteristic of American moneylending in the nineteenth century and the early years of the twentieth was its illegality, since with few exceptions American states failed to repeal the old usury laws, which restricted lawful interest on loans to a maximum of 6, 8 or occasionally 10 percent per annum. While in some states the pawnbroking laws were liberal enough to permit a legitimate small loan business, most of the demand for small consumer credit had to seek an underground outlet; this it found in the "loan shark," the moneylender turned lawbreaker.

The loan shark is the offspring of two parents, the borrower's ignorance and traditional legislative policy. The borrower's ignorance is characterized by his failure to understand the concealment of a usurious interest rate or the harsh provisions for enforcement of the loan contract—such as confession of judgment, waiver of notice, appointment of the lender as borrower's attorney in fact and the provision for renewals on default, which further raises the interest rate. The limitation of interest by usury statutes not only bars the development of a lawful small loan business but encourages rates beyond those commercially profitable in order to compensate for the stigma of illegality and the fear of loss of interest or principal according to statute.

Although in the last quarter century certain types of lending at high interest were legalized, loan sharks still operate not only in the states which failed to liberalize the old usury restrictions but also in the other states where certain types of borrowers cannot profitably be accommodated by the lawful commercial lenders. Estimates indicate that even in recent years loan sharks granted annually about 15,000,000 loans amounting in the aggregate to some $750,000,000 or $1,000,000,000. This illicit business is so widespread as to permit chain organization: it has been said that as few as 11 lenders maintain 335 offices. The modern loan shark still uses chattel mortgages and to an even larger extent the additional security of wage assignments. But chattel mortgages are no longer confined mainly to household furnishings; automobiles are more popular. The automobile loan shark, calling his business "refinancing," exacts his high charges by means of bonuses, discounts, insurance fees, recording fees and the like; a delinquent borrower is further mulcted for "seizure" of "constable" fees and storage charges. Most of the present day wage assignments consist of "salary purchases," a means of evading certain legal restrictions and providing a vicarious semblance of legality. The lender "buys" a stipulated part of the borrower's accrued wages for a lesser amount. If he gives the borrower $50 in ex-

change for the right to $55 on the next pay day a fortnight later, the actual interest charge, although concealed, is 240 percent a year. The rates are commonly as high as 480 percent, and legal records testify to rates of 2600 percent a year.

The first organized effort to combat the loan sharks was the establishment of remedial loan societies. Capital was solicited by appeal to the public spirit of the contributors and upon the promise of dividends limited to 6 or 8 percent; and special charters were obtained from the state to permit lending at rates higher than the usury maxima. The movement did not really get under way until the 1890's; by 1909, when at the suggestion of the Russell Sage Foundation the National Federation of Remedial Loan Associations was formed, there were 15 such societies, 14 of which were located in large cities in the east and middle west. In 1915 the number of these societies reached a maximum of 38, but it was already recognized that limited dividends and public spirit could not supply enough capital to meet the increasing demand for consumers' credit. Distinct from the semiphilanthropic remedials are the charitable loan funds which grant interest free loans to the needy. The most highly developed of these organizations, founded in 1896 in New York, is the Hebrew Free Loan Society; similar although smaller societies exist in a number of large cities throughout the country.

Encouraging as was the success of the remedial in combating unconscionable pawnbrokers in some large cities, it failed to supply adequate capital to conquer the loan shark. This, it was recognized, could be accomplished only if a reasonably profitable interest rate were permitted to commercial lenders. To this end, however, the American states, unlike Great Britain, did not repeal the usury laws. Instead they made exceptions in favor of certain types of lenders and of lending techniques. These new lenders are of three principal sorts: personal finance companies, industrial banks and personal loan departments of commercial banks.

The personal finance business is founded largely upon the Uniform Small Loan Law, a type of enactment devised by the Russell Sage Foundation in 1916 after similar progressive legislation in New Jersey and Pennsylvania. The Uniform Law established two major principles, which had been emerging from the legislation of the previous decade, and buttressed them with machinery that would make them legally effective. The first principle was the classification of loans according to size. By setting a limit of $300 on the loans subject to special legislation the law was able to overcome constitutional difficulties and at the same time to afford protection to the small borrower. The second principle was to exempt from the operation of the ordinary usury laws any lender who would voluntarily submit to licensing and supervision by the state banking authorities; under these conditions he could charge interest of $3\frac{1}{2}$ percent a month on unpaid balances. The law made a number of other provisions for the protection of the borrower and the public concerning many details of the lender's business. Violation of the act was a misdemeanor; and an overcharge voided the loan contract. The first draft of the Uniform Act has been modified on four occasions to make it more comprehensive. It is now a part of the law of 26 states, affecting more than two thirds of the country's population; some of these states, however, have changed details and do not allow so much as $3\frac{1}{2}$ percent interest per month.

The type of lending which the Uniform Small Loan Law has developed is an ethical evolution of the type of lending formerly carried on by illegal lenders; in fact many of the personal finance companies were engaged in a similar type of lending before the law authorized it. Loans are made predominantly to families on the signature of both husband and wife, unsupported by comakers or endorsers. As ostensible security the lender requires, in cases covering 80 percent of the outstanding loans, a chattel mortgage on household goods and sometimes a wage assignment as well. The lender can foreclose the mortgage and demand that the borrower's employer pay the borrower's wages to him, according to the provisions of the local wage assignment law. In practise, however, the substantial companies seldom resort to such extreme measures; even at the sacrifice of some immediate collections they attempt to assist in keeping the borrower solvent. Collecting under a wage assignment may lead to the borrower's discharge from employment; foreclosure of the chattel mortgage seldom repays the amount of the loan. The lender therefore relies largely on the moral stability of the borrower, having first investigated his standing in the community, the duration of his employment and his general credit. Studies of personal finance companies in several states in 1930 and 1931 reveal that there was about 20 percent of total delinquency in the normal course of business, but that legal action

to enforce payment occurred in only .2 percent of the total annual volume of the loans.

Despite its comparatively late inception the personal finance business has developed enormous volume. Beginning with about $8,250,000 in outstanding loans in 1916 small loan licensees reached an outstanding volume of over $275,000,000 by 1931; this amount declined by about $20,000,000 in 1932. In the latter year the total volume of loans granted by 3667 licensed offices was probably about $480,000,000. Over a quarter of the total number of offices were operated by 28 chain companies, of which one company operated 263 and another 148 offices; the combined annual business of these two companies exceeded $100,000,000. It is estimated that the average loan advanced by personal finance companies amounts to $130 and that, while the maturity range is five to twenty months, the repayment is typically spread over somewhat more than a year. This figure probably does not take account of loans refunded because of the inability of the borrower to maintain the original schedule of repayments; the exact proportion of refunded loans is uncertain, but it is believed to be rather high, perhaps as much as a half of the total number of loans.

This phenomenal growth of the personal finance business has not failed to arouse opposition. A group of economists has attacked an interest rate as high as 42 percent a year, and the loan shark interests have made concerted efforts to reduce the legal rate and drive the legitimate lenders from the field. In a few states these campaigns have been successful: in 1930 New Jersey reduced its rate from 3 percent to 1½ percent, only to increase it in 1932 to 2½ percent because of the flight of capital. The defenders of the rate explain that the legal charge is a maximum, that a lower maximum would not supply adequate legitimate capital to meet the demands for credit, that competition will cut the rate (one of the two largest companies, for instance, has voluntarily reduced its rate to 2½ percent a month) and that the high legal rate does not result in undue net earnings. Figures on net earnings are, however, not completely trustworthy. One of the greatest contributing factors to the high rate of interest has been the prejudice in the mind of the investing public, precluding the loan companies from obtaining capital at regular market prices. Since the two largest companies are now listed on the New York Stock Exchange and have floated sizable issues of preferred stock and debentures at the usual market rates, the cost of the loans to the consumer may ultimately be reduced. Yet it is safe to assume that loan funds will never cost the personal finance companies as little as they cost the commercial banks or even the industrial banks.

Industrial banks differ from personal finance companies in the nature and methods of their business. They lend not only their invested capital but also funds that are in effect deposited with them through the purchase of their investment certificates, on which they have been paying a return usually 1 percent above the savings bank rate. They never take chattel mortgages or wage assignments but secure their loans by endorsement of sureties—usually of two comakers, one of whom at least is financially responsible—and to a lesser degree by real estate or collateral security. Industrial banks do not compute interest as a percentage rate on unpaid balances; instead they deduct the interest on the whole loan in advance, at the rate of $6 or $8 or occasionally as much as $12 per $100. In addition they usually charge an inquiry fee of $2 per loan. Like other small loan agencies, however, they require repayment in instalments, weekly, semimonthly or monthly, usually running over a period of 10 months or 50 weeks. It is obvious that, even when the discount feature is disregarded, with repayment spread in equal instalments over the entire period of maturity the true cost of the loan to the borrower is about double the apparent rate; indeed it has been estimated that the usual charge of industrial banks amounts to 17.3 percent per annum.

The first and best known type of industrial bank is the Morris Plan company, originated in 1910 by Arthur H. Morris in Norfolk, Virginia. Morris Plan banks were established in great numbers during the post-war decade; in 1933 there were altogether 108 such institutions operating in 150 cities in 32 states. Despite the common name they do not constitute a chain under single ownership but rather a federation whose central units, the Industrial Finance Corporation and the Morris Plan Bankers' Association, render certain auxiliary services to the affiliated members. With a few exceptions the same is true of the smaller federated systems of industrial banks organized after the World War in imitation of the Morris Plan. The aggregate annual volume of loans by industrial banks is probably in the neighborhood of $400,000,000; although they make loans up to $5000, their average loan is slightly above $200. Notwith-

standing the claim that their method of lending is similar to that of commercial banks, they operate in 24 states under special laws and in 2 states under small loan laws; elsewhere they function under the unamended banking law or general corporation law in a manner that might with moderation be called extralegal. Recent legislative developments, particularly federal deposit insurance and its extension to mutual savings banks, tend to throw some doubt upon the ability of the majority of industrial banks to attract savings to the same extent as previously.

The ostensible success of the industrial banks has tempted commercial banks to afford comparable credit facilities. Although in individual instances personal loan departments were organized as early as 1923 or 1924 and loans on the "industrial plan" were made by a commercial bank in 1920, it was publicity associated with the National City Bank of New York in 1928 that established the scheme on a firm basis. The growth until 1931 was rapid. The number of banks with personal loan departments was 22 in 1928, 65 in 1929 and 141 in 1930; the annual volume of business was estimated at $40,000,000 for 1929, $150,000,000 for 1930 and $320,000,000 for 1931, but in 1932 it declined to $270,000,000. While the maximum loan in some banks is $2000 and in most $1000, the average loan in 1929–31 was little over $250 and in 1932 about $225.

The method of doing business in the personal loan departments is essentially the same as in industrial banks. Loans are made exclusively on comaker guaranties; interest, usually at 6 but sometimes at 8 percent, is discounted in advance; fees and investigation charges generally make the total preliminary charges higher than 8 percent; repayment in instalments, weekly, fortnightly or monthly spread over a year, and high fines for delay in payment increase the cost to the borrower. Almost half the banks, it seems, receive the instalment payments into a deposit account, on which interest is paid, thus reducing materially the real cost to the borrower. Even so the lowest net cost to the borrower is over 9 percent a year and the typical cost about 17 percent. There is naturally some question concerning the legality of such charges under the usury laws—and there are usury laws in 43 states. Notwithstanding these rates, there is considerable doubt about the profitableness of personal loan departments as such. During the first year, when loans totaling over $16,500,000 were made to more than 50,000 borrowers, the personal loan department of the National City Bank showed no profit. Only greater volume held promise of profit, but few banks could hope to develop greater volume than this. From the banker's standpoint the merits of the system lie in the opportunity it affords for acquiring new savings accounts and the means it provides of eliminating small, slow paying loans from the regular loan departments.

The future of the small loan business in the United States remains obscure. Its tremendous expansion in the post-war years may be a phenomenon of a highly individualized society seeking a market for its rapidly increasing stock of consumers' goods. Certainly the industrial depression which began in 1929 has worked hardship on the lenders by contracting their market and weakening the credit of their borrowers and prospective borrowers. Even if these specific industrial ills are only temporary and the average consumer regains adequate property and wages to seek loans, a prolonged depression may lead to the socialization of various functions and thus destroy parts of the small loan business. Health insurance on a national scale or expansion of the public health program tends to cut down the demand for loans to finance illness. Unemployment insurance minimizes the periodic need for outside financial assistance. Change in the economic or legal aspect of instalment selling would seriously affect the market for small loans. Unless and until such external influences affect small loan enterprise, however, it may gain in popularity by policing itself from within. It would thereby become a more attractive investment for funds which could in turn be lent at reduced rates of interest.

GEOFFREY MAY

See: LOANS, PERSONAL; PAWNBROKING; CORPORATION; CREDIT COOPERATION; USURY.

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SMART, WILLIAM (1853–1915), British economist. Smart was a successful manufacturer before he became a teacher; he was appointed lecturer at University College, Dundee, and at Queen Margaret College, Glasgow, in 1886 and professor at the University of Glasgow in 1896. He was deeply impressed by Carlyle and Ruskin and above all by Edward Caird, at whose instigation he undertook to introduce to English readers the works of the Austrian school on interest and value. His translations of the writings of Böhm-Bawerk and Wieser are models of their kind, and the introductions provided by Smart contain masterly analyses. The influence of the Austrian doctrine of marginal utility as the open sesame to economic mysteries was intensified by Smart's study of Marshall's work, and many of his lectures were devoted to expounding the theory of value as set out in Marshall's *Principles of Economics*. But Smart's business experience and the fact that he taught in a thriving industrial city kept him from losing himself in abstractions. His books deal with the urgent problems of the day and especially with socialist criticism of the unequal distribution of income inherent in a capitalist society. He reiterated the teaching of Carlyle as to the high function of the captains of industry, and the transformation of trades into professions was one of his abiding aspirations. He defended competition as cooperation disguised, and he sought economic salvation in the adoption of mutual service as a conscious motive. He was apprehensive of drastic remedies for social ills and frequently stressed the favorable rise in the standard of living gradually attained by the common people in England between 1800 and 1900. In 1905 he was appointed a member of the Royal Commission on Poor Laws and Relief of Distress, which involved four years of strenuous work. He was chairman of the Documents Committee and he wrote a number of valuable historical memoranda, which are included in the report published in 1909. He then embarked on the task, stupendous for a man of his age, of writing the *Economic Annals of the Nineteenth Century*; he had completed two volumes at the time of his sudden death.

Thomas Jones

Important works: *An Introduction to the Theory of Value* (London 1891, 3rd ed. 1914); *Studies in Economics* (London 1895); *The Distribution of Income* (London 1899, 2nd rev. ed. 1912); *Taxation of Land Values and the Single Tax* (Glasgow 1900); *The Return to Protection* (London 1904, 2nd ed. 1906); *Economic Annals of the Nineteenth Century*, 2 vols. (London 1910–17); *Second Thoughts of an Economist* (London 1916).

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SMELTING. *See* Metals; Iron and Steel Industry.

SMILES, SAMUEL (1812–1904), English popular author. Smiles was editor of the Leeds *Times* and later a railway official. As a journalist

active in radical politics in the north of England Smiles was an exponent of middle class, individualistic radicalism and, although an ardent supporter of many measures in the interest of the working classes, he energetically opposed Chartism and later socialism. After the initial success of his *Life of George Stephenson* (London 1857, rev. ed. 1864) he wrote biographies of many of the inventors and business men of early English industrialism, in which he emphasized the personal qualities that had led to their attainments. His works of popular edification were very widely read, notably *Self Help* (London 1859, new ed. 1860), which sold about 300,000 copies and was translated into many languages.

Smiles' immediate forbears were of the radical wing of Scotch Calvinism, and his own views were largely the secularized expression of this religious background. Despite their facile optimism his teachings reflect the moral rigor that lay behind Victorian economic individualism. With all shades of radicalism he shared a general hostility to privilege of birth or inherited wealth, but his primary emphasis was on individualistic economic virtues as ends in themselves. His writings comprise not merely a series of precepts for success but a definite ethical doctrine. The necessity of labor is no longer portrayed as the curse of Adam but as a positive blessing; knowledge and education are valuable but only when combined with a worthy and generally practical purpose. Smiles held that the careful utilization of time is of paramount importance; that honesty and uprightness, industry and perseverance, always triumph over difficult external circumstances; and that for the most part people have only their own neglect, mismanagement and improvidence to blame for their misfortunes. Smiles thus saw in individual economy and providence the only salvation of the working classes. Although he praised the same ethical qualities in all walks of life, he regarded business as by far the most favorable calling for the exercise of virtue and the development of character.

TALCOTT PARSONS

Other important works: *Lives of the Engineers*, 3 vols. (London 1861–62; new ed., 5 vols., 1874); *Life and Labour* (London 1887); *Autobiography*, ed. by Thomas Mackay (London 1905).

SMITH, ADAM (1723–90), Scottish economist and moralist. Smith was the pioneer formulator of English classical economics and with Ricardo the chief formative influence in the classical tradition. He was born at Kirkcaldy, studied at Glasgow University, where he was a pupil of Francis Hutcheson, from 1737 to 1740 and at Oxford from 1740 to 1746; lectured at Edinburgh from 1748 to 1751; became professor of logic at Glasgow in 1751 and was professor of moral philosophy there from 1752 to 1763. His *The Theory of Moral Sentiments* appeared in 1759. From 1764 to 1766 he traveled, chiefly in France, as tutor of the young duke of Buccleuch, becoming acquainted with Voltaire, Turgot, Quesnay and other leading thinkers. His chief work, *The Wealth of Nations*, was published in 1776; and two years afterward he was made a commissioner of customs at Edinburgh, where he lived until his death.

Smith was a friend of Hume as well as a pupil of Hutcheson and early absorbed the idea, then becoming prevalent among philosophers, of an order of nature in human affairs, operating through the principles of human nature as its medium. For him, however, rational self-interest was neither a mechanically perfect guide, as it was for Bentham and his followers, nor supreme in all realms of life. Sympathy rather than utility or enlightened self-interest is the basis of Smith's *Moral Sentiments*, and he seems to have marked off the economic realm as the appropriate field of the latter motives. Smith's belief in the beneficence of free enterprise is more than a mere assumption, for it is supported by a wealth of fact and analysis of economic processes. But neither is this belief a conclusion dictated solely by scientific reasoning —viewed from this standpoint the chain of deduction has conspicuously weak links. The natural inference is that he absorbed from the philosophy of the time a predisposition in favor of a beneficent order of liberty; that further he found the world suffering from misguided forms of control; and that to him liberty meant primarily freedom from these particular kinds of restrictions and not, for example, from modern social legislation.

To Smith the doctrine of liberty could not be a scientific analysis of an actual economic system, since the order of liberty did not then exist. Free exchange had developed to a point where it furnished a background of imperfectly fulfilled tendencies from which prevailing restrictions might be appraised. More fundamentally perhaps humanitarian and potentially democratic ideals could similarly furnish a standpoint from which might be viewed the system of eighteenth century nationalism with

its callous, militaristic, dynastic and aristocratic scheme of values.

The economic system of Smith's time was that of mercantilism; there were survivals of earlier guild and local restrictions; the factory system was in its infancy, but steam power was yet to be applied to industry. Private enterprise had advanced productive efficiency in both agriculture and manufacturing; and, in England at least, capital flowed from private sources in amounts which, while not superabundant, were adequate to the exploitation of existing techniques. In contrast political government was not only conspicuously inefficient but mainly an instrument of class aims and privileges such as competitive private enterprise tended to break down. In harmony with this situation Smith found that the general dogma of liberty embodied the most central and vital truth; but his realism qualified it with exceptions, and he fell back at critical points on the position not that liberty worked flawlessly but that the worst evils resulted from wrong governmental policies.

Along with this theme, although only imperfectly integrated with it, Smith presented an analysis of the natural tendencies of what is nowadays called the price system, which furnished the point of departure for the subsequent development of "economic theory." For most of his specific points of doctrine he could probably not claim priority. Professor Hollander has noted as his chief contribution the setting up of a standard of appraisal based on amount of goods produced for the consumption of the people at large.

Smith's analysis starts with the division of labor, limited by the extent of the market, and proceeds to a study of value and price and of the "natural levels" of the shares in distribution ("component parts of price"). For Smith the labor a thing will buy is an absolute measure of its value, for instance, in relation to deferred payments and other changes in time, but labor cost does not alone determine exchange values. He speaks of wealth as the product of labor and of profits and rent as deductions from that product; but the subsequent Marxian theory of exploitation was built not on this view but on the more sophisticated labor-cost value theory of Ricardo. Wages, according to Smith, can be sustained above a subsistence level only by continued progress in productive efficiency. Rent does not determine price but is rather determined by it.

Smith proceeds to discuss the natural order of development of different forms of production, the historical order supposedly paralleling the order of superior productivity as gauged by the amount of productive labor a given capital sets in motion. The superiority he accords to agriculture by this standard suggests physiocratic leanings, although he rejects the dogma of the sole productivity of agriculture. The alleged superiority of domestic to foreign trade (not convincingly demonstrated) contributes to the case against mercantilism. He sets up canons of taxation consistent with his general standpoint and hence neither mercantilistic nor physiocratic, but neutral in their effects on "natural" economic development. His treatment of public expenditures brings out interesting views on the economic and social functions of government and some surprising applications of individualism to justice, education and religion.

Discussing systems of economics he defines mercantilism in terms of its identification of wealth with money and on that basis condemns it utterly, although on a broader view which identifies mercantilism as one form of economic nationalism he approves certain elements in the system, as, for example, the navigation acts. In cases at least he maintains consistency by regarding such measures as involving a sacrifice of opulence, which may nevertheless be justified by a superior value of a different sort: that of national defense.

His views had immediate and immense influence and a success which he himself did not anticipate. Running counter as they did to powerful vested interests, he did not expect them to emerge victorious. The free trade revolution in England which followed in a later generation is probably to be explained by the rise to political power of industrial interests desirous of cheap food for the workers and so opposed to the corn laws, while the manufacturing supremacy which England gained by taking the lead in the industrial revolution called for no protection but was best served by freedom of trade. The industrial revolution also broke down the craft interests benefiting by the survivals of guild restrictions. In Germany, with its different economic situation and political system, the success of Smith's economics came later, and its supremacy was short lived. Other countries adopted much of Smith's ideology while remaining protectionistic, and the later course of the classical tradition was on the whole more influenced by Ricardo than by Smith.

The validity of Smith's doctrines for a much

later age is perhaps mainly a matter of academic interest. It may possibly be said that, so far as economic behavior is still a matter of free individual choice, much truth remains, although it all needs to be rethought in terms of modern conditions and knowledge, especially of the forces conditioning such free choices. In some respects Smith may be closer to fact than the later utilitarian logic or its Austrian development. In his time as now the world was far from following a "system of natural liberty"; but then it was moving toward it, while now it is moving away. From an expression of things in process of becoming the doctrine became in the mid-nineteenth century a bulwark of things existing; from an attack on outstanding vested interests of its day it became a defense of those of a later day (often applied in ways foreign to Smith's own thought). And now it seems a refuge of "historic homesickness."

The trade barriers established since the World War are in the class of restrictions against which Smith's system properly applies and might give it renewed validity, save for the apparent impossibility of moving in the Smithian direction. In other fields this impossibility seems even clearer. An incipient impasse between the order of competitive liberty and the tendency of entrepreneurs and others to combined action, seen but passed over by Smith, has now become a dominant fact. An economy of large corporations is not individualism in the Smithian sense, which referred to actual individuals. The modern business cycle is clearly a different thing from the trade fluctuations reflected in Smith's writings; and the recognition of insecurities arising from human arrangements but beyond the power of individuals to meet successfully has altered one of the bases of individualist philosophy. The "natural order" can no longer be called natural in contrast to opposing forces, not even in the sense of an all sufficient ideal. The principle of free choice and free exchange remains an element in the present economic order and doubtless has a proper place and scope; but these are yet to be determined, one possibility being a closer approximation to the results of the (ideal) system of liberty but by methods of conscious direction.

The most valid element in Smith's work was his prescience in selecting for the emphasis accorded by a central formula those elements demanding fuller expression than the time accorded, and whose achievement of that fuller expression was destined to be the outstanding fact of a coming generation. But an ideology that shall have the same measure of pragmatic validity in relation to the forces of the twentieth century must include new elements and must combine its elements with a very different balance of emphasis.

JOHN MAURICE CLARK

Works: *The Theory of Moral Sentiments* (London 1759; new ed. by Dugald Stewart, 1853); *An Inquiry into the Nature and Causes of the Wealth of Nations*, 2 vols. (London 1776; new ed. by Edwin Cannan, 1904); *Lectures on Justice, Police, Revenue and Arms*, ed. by Edwin Cannan (Oxford 1896); *Essays on Philosophical Subjects, to Which is Prefixed an Account of the Life and Writings of the Author, by Dugald Stewart* (Dublin 1795).

Consult: Stewart, Dugald, in his *Collected Works*, ed. by William Hamilton, vol. x (Edinburgh 1860) p. 3–98; Rae, John, *Life of Adam Smith* (London 1895); Oncken, August, *Adam Smith in der Culturgeschichte* (Vienna 1874), *Adam Smith und Immanuel Kant* (Leipsic 1877), and "Das Adam Smith-Problem" in *Zeitschrift für Sozialwissenschaft*, vol. i (1898) 25–33, 101–08, 276–87; Stephen, Leslie, *History of English Thought in the Eighteenth Century*, 2 vols. (3rd ed. London 1902) vol. ii, p. 70–80, 315–28; Bonar, J., "'The Theory of Moral Sentiments,' by Adam Smith, 1759" in *Journal of Philosophical Studies*, vol. i (1926) 333–53; Small, Albion W., *Adam Smith and Modern Sociology* (Chicago 1907); Morrow, Glenn R., *The Ethical and Economic Theories of Adam Smith*, Cornell University, Studies in Philosophy, no. 13 (New York 1923); Delatour, Albert, *Adam Smith* (Paris 1886); Hasbach, Wilhelm, *Untersuchungen über Adam Smith und die Entwicklung der politischen Ökonomie* (Leipsic 1891); Bagehot, Walter, "Adam Smith and Our Modern Economy" in his *Works and Life*, ed. by E. I. W. Barrington, vol. vii (London 1915) p. 176–212; Cannan, Edwin, *A History of the Theories of Production and Distribution in English Political Economy, from 1776 to 1848* (3rd ed. London 1917) ch. iv, and "Adam Smith as an Economist" in *Economica*, vol. vi (1926) 123–34; Amonn, Alfred, "Adam Smith und die Grundprobleme der Nationalökonomie" in *Zeitschrift für die gesamte Staatswissenschaft*, vol. lxxx (1925–26) 575–648; Graziani, A., in *Annali di economia*, vol. ii (1925–26) 17–42; *Adam Smith 1776–1926; Lectures to Commemorate the Sesquicentennial of the Publication of "The Wealth of Nations"* (Chicago 1928).

SMITH, EDMUND MUNROE (1854–1926), American jurist and political scientist. Munroe Smith graduated from Amherst College in 1874 and received his law degree from Columbia College three years later. His studies in civil law and legal history at various European universities from 1877 to 1880 brought him into contact with the leading jurists of the time, including Bruns, Windscheid, Jhering and Gneist, to whom he later devoted an extensive series of articles in the *Political Science Quarterly*. After obtaining the degree of doctor of jurisprudence

from Göttingen University, Munroe Smith became a member of the faculty of Columbia University, a connection which lasted from 1880 until his retirement in 1924. Appointed professor of history and political science in 1883, he was given the chair of Roman law and comparative jurisprudence in 1891, while in 1922 he became professor of European legal history. Munroe Smith was influential in transforming Columbia from a college into a university with wide facilities for graduate study and was one of the group led by Burgess which established the first school of political science in the United States. As managing editor of the *Political Science Quarterly* from its foundation in 1886 to 1893, during 1898 and from 1904 to 1913 Munroe Smith obtained the collaboration of European as well as American scholars and established the journal's reputation. He served as president of the American Political Science Association in 1917.

His profound knowledge of foreign as well as of Anglo-American law and his rare insight into the relations of law to history and the other social sciences gave Munroe Smith for more than a generation a unique position in the fields of historical and comparative jurisprudence, which enabled him to contribute materially to the liberalization of legal education in the United States. In his lectures and writings his critical appreciations of detailed legal phenomena are synthesized by the notable conception that European legal history had a common, cultural evolution and did not consist merely of narrow, national developments. Munroe Smith's principal works include *Bismarck and German Unity; a Historical Outline* (New York 1898, 3rd ed. 1923), a classic interpretation of Bismarck's life and works, and two studies relating to the crisis of 1914, *Out of Their Own Mouths* (New York 1917) and *Militarism and Statecraft* (New York 1918). The latter was translated into many foreign languages. His other leading books are *A General View of European Legal History and Other Papers* (New York 1927), which is a collection of his most important articles; and *The Development of European Law* (New York 1928), a posthumous edition of his comprehensive lectures on European legal history. His dissertation, "The Law of Citizenship from the International Point of View," was published in condensed form in Lalor's *Cyclopedia of Political Science* (vol. ii, Chicago 1883, p. 941–56). A complete list of his writings is to be found in *A Bibliography of the Faculty of Political Science of Columbia University, 1880–1930* (New York 1931, p. 12–18).

HESSEL E. YNTEMA

Consult: Seligman, E. R. A., in *Columbia Alumni News*, vol. xvii (1925–26) 571–72; Fuess, Claude M., in *Amherst Graduates' Quarterly*, vol. xvi (1926–27) 22–26; Stone, H. F., in International Academy of Comparative Law, *Acta*, vol. i (Berlin 1928) p. 89–92.

SMITH, GOLDWIN (1823–1910), Anglo-Canadian historian and publicist. In 1868 Smith, an Englishman by birth and education, emigrated to the New World, where he spent the remainder of his life. He was in the United States at the time when Cornell University was being organized and became one of the small and distinguished group of its first professors. He married a wealthy lady in Toronto in 1871 and subsequently lived in that city. Although he was regius professor of modern history at Oxford from 1858 to 1866, professor of English and constitutional history at Cornell from 1868 to 1894, president of the American Historical Association in 1904 and author of outline histories of Great Britain and the United States, Smith's work as a historian is of minor significance. He had neither gifts nor serious respect for research and only a superficial historical knowledge. But as speaker, writer and controversialist on all contemporary questions he was equipped with positive convictions, a vigorous epigrammatic style and an unfailing interest and literary activity. A lifelong adherent of the Manchester school of economics he became in his later years a stanch opponent of imperialism. He urged not only the complete independence of Canada from Great Britain but also the removal of tariff barriers between Canada and the United States as a preliminary to annexation by the larger republic. His advocacy of such a policy aroused great antagonism, but his activities on behalf of less controversial local interests caused him ultimately to be accepted as one of Canada's most distinguished citizens. Both in England and in Canada his views were almost always those of a minority. He opposed the Boer War. He disliked Cecil Rhodes and regretted his bequest to Oxford. He deprecated the successive imperial conferences in London, maintaining that the dominions and even India should be encouraged to set up for themselves. Inconsistently he opposed home rule for Ireland, believing the Irish race incapable of self-government, broke with Gladstone on the subject and joined the Unionists, although he hated their imperialist views and distrusted Chamberlain. Smith disapproved of

the Spanish-American War and he wrote against the growing American imperialism.

EDWARD P. CHEYNEY

Important works: The Reorganization of the University of Oxford (London 1868); *The United States; an Outline of Political History* (London 1893); *The United Kingdom; a Political History*, 2 vols. (London 1899); *Lectures and Essays* (New York 1881); *Essays on Questions of the Day, Political and Social* (New York 1893, 2nd rev. ed. 1894); *Canada and the Canadian Question* (London 1891); *Commonwealth or Empire* (New York 1902); *Reminiscences*, ed. by T. Arnold Haultain (New York 1910).

Consult: Haultain, T. Arnold, *Goldwin Smith; His Life and Opinions* (London 1913).

SMITH, JAMES ALLEN (1860–1924), American political scientist. Smith was born in Missouri and was educated first at the University of Missouri and then at the University of Michigan, where he received his doctorate. He became professor of political science at the University of Washington, where he taught from 1897 to 1920. A colleague and friend of Smith's at the latter university was Vernon Louis Parrington, whose seminal history of American literature owed much to the contact. Because of the unorthodox views which he held Smith did not experience a rapid advance in his academic career.

Smith set in motion the economic interpretation of the American constitution. His *The Spirit of American Government* (New York 1907) was a pioneering work. Contemporary American jurists and political scientists regarded the constitution as a more or less divinely inspired instrument of government whose inner truths could readily be grasped by exegesis. The result of this constitution worship was a highly uncritical and static constitutional logomachy. Observing the frustration of democratic government in his own time, Smith was led to inquire into the origins of the constitution. The decades after the Civil War had amply demonstrated "the cohesive power of public plunder" in American life. If the government could be exploited for private economic ends at one time, it was logical to believe that the phenomenon was not unprecedented and might have existed also in the patristic period.

Smith was the first to demonstrate that the constitution was actually "a reactionary document." Its mechanisms were intended to make majority rule impossible while preserving its external forms. This end the Fathers had accomplished not only by means of the judicial veto and the adoption of an exceedingly rigid amending process but by working out a highly intricate system of checks and balances. The constitution as it emerged from the convention was far from welcome to the people at large, and the state ratifying conventions adopted it only as the result of guile and pressure on the part of the conservative business interests whose influence had preponderated in the drafting of the instrument.

It is true that when Smith wrote Turner had already emphasized the importance of economic forces in American historical development, but his method remained to be applied in the arid domain of political science. Smith's approach was historical and realistic, although where direct evidence was lacking he was perhaps too prone to fall back upon the inherent nature of the political mechanisms embodied in the constitution. In certain respects he was perhaps too Machiavellian, but his fundamental thesis remains unshakable. Beard's *An Economic Interpretation of the Constitution of the United States*, published six years later, has achieved more fame than Smith's work; but it was hardly more than a documentation of Smith's general conclusions.

Smith's ideas were an important influence in launching the Progressive movement, furnishing much of its ideological basis, although his book would have caused an even greater stir if it had been published a few years later. Despite the continuous perversion of democratic government by economic interests which Smith observed he remained nevertheless a good Jeffersonian democrat in his fundamental outlook. This factor no doubt deprives his second work, the posthumously published *The Growth and Decadence of Constitutional Government* (New York 1930), of most of its interest and value; in fact it adds little to what Smith had already said despite its attempt to cope with more recent developments. Smith had been left behind by the march of the times. The work of many disciples had reduced his later work to the level of commonplace.

WILLIAM SEAGLE

Consult: Parrington, Vernon L., Introduction to *The Growth and Decadence of Constitutional Government* (New York 1930); Hamilton, Walton H., in *Yale Law Journal*, vol. xl (1930–31) 152–53; Chamberlain, John, *Farewell to Reform* (New York 1932) ch. vii.

SMITH, JOHN PRINCE. *See* PRINCE-SMITH, JOHN.

SMITH, JOSEPH (1805–44), American religious leader. Smith came of a family of mystics and grew up in an illiterate and poverty stricken atmosphere charged with religious revivalism. In his fifteenth year, while living at Manchester in central New York, Smith claimed that he had been visited by two angels, one of whom told him to remain aloof from the conflict between various religious groups in the town. According to Smith there were subsequent visitations from the angel, who revealed to him the golden plates which had purportedly been buried in a nearby hill by Mormon in 385 A.D. Smith stated that these contained records written in "reformed Egyptian"; they were in fact a meaningless collection of Greek and Hebraic characters mingled with Indian symbols. Smith translated the tablets with the aid of magic spectacles discovered near the plates; the latter were levitated after their translation.

This *Book of Mormon*, which was published in Palmyra in 1830 (new ed. Salt Lake City 1920), was intended to supplement the Bible. It relates the story of the settlement of America by a group of people who left Jerusalem after the confusion of tongues at the Tower of Babel. Although the work repeats many of the statements of the Holy Scriptures, it also contains a curious medley of Protestant dogma and native superstition and appears to have been influenced by the current anti-Catholic and anti-Masonic movements. In later years Smith announced other revelations dealing primarily with the doctrines and organization of The Church of Jesus Christ of Latter-day Saints, which he founded in 1830. Among them were *A Book of Commandments* (Zion, Mo. 1833) and *Doctrine and Covenants* (Kirtland 1835, new ed. Salt Lake City 1921).

The hostility of their neighbors in the east led the Mormons under Smith to establish a colony in Kirtland, Ohio. In 1837, forced to leave Kirtland, they settled in western Missouri. There as well as in Ohio the prophet started the United Order, a form of communism of property; he failed in both attempts, however, and substituted the principle of tithing. Mob attacks forced the Mormons to leave Missouri for Illinois, where Smith reached the height of his power. He was mayor of Nauvoo, a Mormon city of fifteen thousand inhabitants, and a power in state politics. He headed the Nauvoo Legion of six thousand uniformed men and announced himself a candidate for the presidency of the United States. A factional quarrel within the city, however, excited the ever ready suspicions of the Gentiles and Smith was attacked and slain.

Present day Mormonism (*q.v.*) still consists largely of the doctrines propounded by its founder, who also instituted its widespread missionary system. He introduced polygamy on the basis of a revelation subsequent to the *Book*, but during his lifetime it was practised secretly only by the leaders. Although he was admired by his followers, Smith failed in the practical tests of leadership. He was always in controversy with his aids, and hundreds of his converts became apostates. Thousands, however, took their places. At his death several factions contended for control of the church, but the main body followed Brigham Young.

NELS ANDERSON

Consult: Riley, I. Woodbridge, *The Founder of Mormonism* (New York 1902), and "Popular Bibles" in *Cambridge History of American Literature*, vol. iv (New York 1921) ch. xxviii, pt. i; Beardsley, Harry M., *Joseph Smith and His Mormon Empire* (Boston 1932); Evans, John H., *Joseph Smith, an American Prophet* (New York 1933); Cannon, George Q., *The Life of Joseph Smith, the Prophet* (Salt Lake City 1888).

SMITH, SIR THOMAS (*c.* 1513–77), English statesman and scholar. Smith came of a family of wealth and social position. He entered Cambridge in his fourteenth year, became a fellow of Queen's College in 1530 and public orator to the university when only twenty-five. In 1540, having become interested in the controversies raised by the Reformation concerning the relations of church and state, Smith went to the continent to study civil and canon law. He returned to Cambridge in 1542 with strong leanings toward Protestantism and Erastianism. In 1544 the king appointed him first regius professor of civil law at Cambridge.

On the accession of Edward VI and under the patronage of Protector Somerset, apparently a distant relative, he was drawn into politics, holding a number of public offices including one of the two principal secretaryships of state. On the fall of Somerset he suffered eclipse, being deprived of most of his offices, imprisoned for a time and heavily fined. He suffered still more during Mary's reactionary reign. That, as a Protestant, he escaped more serious penalties was due mainly to the personal influence of Bishop Gardiner, for whom Smith had earlier interceded. Under Elizabeth he again emerged as a man of power. He entered Parliament in 1559 and took a prominent part in framing both the Act of Uniformity of that year and the revised prayer book. From 1562 to 1566 he was

ambassador to France, establishing an Anglo-French entente which, on a second embassy in 1572, he was able to consummate in a defensive alliance. For this achievement Elizabeth made him principal secretary of state. His main work, however, was done.

Smith's most notable work as a publicist was *De republica Anglorum* (published posthumously in 1583, latest and best ed. by L. Alston, London 1906). Composed in Paris about 1565 but written in English, it presents an invaluable picture of the actual working of the English constitution, including the administration of justice, in the middle Tudor period. As a diplomat he penned over three hundred letters from France, which are calendared in the Elizabethan state papers. He also wrote learned works on Greek pronunciation and English style. Smith is recognized as one of the ablest and most honorable of the great men of Tudor England.

F. J. C. HEARNSHAW

Consult: Strype, John, *The Life of the Learned Sir Thomas Smith, Kt. D.C.L.* (new ed. Oxford 1820); Allen, J. W., *A History of Political Thought in the Sixteenth Century* (London 1928) p. 262–68; Beauverger, Edmond de, *Tableau historique des progrès de la philosophie politique* (Paris 1858) ch. x.

SMITH, WILLIAM ROBERTSON (1846–94), Scottish philologist, Biblical and Semitic scholar. Educated at Aberdeen and Edinburgh, Smith achieved distinction in mathematics, physical science and natural philosophy as well as in his chosen field of theology and Semitic languages. His scientific mind responded to the critical work of Kuenen and Wellhausen, so that he early became the leading British exponent of the higher criticism. While professor of oriental languages and Old Testament exegesis at Free Church College he embodied his scientific findings in the article "Bible" contributed to the ninth edition of the *Encyclopaedia Britannica*. Orthodoxy was disturbed. Smith was indicted before the General Assembly and, although he lost his chair, won the battle for freedom by vindicating the right of a member of the Free Church to accept the results of scientific scholarship and to believe in the progressive development of vital religion and theology.

In 1881 Smith became joint editor of the *Encyclopaedia Britannica* and later as editor in chief carried that work to its conclusion. He was made Lord Almoner's professor of Arabic at Cambridge (1883), university librarian (1886) and Adams professor of Arabic (1889). During this period his interest turned from purely Biblical studies to the interpretation of the origin and development of Semitic religion. At that time the search for religious origins and for the law of religious evolution was capturing advanced scholars in many fields. Unlike most of the others, Smith did not center his research upon the origin of ideas. He was the first to maintain that in primitive religions the rites, institutions and practises were primary and not belief or myth. Religion was social, integral to the group, a way of securing and preserving the values of community life. The earliest religious group was composed of kinsmen bound together by blood relationship. Groups, however, included in the blood bond not only men but animals and gods who were originally totems. This relationship accounts for the basic form of ancient sacrifice—a communion meal which removed elements of discord and danger and renewed the bond between the god and his kinsmen by the communication of divine life. From this beginning, under the influence of new cultural conditions, the development of property rights and the elaboration of the idea of tabu, all other forms of sacrifice evolved.

A better understanding of totemism has discredited this theory of origins, and it is now generally agreed that it is impossible to weave all forms of sacrifice into a genetic development. Nevertheless, Smith holds a secure place in the history of comparative religion for his insistence on the social and practical nature of religion, his realization that gods are rooted in the social life of their people and by the intimations he gave, long unheeded by scholars, of the purely artificial distinction between magic and religion.

A. EUSTACE HAYDON

Important works: *Kinship and Marriage in Early Arabia* (London 1885; new ed. by S. A. Cook, 1903); *The Old Testament in the Jewish Church* (Edinburgh 1881; 2nd ed. London 1892); *The Prophets of Israel and Their Place in History to the Close of the Eighth Century B.C.* (Edinburgh 1882; new ed. by T. K. Cheyne, London 1895); *Lectures on the Religion of the Semites. First Series*, Aberdeen University, Burnett Lectures, 1888–89 (Edinburgh 1889; 3rd ed. by S. A. Cook, London 1927); *Lectures and Essays of William Robertson Smith*, ed. by J. S. Black and G. W. Chrystal (London 1912).

Consult: Black, J. S., and Chrystal, G. W., *The Life of William Robertson Smith* (London 1912); Pinard de la Boullaye, H., *L'étude comparée des religions*, 2 vols. (3rd ed. Paris 1929) vol. i, p. 402.

SMITH, ZILPHA DREW (1852–1926), American social worker. Miss Smith in 1879 became head of the small office staff of the newly

formed Associated Charities of Boston, then among the pioneer societies for organizing charity. In 1886 she was made general secretary. She and a group of outstanding citizens, managers of the society, made themselves familiar with the accomplishments of the London society and pushed on experimentally with development in the use of volunteers, especially as family visitors, and in the systematic training of staff workers. Her classes for training field secretaries, begun in 1891, were the forerunners of the modern schools for teaching social case work; and the Boston Monday Evening Club founded by her and a few friends in 1888 was the first discussion group of social workers in the United States. Miss Smith helped also to bring about the establishment of the first public playground in Boston. Because of poor health she resigned from her post in 1903 and the following year she became associate director of the newly formed Boston School of Social Work, later known as the Simmons College School of Social Work; she retained this position until illness compelled her to retire in 1918.

In her teaching, which was notably skilful, she emphasized particularly the careful placement of students in field work and the correlation of that work with studies. Throughout her career as organizer and teacher and in the few published works which she found time to write, Miss Smith insisted that the main function of charity organizations and the test of their value lay in the strengthening of family life. Despite her strong feeling that the state was to be resorted to only after all attempts to build up family morale had been made by private relief agencies, yet she took part in framing wisely the mothers' aid law in Massachusetts.

As a pioneer in the new calling of social work, she enjoyed the respect and friendship of the most outstanding of her contemporaries—including Mary E. Richmond in the United States and Charles S. Loch, head of the London society.

JEFFREY R. BRACKETT

Important work: *Deserted Wives and Deserting Husbands*, Associated Charities of Boston, Publications, no. 75 (Boston 1901).

Consult: Rich, M. E., in *Family*, vol. xi (1930–31) 67–79; Boston Family Welfare Society, and Simmons College, School of Social Work, *A Meeting in Memory of Zilpha D. Smith . . . Held . . . December eleventh, 1926* (n.p., n.d.).

SMUGGLING is the illegal transportation of things or persons into or out of a country in avoidance of payment of an impost or in violation of an absolute prohibition. Probably there has always been smuggling whenever the profits seemed to offset the risks. Internal smuggling persisted in France, with its provincial inequalities, until the French Revolution; but smuggling on the whole has been concerned with national frontiers. The practise came into particular prominence in early modern times, when mercantilistic doctrines led to national customs duties and commercial prohibitions in place of the earlier local tolls. Occasionally smuggling has been a matter of sneaking things out of a country; violations, for instance, of the edicts forbidding the exportation of white elephants from Siam, merino sheep from Spain and machinery from England in the early days of the industrial revolution. The vast bulk of smuggling operations, however, has consisted of importations.

Probably the longest continuous smuggling activity was that which centered on the south coast of England for some five centuries. At the outset, in the fourteenth century, exports were smuggled. The effort to encourage a domestic woolen industry by imposing heavy export duties upon raw wool or by prohibiting its exportation entirely led, by reason of the great demand in Flanders for England's chief commercial offering, to the prolonged success of smuggling bands, known as "owlers" because they worked at night. The center of their activity was Romney Marsh, where the men of the Cinque Ports welcomed smuggling, like piracy and privateering, as a relief from the tedium of regular commerce. A marked change came when England tried to pay part of the cost of its long series of French wars (1689–1815) by means of high customs duties. By 1700 the English smugglers were shifting from exports to imports. For a century and a half they brought great quantities of brandy, tobacco, tea and other highly taxed commodities into England. There was some activity on the eastern coast and around the Isle of Man, but the old region of Kent, Sussex and Hampshire remained the center of operations.

During the eighteenth century some of the continental nations had trouble with overland smuggling. Through remote passes in the Pyrenees contraband moved both ways between France and Spain. France, where Colbert had developed an elaborate system of commercial restrictions in the previous century, was also flooded with tobacco and other things from Savoy, Switzerland, Germany and the Netherlands

As Europe expanded overseas, the extension of monopolistic mercantilistic measures to the colonies was an invitation to persistent and widespread smuggling. This was most prevalent in the Spanish and English colonies. Holland rigidly repressed it in the East Indies but abetted it in America.

Spain neglected the normal commercial needs and desires of its American colonists but at the same time strictly proscribed all intercourse with other nations. This vast potential market was a chronic temptation to Anglo-Saxon traders. English or American smugglers violated the Spanish regulations from the time when Hawkins sold slaves at the cannon's mouth in Elizabeth's day down to the gun running in the last days of Spanish rule in Cuba four centuries later. The legal loophole of a ship a year, granted to England by Spain in the Asiento at Utrecht in 1713, was shamelessly exploited by smugglers from England and its American colonies. Spanish efforts to check the practise led to the War of Jenkins's Ear in 1739. As the wars of Latin American independence approached, shortly after 1800, the English and Americans became still bolder in their smuggling, which included the practise of gun running. This smuggling of arms has been associated ever since with revolutionary movements in those regions.

While the Spanish colonists let the Anglo-Saxons smuggle for them, England's American colonists ran a flourishing smuggling business on their own account. Their defiance of the Navigation Acts and other commercial laws became so prevalent that for a long time they were not forced to resort to the usual clandestine practises of smugglers. Tobacco, indigo, masts and other "enumerated" articles were to be shipped only to England, but many colonial cargoes went direct to continental ports when higher prices could be obtained there. Tea, textiles and other oversea products were to be purchased only in England, but large amounts came direct from Holland and other parts of Europe. The American colonists furnished food and naval materials to the French and Spanish colonies even when the mother countries were at war with England. The most important, and probably the most justifiable branch of colonial smuggling, was the trade with the French and to a lesser extent with the Spanish sugar islands of the West Indies. In 1733 the planters of Jamaica and the other British islands secured the passage of a Molasses Act (or Sugar Act), laying a prohibitive duty on the bringing of sugar, rum and molasses into the mainland colonies from the foreign islands. The British islands, however, could not absorb all the lumber, fish, flour and beef which the Yankees produced. Those articles at the same time were in heavy demand in the French and Spanish islands, which needed an outlet for their surplus sugar and molasses. The Act of 1733 became virtually a dead letter. Governor Bernard of Massachusetts estimated that of some 15,000 hogsheads of rum brought into that colony in one year, fewer than 500 came legally from the British islands. Grenville tried to stop these colonial irregularities in 1763, only to precipitate much more serious trouble.

In the early years of the nineteenth century the Napoleonic wars brought on one of the greatest epidemics of smuggling in history. Napoleon issued his Berlin and Milan decrees, closing the ports of the whole continent to English trade. Had the regulations of this continental system been enforced at their face value, Europe would have gone for several years without tea, coffee, chocolate, sugar and other colonial wares and would in addition have suffered a shortage of British textiles and hardware. With millions desiring such articles and with England in constant quest of markets it is not surprising that large quantities of contraband seeped into Europe. Heligoland, in the North Sea, became a lively center for regular smuggling operations; while the abnormal use of licenses and neutral flags together with the venality of port officials made possible further extensive operations which may also be classed as smuggling. At the same period the Embargo and Non-Intercourse acts in the United States also led to smuggling, particularly along the St. Croix River on the New Brunswick frontier and through Amelia Island on the edge of Spanish Florida.

For a century thereafter there were no important new outbreaks except in connection with the slave trade. This was declared illegal by England in 1807 and by the United States in 1808, while England secured the agreement of the other powers to the principle in the Treaty of Vienna in 1815. There was still a strong demand for slaves, however, in the United States and in Cuba. Despite the vigilance of British and American cruisers illicit slave trading continued at least until the American Civil War. In the United States the "underground railroad," by which northerners helped many slaves to escape to Canada, might be called a form of export smuggling.

Smuggling was suddenly revived on a grand scale in the United States soon after the World War. It resulted principally from the legislation which prohibited the liquor traffic and radically curtailed immigration from Europe in addition to extending the earlier exclusion of orientals. Liquor and aliens together with narcotics were smuggled into the country in great quantities. There was a "Rum Row" anchored just outside the legal limit near New York. Swift motor boats brought to Florida aliens from Cuba and liquor from Bimini. Aliens were smuggled also across the Rio Grande and up the Pacific coast from Ensenada in Mexico. Many of the thousand roads crossing the Canadian border were the scene of nocturnal smuggling operations. It was estimated that the number of smuggled aliens was almost equal to the number legally admitted on quota, while liquor and drugs seem to have been available in adequate quantities for all who would pay the price.

From the economic standpoint conventional, commercial smuggling may be regarded as an effort to bring business into normal channels, from which it had been diverted by arbitrary laws. As a rough attempt to secure laissez faire it received sympathetic treatment from the economist Adam Smith, who defined a smuggler as "a person who, though no doubt highly blamable for violating the laws of his country, is frequently incapable of violating those of natural justice, and would have been, in every respect, an excellent citizen had not the laws of his country made that a crime which nature never meant to be so" (*Wealth of Nations*, Everyman ed., 2 vols., London 1910, vol. ii, p. 379). The smuggler in consequence ordinarily met with "public indulgence" and was even regarded as a friend of the people because he made available a supply of desirable articles at reasonable prices. It was often difficult to secure a conviction for smuggling from an English or American jury. In the American colonies this feeling had political as well as economic consequences. The trade with the foreign sugar islands was of such obvious benefit to both parties that when efforts were finally made to enforce the Act of 1733 the American revolutionary movement received a great stimulus. The Americans in fact acted as though the protracted tolerated smuggling had given them an inherent right to the prohibited trade. Widespread smuggling at a time of high duties penalized the "fair trader" who tried to sell goods which had legally passed the customs. At a time when tea sold for 7d in Holland and from 3s 6d to 5s a pound in England the smuggler could make a generous profit and still undersell the legitimate merchant. Even today the diamond merchants of New York are complaining of the difficulty of meeting the competition of smuggled wares.

Smuggling operations have ordinarily required a fairly elaborate organization. An individual may sneak diamonds or drugs past a customs inspector in a fountain pen barrel or hollow heels, but the bulk of smuggling has been a regular business for gangs. Maritime smuggling, for instance, called for considerable division of labor, with separate groups or individuals for purchasing, sea transport, landing, inland carriage and final sale of the smuggled wares. A gang which smuggled aliens, and which was prosecuted in the United States in 1931, was reputed to have made profits of $20,000,000 and to have operated with all the efficiency of a chain store system, adding subsequent blackmail to the actual running of the aliens. The financial backers of smuggling operations have usually concealed their identity, although John Hancock received ample publicity in this connection.

Popular imagination associates smuggling with the nocturnal landing of contraband in some remote cove. In the old days the fast sailing smuggling vessel would "hover" off the prearranged spot with the contraband broken up into small packages to facilitate speedy handling. When contact was established, the cargo would be carried ashore in rowboats and delivered to the "shore gang," whose pack horses would take it for storage to a house or even a church until it was ready for final distribution. Modern maritime smuggling follows these general lines, but the use of steamships, wireless, motor boats, seaplanes and automobiles has given the smugglers increased mobility and facility of communication. There were, however, many other methods of running contraband. The old English smuggling craft often transferred their contraband to coasting colliers, which were not normally examined by customs officers; while valuable articles are still smuggled through the customs concealed in bales or boxes of commodities subject to lower duties. American colonial smuggling was probably as brazen as any, for the complaisance of the customs officials usually made clandestine operations unnecessary. In early land smuggling pack horses were used to transport contraband over remote trails. Today the automobile and the airplane have greatly facilitated such work, while even carrier

pigeons and dogs are used across land frontiers, which have become much more numerous in Europe since the World War. Smuggling methods are naturally affected by the size of the objects to be smuggled and also by geographical factors. A coast line indented with numerous coves and inlets is much more favorable than long, inhospitable sandy stretches; while land frontiers marked by high mountains or broad rivers are easier to protect than arbitrary lines on the map.

The smuggling gangs were frequently guilty of desperate lawlessness. Capture meant not only confiscation of property but also at times long imprisonment or even death. The gangs on the south coast of England maintained a virtual reign of terror in the adjacent countryside and at one time enforced the rule that all inhabitants should turn their faces to the wall when smugglers passed, so that they might not be recognized. Kipling described this well in his "Smugglers' Song" in *Puck of Pook's Hill*. The notorious Hawkshurst gang barbarously murdered a customs officer and an informer, and the customs forces were frequently unable or unwilling to attempt seizures. The destruction of the *Gaspee* near Providence in 1772 may be classed as either patriotism or smuggling violence according to the point of view. More than two hundred American officials were beaten or murdered during the recent smuggling epidemic, which also developed the piratical hijacker who stole by force from the "legitimate" smuggler.

To check smuggling governments have not only imposed criminal penalties but employed such devices as armed coast guards and frontier patrols. The early English threats of death penalties failed to check the owlers, and by 1700 Parliament had established armed customs "preventive" forces on and offshore, supplementing them with the regular army and navy. In the eighteenth century Parliament passed act after act in an attempt to meet every new evasion of the smugglers, gradually extending the authority of the preventive forces as the smugglers were pushed farther offshore. This legislation was effectively coordinated in 1825. Spain developed an elaborate system of *guardacostas* to protect its colonial monopoly, while eighteenth century France used regular troops in addition to its customs officers. One of the first acts of the new United States government was the establishment of a revenue cutter service, part of the present Coast Guard. In the wave of smuggling after the World War this was greatly augmented by the transfer of destroyers from the navy and the building of small, fast "rum chasers." In addition to the regular customs service the United States also established separate border patrols under the prohibition, immigration and narcotics services. It has also attempted to check smuggling through the customs by offering to informers a generous share of the condemnation proceeds.

One of the main difficulties in checking smuggling has been the corruption of the preventive services. The officials, seldom overpaid, have frequently yielded to the temptation of securing easy money in the place of performing a thankless if not dangerous duty. Charges of such corruption did not die with the eighteenth century. Even since the World War they have been leveled against members of the United States Coast Guard and against the Canadian customs service, in which, it was charged, one of the most prominent officials was connected with a powerful smuggling gang.

As Adam Smith implied, perhaps the most effective way to prevent smuggling is to avoid excessive customs duties, which too often defeat their purpose of increasing the revenue. To be effective repressive measures would seem to require international cooperation to make possible the seizure of contraband at the source, so that the smuggler would have to face the preventive machinery of at least two nations. Much progress has been made in this direction in the recent post-war period. Between 1924 and 1928 the United States negotiated eleven treaties with maritime powers to check smuggling. These raised the disputed question of jurisdiction in marginal seas and permitted, for the checking of smuggling, the pursuit and seizure of craft beyond the three-mile territorial limits. In 1925 the Baltic and Scandinavian nations joined in a similar pact to check liquor smuggling. Even more comprehensive arrangements have been made between the United States and Canada. Certain questions of jurisdiction have been referred to the League of Nations, which had already been dealing with the smuggling of narcotics, slaves and "white slaves." It seems possible that the American smuggling orgy following the World War has paved the way for methods which will radically check the practise.

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See: CUSTOMS DUTIES; PROTECTION; BOUNDARIES; CONTINENTAL SYSTEM; EMBARGO; PROHIBITION; LIQUOR TRAFFIC; SLAVERY; OPIUM PROBLEM.

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York 1924); Teignmouth, Lord (H. N. Shore), and Harper, C. G., *The Smugglers*, 2 vols. (London 1923), combining separate volumes by each author; *Eighteenth Century Documents Relating to the Royal Forests, the Sheriffs and Smuggling*, ed. by A. L. Cross, University of Michigan, Publications in History and Political Science, vol. vii (New York 1928); Masterson, W. E., *Jurisdiction in Marginal Seas, with Special Reference to Smuggling* (New York 1929); Chatterton, E. K., *King's Cutters and Smugglers, 1700–1855* (London 1912); Atton, H., and Holland, H. H., *The King's Customs*, 2 vols. (London 1908–10); McClellan, W. S., *Smuggling in the American Colonies at the Outbreak of the Revolution*, Williams College, David A. Wells Prize Essays, no. 3 (New York 1912); Theobald, W. H., *Defrauding the Government; True Tales of Smuggling* (New York 1908); Funck-Brentano, F., *Mandrin, Capitaine général des contrebandiers de France* (Paris 1908); Mohrhenn, W., *Helgoland zur Zeit der Kontinentalsperre* (Berlin 1928); Blanchet, E., *Corsarios, contrabandistas y filibusteros* (Matanzas 1900); Jones, R. L., *The Eighteenth Amendment and Our Foreign Relations* (New York 1933).

SNELLMAN, JOHAN VILHELM (1806–81), Finnish philosopher and statesman. Snellman was born in Stockholm of Swedish-Finnish family. He taught philosophy at the University of Helsingfors, was minister of finance in the Finnish cabinet from 1863 to 1868 and director of the Finnish land mortgage society from 1869 to 1881.

Snellman early came under the influence of the Hegelian school, and in his *Versuch einer spekulativen Entwicklung der Idee der Persönlichkeit* (Tübingen 1841) and *Läran om staten* (Theory of the state, Stockholm 1842; new ed. Helsingfors 1892) he stressed the importance of the "national spirit." After traveling in Germany and Sweden he returned to Finland in 1842 and became the leading spirit in the Finnish national movement. Because of the country's union with Sweden, Swedish was until 1809 the language of the educated classes. In 1844 Snellman founded the weekly paper *Saima*, in which he appealed to the Swedish speaking groups in Finland to support Finnish nationalism. When this paper was suppressed at the instigation of the Russian governor general in 1847, he established the *Litteraturblad för allmän medborgerlig bildning*, in which he continued to express his views. In Snellman's opinion all national cultural and political efforts were vain unless the language of the majority of the people, Finnish, was cultivated and accepted as the official language of the country.

As minister of finance as well as in his brilliant journalistic work Snellman, influenced particularly by Friedrich List, took a great interest in economic questions, manifesting deep theoretical understanding and unusual vision. He devoted considerable attention to the utilization of the Finnish forests, promoted the building of railways and in spite of accumulated difficulties carried through a policy of monetary reform (1865) whereby the Finnish currency was separated from the fluctuating Russian paper money and based on the silver standard.

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Works: *Samlade arbeten*, 10 vols. (Helsingfors 1892–98).

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SOCIAL CASE WORK. *See* SOCIAL WORK, section on SOCIAL CASE WORK.

SOCIAL CHANGE. *See* CHANGE, SOCIAL.

SOCIAL CHRISTIAN MOVEMENTS. Social Christian movements represent one of the forms of reaction to the social question raised by the development of modern capitalism and industrialism. All social Christian movements are grounded in traditional social idea and the ethical and social forces found in Christianity and are inspired by the belief that Christianity, with its ideas, values, ethical duties and institutions, is a decisive, if not the most decisive, factor in the struggle against the social and economic evils of society. Setting up a transcendentalism in opposition to the secularism of capitalism, they find that social evil arises from the secularization of social and economic life divorced from the ethical and social values of Christianity.

Social Christian movements have developed in all industrialized countries since the inception of the capitalist era. Their relative strength or weakness has depended on the degree of industrialization and the corresponding proletarization of the wage earning masses; their scope and significance have varied with the degree of intensity and vitality of Christian ideas. Those Christian denominations which aspire to an influential position in private and public life have been more open to social Christian currents than those which do not make such claims. In general, however, manifestations of this sort have developed in both Catholicism and Protestantism. The first important social Christian movements had their origin in Great Britain (*see* CHRISTIAN SOCIALISM); but France and Germany soon

followed suit. In France the earlier attempts of Lammenais and Lacordaire, Villeneuve-Bargemont and Ozanam to adjust Catholic social theory and practise to the new conditions of industrialization were carried on and elaborated by Charles Perrin and culminated in the very active social Catholic movement of Count Albert de Mun, Count René de La Tour du Pin and the Action Libérale Populaire. In Germany the beginnings of social Catholicism go back to the work of Baader, Görres and Döllinger and above all to the powerful influence of Bishop Ketteler. Under the leadership of Franz Hitze, Heinrich Pesch and Franz Brandts the Volksverein für das Katholische Deutschland was founded and the political aims of the social Catholic movement were realized in the German Center party. A tremendous spur to the growth of social Catholicism was supplied by the encyclical *Rerum novarum* issued by Pope Leo XIII on May 15, 1891, and similar movements took shape in other European countries.

Simultaneously with these developments in Catholicism a social Christian movement grew up within German Protestantism. Wichern, the great organizer of the home mission, was followed by Victor Aimé Huber, Rudolf Todt and Adolf Stöcker. In 1878 Stöcker founded the *Christlichsozialer Arbeiterpartei* in order to win the Christian workers away from Social Democratic organizations, and in 1890 with Ludwig Weber, A. Hainach and A. Wagner he established the Evangelisch-Sozialer Kongress, which called upon theologians and economists to cooperate in the elaboration of a social Christian program. The radical wing of this movement, under the leadership of Friedrich Naumann, later broke away and joined forces with the more secular democratic groups in Germany. With the tremendous growth of the Social Democratic party in Germany, especially during the period following the World War, numerous groups of religious socialists were formed. These groups, while rejecting the materialistic philosophy of Marxism, experienced no conflict between their Christian principles and active participation in the socialist movement. The circle of Theodor Steinbüchel and Heinrich Mertens among the Catholics and the Tillich and Mennicke groups among the Protestants have been the most conspicuous of the religious socialist groups.

These varying tendencies and currents may be classified roughly into three groups. The first affirms the existence of an objective social and economic order derived from Christian doctrine and distinct from the present order of society. The second holds that the existing economic and social order may be reformed by the force and spirit of Christianity and that the infusion of Christian feeling and Christian ethics into social life will alleviate social distress. The third group seeks merely to distinguish the Christian movement from un-Christian or anti-Christian manifestations of the social movement. Such currents are found where the existing tendencies have assumed a strong anti-Christian bias and where Christianity is regarded as a reactionary tool of the ruling class.

Social Christian movements are to be distinguished from the purely charitable institutions developed by Christianity. Whereas charitable welfare organizations are merely institutions fulfilling given functions, the social Christian movements by their dynamic character are forced to take either a positive or a negative stand toward the existing economic and social system and the social problem created by capitalism. They must concern themselves with the causes of the social problem as soon as they become aware of them. Superficially these causes may appear to be due merely to absence of social spirit or to its perverted character. In such circumstances the movement tends to exhaust itself in mere criticism of this spirit and in developing a spirit of reform. A deeper analysis leads to a critique of existing social institutions and to preoccupation with the foundations of the ruling order—with liberalism, individualism and capitalism. The problem of the radicalism of Christian thought as well as its assimilation into the main social currents of the time depends on whether the social Christian movement recognizes the existing economic and social order and seeks merely to reform it from within, or whether it rejects entirely the foundations of the prevailing system. In the latter case there is the alternative of either a spiritual alignment with socialistic form of anticapitalism or propaganda for a new Christian social order to be marked by a corporate structure of society such as existed during the centuries of exclusively Christian domination. The span of the social Christian movement thus lies between the spirit of reform which minimizes the weight of concrete institutions and interests but overestimates the force of attitudes and those currents which look to an actual social transformation.

The first attack of social Christian movements is directed against economic liberalism. There are differences among the various social

Christian groups as to the question of state intervention, its extent, how and when it should occur and whether this intervention is merely subsidiary or primary. In countries like Germany and Austria state intervention is taken for granted more than in France or England. This is due to the prevailing attitude toward the state. In France this very question divides the social Christian movements into two factions—interventionists and non-interventionists. Interventionism has claimed more and more lasting successes, and increasing recognition has been given to the role of the state. Since the *Rerum novarum* this role has been acknowledged, in principle at least, also in the French Catholic movements. The spirit of the times has become opposed to non-interventionism, even in England. The increasing interference of the state in social and economic matters has effectively dispelled all opposition to state intervention within the social Christian movement. There remains, however, the question as to the degree and significance of such intervention. This subject was discussed vigorously during the post-war period under the stimulus of the social policy and welfare activities of the state, and it will probably continue to receive considerable attention in the future as a result of the current tendencies toward social and political monopoly.

The second object of criticism by the social Christian movement is the individualist character of the modern economic and social order with its emphasis on the economic freedom of the individual, his self-responsibility and his self-interest. The individual is considered the final and only criterion of social life. Society becomes degraded to a mere contractual relationship or "to a fictitious body," as Ricardo once said. All responsibility in economic matters rests with the individual. Self-interest becomes the guiding principle of moral activity and the only norm of economic intercourse; free competition is given free rein and there ensues the economic struggle of all against all.

The manysidedness of the social Christian movement is revealed in the attitude toward the principle of individualism. The view of economic society as a mere aggregate of individuals bound by contract and engaged in competitive struggle with one another is scarcely compatible with the social views of any of the groups. Even the groups closest to liberalism also assert the existence of supra-economic obligations operating within the economic sphere. Thus a social ethics comes into conflict with the purely individualistic ethics of individualism. Such social Christian currents reflect a sort of personalism, according to which the individual lives in a complex of social relationships. They reject, however, the view which holds that the individual is the only reality in a contractually organized system of society. Other groups are so emphatic in their affirmation of the unity of society and its organic parts that they take their point of departure from the community as the true reality, considering the individual—or more precisely the person—as an organic part of a superimposed social whole. Within the social Catholic movement there are groups which look upon society as a part of the *Corpus Christi mysticum* and thus arrive at a complete rejection of individualism. The Protestant social movements, in keeping with their fundamental ideology, are more individualist than those to which Catholicism gives rise. Even in the Protestant movements, however, developments have led to the overhauling of the old individualism and the recognition of the primary character of society and its structure. The idea of occupational organization in particular has never quite died out within the social Christian movement. This had its origin in the attitude of social Christian romanticism during the transition period to individualism. It disappeared as a dominant idea or at least carried on merely an esoteric existence during the period of fully developed individualism. In the post-war period it came to the fore again. It was propagated particularly by the Spann school, by the strictly ecclesiastical Catholic movements inspired by the encyclical *Quadragesimo anno* of 1931 and in the social and political policies of Fascism and National Socialism.

Social Christian criticism is directed, secondly, against the exclusively economic character of individual responsibility. It proceeds from the conviction that large social groups, particularly among wageworkers, are in no position to assert such responsibility. The individualistic watchword—"each for himself"—prevents the individual from becoming rooted in inherited possessions and impairs security of employment. These ideas partake in part of the older patriarchal theories, according to which the employer must care for his workers also during periods of decreasing business, and in part of economic reformist thought, according to which there is to be occupational security of positions of employment. The view has often been expressed, notably in Leo XIII's *Rerum novarum*, that the workers must have a subsidiary source of se-

curity based on possession of property. Many suggestions have also been brought forward to the effect that petty bourgeois forms of existence should be superimposed upon the worker's mode of living. The positive favorable attitude toward trade unions, an attitude which was difficult for the earlier social Christian movements but which has developed generally, has been derived from the concept of security. In Germany this idea has been expressed since the 1890's, particularly by the Volksverein für das Katholische Deutschland. There developed also a more friendly attitude toward consumers' cooperatives.

The social Christian movement levels its most severe attack upon the individualist principle of the dominance of self-interest in economic life, which it regards as a repudiation of the ethical principles of Christianity. The principles of justice and love seemed to find no fundamental place here. Society seemed to split up, as a result of the sole domination of self-interest, into a mammonistic large owning class on the one hand and hopeless poverty on the other. Bishop Ketteler was of the opinion that the poverty brought about by the rule of self-interest was so oppressive that the masses could no longer continue to live according to Christian principles, and that capitalism as a form of economic life constituted a threat to the *Depositum fidei* and was therefore to be rejected on moral grounds. Many theorists considered self-interest as the core of the non-Christian character of capitalism and therefore as the real focal point of social ills. At this point the spirit of reform and the reform of economic institutions were invoked. There emerged such typical ideas as the limitation of private gain through state regulation of prices, taxes, wages, hours of work and labor of women and children or through trade unions or enlightened employers' organizations. Profit was attacked as the driving force and regulating principle of capitalist economy. Similarly there was criticism of the market as the only organ of economic intercourse even with regard to labor. Particular stress was placed upon the need of a wage adequate to support a family and to allow for savings. Every social Christian movement has been characterized to a greater or lesser degree by this conception of man as the aim and subject of the economic system. As opposed to the mechanistic view of society there was set up the personalistic and ethical view. Profit as the sole directing force of economic life was rejected, for even in the spheres of economic and social life there is no suspension of ethical principles. The *justitia fundamentum regnorum* is a frequently repeated formula in social Christian literature. The division of society into classes is cited as evidence of the fact that the free play of economic forces does not allow for justice or for Christian love. These can be restored only with the regeneration of the spirit of reform and with a change of institutions. This emphasis upon justice and love also serves to distinguish social Christianity from Marxism. Marxism is looked upon as a punishment for capitalistic alienation from God and Christianity. The individualistic economic and social outlook is plainly a bourgeois class idea. It originates in the sovereignty of self-interest, and therefore all reform must begin from this point. Reform may be regarded merely as an intellectual attitude; but it may also be looked upon as a reform of institutions, since these guarantee social and ethical good will. In general the latter view has predominated.

Social Christian movements by their very nature must disapprove unrestricted competition, which restricts the play of justice and neighborly love, destroys the unity of social consciousness and gives the strong free rein to suppress the weak. *La liberté du fort c'est l'oppression du faible*—with these words Lacordaire described the social consequences of competition. Competition as such is not rejected. Only that form of competition is rejected which operates without ethical scruples and leads to dangerous social consequences. Thus employers are urged to refrain from taking advantage in an unscrupulous manner of their superior position in the labor market. Wherever it is recognized that the individual employer is subject to the pressure of the questionable ethics of the market and his attitude toward wages is therefore more or less prescribed, demands are made either for state regulation of competition or for an occupational order of society with self-administration of economic life, which in turn would assume the task of regulating competition and making it more ethical. Those elements which are favorably disposed to trade unions look upon these institutions as a potentially restraining influence upon savage competition. Thus it may be said that the fundamental attitude of social Christianity is to forbid privileges to the strong and superior rights to the less scrupulous competitor.

Social Christian opposition to liberalism and individualism emerged in all its vigor with the incursions of fully developed technology and capital under the system of free economy. The earlier social Christian groups were hostile to

industry and capital. They still clung to the economic organizations of the past with its protecting and balancing institutions. With the gradual recognition that it was impossible to reestablish that past, they sought to make the present compatible with the fundamental tenets of Christianity. The conservative framework of social Christianity prevented it from going beyond social reform. Nevertheless, there are groups which consider the dissolution of the existing order as necessary. At this point the movement turns into Christian socialism. The French wing of the movement in 1848 was thoroughly socialistic and considered its socialism as founded in the Bible. At times the idea of early Christian communism has played a significant role among individual thinkers. Often attempts have been made to reduce the origins of Christianity itself to a social movement. Orthodox elements in all denominations have opposed this idea and have insisted that there never was any Christian socialism and that, despite certain isolated instances of voluntary communism among restricted groups, Christianity had come into the world only as a religious and moral force, making no claim to a new social and economic order. There is no "Christian order" of economy and society; there are only Christian principles of social life. Apart from these, society must follow the *facta contingentia*, shaping itself according to the more concrete relationships and conditions.

The social Christian movement has thus remained one among the many social currents, but never the strongest and most outstanding. In many countries, however, as in Austria, it achieved a commanding position. In the latter country it culminated in a political party and often was highly influential in social and political affairs. Thus the Austrian constitution of 1934 prescribes a Christian socialist corporate form of government. Social Christianity also exerted a great influence in Germany through the Center party. At times the movements in Belgium and France have attained significance, particularly the Catholic party of Belgium. The same is true of Holland and of Italy, where the *Partito popolare* at one time had a large following. In a certain sense too it may be said that German National Socialism contains elements of the social Christian movement, particularly in its ideas of a corporate state, its attitude toward the middle class and its hostility to liberalism and individualism.

G. Briefs

See: Christian Socialism; Catholic Parties; Christian Labor Unions; Christianity; Religious Institutions, Christian; Papacy; Protestantism; Sects; Levellers; Socialism; Cooperation; Economics, section on Romantic and Universalist Economics.

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SOCIAL CONSCIOUSNESS. *See* Consciousness.

SOCIAL CONTRACT. The idea of a social contract as the basis of rights and duties in the state is almost as old as political philosophy itself. It may be found in an unprecise form in Plato and Epicurus, in Cicero and in the *lex regia* of the Roman law. St. Augustine took over the notion of Cicero, and it is built into the systems of some of the more liberal mediaeval thinkers, like Manegold of Lautenbach. As a systematic and coherent formulation, however, the theory of the social contract is the offspring of Reformation politics; and only the situation which developed at that time could have given full substance to the purpose it was intended to serve. The earliest reformers had not unnaturally been insistent upon their respect for the civil power; in that way alone could they have avoided the charge of being the proponents of anarchy. Luther, Tyndale and Calvin all maintained that the power of the prince is of God; and the Scriptural authority for that view, especially the weight lent to it by the *Epistle to the Romans*, was sufficient to make men unwilling to deny the validity of the dogma. It was not until the Counter-Reformation began seriously to disturb the conquests of the reformers that the idea of a social contract became a normal weapon in the armory of political doctrine.

Its advent is wholly intelligible. To preach that the prince's power was of God was to insist upon the subject's duty of passive obedience; and when the prince was prepared to persecute,

the subject who differed from him in religion had seemingly no alternative but to accept the tragic consequences of persecution. He might try to justify revolt, as in France under Charles IX, by arguing that a king who was a minor was misled by evil counselors and that it was only against these counselors that rebellion was intended; but after the Massacre of St. Bartholomew in 1572 such an argument could no longer be resorted to. The revived authority of Rome made necessary a doctrinal counterbalance to the theory of the divine right of kings. It was important to discover some way in which subjects who felt that their treatment by the prince was unendurable could justify their resistance to what they deemed his evil conduct. The doctrine of a social contract provided exactly the weapon needed for this end.

In its modern form this doctrine was shaped primarily by those controversialists of the sixteenth century who were collectively known as the monarchomachs. Their problem was to explain precisely how far obedience was due from the Christian when the prince acted as a tyrant by commanding what was contrary to the law of God, it being assumed of course that the law of God embodied the beliefs of the particular group which was oppressed. In the first stages of resistance, as with Knox in Scotland and Goodman and Ponet in England, it was argued that resistance to a tyrant was justified merely by reason of his tyranny; but the theoretical inadequacy of this view is evident from its relative infrequency. It was not until the Massacre of St. Bartholomew made resistance seem a duty as well as a right that it was founded, as in the hands of Buchanan and the author (probably Duplessis-Mornay) of the *Vindiciae contra tyrannos*, upon the basis of the contract idea. Thenceforward almost to the close of the eighteenth century this idea was the chief weapon against the despotic use of power.

The author of the *Vindiciae* sets out to answer four questions. Is it the duty of subjects to obey their prince if he commands that which is contrary to the law of God? Is it lawful to resist such a prince, especially if he seek to ruin the church; if so, who should resist him, by what means and to what extent? Similarly, what should be done if he seek the ruin of the state? What, finally, is the duty of neighboring princes in such circumstances? The answer of the author is built upon the notion of a double contract. The earth, he argues, belongs to God, and kings reign only by His permission. The king therefore is entitled to obedience only to the degree that he obeys the command of God. He is thus a vassal like any other vassal, and when he breaks divine command he may be expelled. There is a twofold contract—one between God and the people by which the latter is bound to respect the will of God, and one between king and people by which the former is entitled to obedience so long as this will is observed. In considering the question as to when resistance becomes an obligation the author of the *Vindiciae*, being a Huguenot noble, is careful to confine such a duty to men of birth and position; the common people must follow and not lead their natural masters. But clearly the whole conception justifies the French wars of religion by assuming that a king who persecutes religious truth, which is patently a Huguenot possession, may be lawfully resisted because he has broken the contract with God and the people. To resist is an obligation owed by the people to their divine ruler.

So long as a Catholic monarch sat on the throne, this was the typical Huguenot outlook; when with the accession of Henry IV a Protestant succeeded, the Huguenots had no difficulty in going back to a belief in the divine right of kings and legitimacy. It was then the turn of the Catholics to preach the doctrine. Men so different as Suárez and Bellarmine among the Jesuits, Boucher and Rossaeus among the Ligueurs, and Parsons among the English opponents of Elizabeth, all used the idea of contract as a means of defending the papal claims.

Its best general expression is found in Suárez, perhaps the greatest representative of the famous Spanish school of political theologians. He assumes that the state expresses the natural tendency of men to a social life. He agrees that monarchy is the best form of government. But viewing power as a trust held on behalf of the people, he believes that princely authority is the result of a contract between monarch and people in which the former is bound to good behavior. Where he acts the tyrant, the contract is broken; and the people therefore may in suitable circumstances revoke the authority they have conferred. He argues that "suitable circumstances" mean a rule incompatible with the good life; this is the life set by the true religion, and the true religion is that of Rome. In the end therefore the social contract gives the people the right to resist when called upon by the pope to do so. From this angle the pope becomes, if indirectly, the judge of the behavior of princes; and with remarkable ingenuity contract and popular

sovereignty combine to make the Roman pontiff, as in the Middle Ages, the master of secular power.

Althusius, a German Protestant, was for many years a professor of law in Holland; and his *Politica methodice digesta* (1603) expresses the doctrinal experience of the Dutch revolutionists among whom he lived. He assumes the sovereignty of the people and argues that the relation between it and the magistry is twofold in character. By the first operation certain fundamental conditions are postulated as governing the exercise of authority by the ruler; by the second the people swear allegiance to the ruler provided that these conditions are obeyed. Althusius assumes that a failure to observe the conditions entitles the people to break the contract; the prince or ruling body becomes a tyrant who may be deposed. Althusius' scheme constituted an admirable defense of both the Dutch revolution and the system of government it brought into being. Here, as with his predecessors, the pragmatic character of all contractual theory is set by the obvious historical activities it is intended in each instance to justify.

The seventeenth century abounds in contracts. With Grotius contract is the basis at once of the right to private property and of the sovereign power of the ruler. The latter, for him, rests upon a *pactum subjectionis* and becomes accordingly the basis of absolutism, although he admits that the ruler is bound by the natural law. The idea of contract underlies the whole case for the resistance by Parliament to the claims of James and Charles. "To know what obedience is due to the prince," wrote Selden, "you must look into the contract betwixt him and his people. When the contract is broken, the decision is by arms." Such was the view of Henry Parker, the most authoritative spokesman of the parliamentary party, of Milton, of moderates like Prynne and of extremists like Lilburne and the Levellers. Once the idea was accepted of a people as a body of persons entitled to certain rights, whether historic or natural, the notion of their denial by a ruling authority at once gave birth to the idea of power as a trust, with the inference that when the rulers broke the trust their title to allegiance disappeared. On the parliamentary side during the English civil war the idea of contract, expressed or implied, was the fundamental doctrinal instrument of the rebels.

But the two most significant statements of the idea of contract in the seventeenth century are those of Hobbes and Locke. In the midst of civil war Hobbes was anxious to find the supreme remedy against disorder; and his *Leviathan* (1651) is but the supreme expression of an effort to discover a way of peace by insisting on the duty of obedience to a de facto sovereign. For him the contractual doctrine is logical rather than historic in character. Granted a state of nature characterized by barbarism and insecurity, he seeks to find the terms upon which men may be assured of that order which, for him, is the highest good. He finds it in a contract by which men create civil society in handing over all the rights they enjoy in the precivil state to a sovereign who is not himself under any obligation to them. Their rights then become those modes of behavior which he permits them to carry out; law is simply the body of commands which express his will; and despite certain rhetorical phrases to the contrary Hobbes sees no limits to the sovereign's authority save the power to secure obedience.

A more immediately influential answer to the question regarding the limits of obedience was provided, again in contractual terms, in the theory of the social contract advanced by John Locke, the most outstanding of a large number of thinkers who followed the same general approach. Locke's real task, as he himself said, was to justify the Revolution of 1688; and his second *Treatise of Civil Government* (1690) may be regarded as the best expression on the one hand of the case against Hobbes, to whose book it is implicitly an answer, and on the other of the case for the limitation of royal power in the interest of the taxpayer and the nonconformist, who were the victims of its abuse. Like Hobbes, Locke assumes a state of nature; but he argues that it is broadly a peaceful condition vitiated only by that uncertainty which arises from the absence of a definite interpreter of natural law. For this reason men contract to form a civil society; but the form it assumes is an obligation mutually undertaken to secure the definite object of preserving life, liberty and property. The power of government is not sovereign but specifically limited to objects embraced by these boundaries. All authority may be resisted which steps beyond them; and although Locke suggests that resistance is most usefully limited to cases where a majority favors it, it is inherent in his view, from the atomic approach to society upon which he insisted, that the individual has the right of resistance. He gives examples of the cases which, he holds, would justify refusal of obedience; and it is significant that all of them

are drawn from the practises of James II. The whole scheme of government which Locke set forth is in fact simply a philosophical defense of the English compromise which endured from 1688 until 1832. It is not an exaggeration to say that he presented the liberal philosophy of politics no less fundamentally than Adam Smith set out its economic philosophy.

After Locke there was little fundamental thinking about politics in England until the time of Burke. Apart from that of Hume the best known English doctrine is little more than a full (as with Hoadley) or a partial (as with Thomas Gordon) restatement of Locke's ideas; and even after Hume had decisively exposed the weakness of the whole notion of contract in one of the most brilliant of his essays, it still lived on in men like Priestley and Price and to some extent in Paine. The notion exercised much influence moreover in the American colonies, where it was the conventional basis of many of the constitutions. Forty years before Locke it had been effectively expounded by Thomas Hooker; and Jefferson, while holding that constitutions should be revised periodically, nevertheless argued that a social contract was their energizing principle. Indeed it may be said that not until the time of Justice Story (*Commentaries on the Constitution of the United States*, 3 vols., Boston 1833, sect. 327) did it cease to play an important part in American political theory. That was natural enough in a civilization whose political institutions could be traced so definitely to the deliberate invention of particular men.

After Hume, however, the contract theory had its chief influence on the continent of Europe rather than in England; it was expressed by Rousseau and his followers in France and, through Rousseau's influence, by Kant and his immediate disciples in Germany. Yet although Rousseau makes the idea of contract the formal basis of his system, it is with equality rather than with contract itself that he is concerned. Civil society is based upon an agreement in which all men surrender to the state the rights they possessed before its creation; but once the agreement has been made, Rousseau is interested far more in the technique of preserving the equality which, for him, is the indispensable condition of the good life than in the justification of the origins of the state. As with Hobbes, his contract is no more than a logical preliminary, a way of insisting that all men are bound to the realization of that equality without which politics and justice are contradictory terms. When he began to write the *Contrat social* ten years or so before its actual publication (1762), the influence of Locke still made it fashionable to start a political philosophy with the notion of contract; and Rousseau's analysis, which does not need the notion for its results, could have dispensed with it without fundamental injury to his system. His essential discovery was the idea of the general will, which does not in reality require the idea of contract for its support. This was shown later by Hegel when he found the justification of the general will in an idealist and evolutionary philosophy.

The influence of Rousseau on Kant was profound. For Kant, as for his master, the idea of a contract is the basis of the state; but here again the idea of contract has been whittled down to a way of making the power of the state a function of settled rule rather than an arbitrary discretion. The contract is the means whereby one man is so related to another in society that the due liberty of each becomes compatible with the liberty of all. The contract is postulated a priori as a social imperative imposed on sovereigns and subjects alike as a statement of the conditions without which the good life cannot be obtained in civil society. From being, as with the *Vindiciae*, a technique of action, the contract had become by the end of the eighteenth century little more than a metaphysical norm.

The later history of the idea of contract is unimpressive. It found an unimportant place in the system of Fichte, less because it was necessary to his ideas than as a tribute to the influence of Kant. After Hegel it exercised no serious influence in Germany. Nor after Bentham was it an effective doctrine in England; with the decline of Benthamism English political philosophy was impressed by streams of thought which, as with the idealists and the socialists, were derived from different sources. In France its influence persisted longer. The social philosophy of Renouvier has direct affiliation with it; and the doctrine of *solidarité*, which was fashionable in the first decade of the twentieth century, sought to build the state upon a "quasi-contractual" basis. But in both schools it had become the pale shadow of a once vigorous self. It had ceased to be historically respectable; its psychological foundations were insecure; and the end it sought to serve could be obtained more usefully in other ways. As a doctrine it fulfilled the important purpose of directing attention to the place of consent in any system of political philosophy. It served as a lever of action which by justifying

resistance to tyranny enabled the foundations of politics to be more clearly understood. Its real value lay in the means it provided between 1572 and 1690 for the emergence of a political creed which justified the constitutional liberalism then slowly emerging. Once that task was performed its bankruptcy as a satisfactory explanation of the problem of obedience was obvious.

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See SOVEREIGNTY; STATE; AUTHORITY; POLITICAL SCIENCE; OBEDIENCE, POLITICAL; NATURAL LAW; NATURAL RIGHTS; DEMOCRACY; REPUBLICANISM; PLURALISM; ENLIGHTENMENT; FRENCH REVOLUTION; DECLARATION OF THE RIGHTS OF MAN AND THE CITIZEN; DIVINE RIGHT OF KINGS; TYRANNY; MONARCHOMACHS; ANARCHISM.

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SOCIAL CONTROL. *See* CONTROL, SOCIAL.

SOCIAL DEMOCRATIC PARTY. *See* SOCIALIST PARTIES.

SOCIAL DISCRIMINATION. The term social discrimination may be tentatively defined as unequal treatment of equals, either by the bestowal of favors or the imposition of burdens. This definition applies not merely to persons but also to things and localities, as in discriminatory tariffs or railway rates. Personal discrimination is exercised when two individuals who occupy the same social status, that is, belong to the same category, are treated differently by any person or agency occupying the same relationship toward them. The differential treatment of persons of different rank, as of professor and instructor by a college president or board of trustees, is not discriminatory so long as those of the same rank are treated similarly. Differential treatment of persons of different sex, age or race by a college board of admissions may or may not be discriminatory, depending on their status. Every private social group and institution functions for a special category of persons and avoids discrimination so long as it does not draw arbitrary lines of distinction among such persons. A state university, by virtue of its special character, includes in its clientele categories of persons sometimes excluded from private institutions but nevertheless draws lines of exclusion and differentiation, as between residents and non-residents of the state. Some states establish different institutions for males and females, whites and Negroes; if, however, a state has declared both sexes and both races equal before the law and nevertheless provides unequal facilities for them, it is guilty of arbitrary discrimination among its citizens.

Discrimination should not be identified or confused with differentiation or distinction. Individuals differ from one another, not merely in race, sex, age and various aptitudes and abilities but also in training and experience. Almost an infinite number of lines of demarcation may be drawn among them on the basis of the most varied marks of similarity and dissimilarity, and groups are formed through selective inclusion and exclusion. Because of the complexity of the human personality and the multiplicity of human relationships every individual is classified in a great many different categories. Theoretically no individual is subject to discrimination when excluded from a group some of whose marks of differentiation he does not possess. Feelings of discrimination, however, often arise when exclusion from the in-group is based on what are considered, at least by those excluded, as minor differences, while major similarities are ignored, as in the exclusion of a college student from a team or honor because of his race or personal idiosyncrasy; or when exclusion is based on dif-

ferences at one time considered important but which are breaking down under the impact of new knowledge or the changing scheme of social valuations, as in the exclusion of women from certain professional schools. Moreover discrimination may be said to exist when the differences in treatment accorded various categories of persons are disproportionate to the importance of marks of differentiation. All these situations permit the operation of prejudices or differential emotional reactions toward individuals because of differences in race, sex, age, wealth, language, religion, nationality, occupation, politics or other traits.

Discrimination carries with it the idea of unfairness. Those receiving a favor are given an advantage, while those upon whom restriction is imposed are placed at a disadvantage in comparison with other persons of the same category. There is thus contained in social discrimination an alteration in competitive power of those presumed to possess a freely competitive status. To discriminate is to impose a handicap. Here again, however, there is encountered the central difficulty in the concept; namely, that handicaps may be granted or imposed in order to increase equality in competitive power among persons of equal status or right but who differ in some secondary respect. A large part of modern labor legislation is of this type. Such legislation is often imbued with a humanitarian motive and is designed either to strengthen the competitive position of the weaker elements or to safeguard social values affected by differences in self-dependency. Favors not permitted to the self-dependent are granted the blind, deaf and dumb, feebleminded, widowed, orphaned and others. The public school was once looked upon as discriminatory in that it taxed all for the benefit of those with children. A special tax on bachelors, income tax exemptions for minor children and progressive income and inheritance taxes have all been viewed as discriminatory until their establishment in the mores. Opinion has changed so rapidly that it is now not held discriminatory in some countries to deprive an individual of his powers of reproduction. Discrimination may, however, arise in the administration of such laws and services if applied unequally to persons on account of race, religion, politics or other differentiating trait, when the persons thus differentiated are given by law an equal citizenship status under the government administering them.

The foregoing definition does not warrant the assertion that the various differentiations and gradations in societies, whether primitive or modern, are necessarily discriminatory. No doubt discriminatory actions, both public and private, occur in all societies, because of differential personal reactions to individuals of the same class or category. The stable and sanctioned distinctions on the basis of such marks as sex, age or totem are not, however, discriminatory; and even the differences of rights and privileges of hereditary social classes may not be so considered. A slave does not feel discriminated against because he does not possess the rights of a freeman, provided he lives in a society where slavery is accepted as the customary lot of his kind. If races, classes and sexes are considered unequal by nature and divine dispensation and if this dogma is accepted by both superior and inferior, it cannot be said that there is social discrimination when they are treated unequally, unless a scheme of values alien to such a culture is used as a criterion. On the other hand, the diffusion into a caste society of democratic ideals of equality gives rise to feelings of discrimination and to agitation for equalization of rights. Doubt arises as to the essential validity of categories of differentiation previously endowed by the mores with an implicit rightness. Subjectively the sense of discrimination is a correlate of the sense of equality of worth or status.

What constitutes discrimination therefore depends on the scheme of social values used as a basis in pronouncing judgment. Democracy asserts the somewhat contradictory doctrines that all men are equal and that each should be rewarded according to merit. Aristocracy sanctifies differential treatment on the basis of birth. Some communists and Christians would sanctify differential treatment on the basis of need. The mores can make almost any differentiation among persons or objects either discriminatory or non-discriminatory. The tabus surrounding the rights, duties and activities of women in various societies, primitive, ancient and modern, may appear to the emancipated woman as overt discriminations on the basis of sex, but many of these tabus may be so thoroughly grounded in custom and sentiment as to be regarded as inviolate; even the sex which appears to suffer from them in some instances may defend them. Moreover what is tabu for women in one area may be tabu for men in another.

In a democratic society the state presumably must treat all citizens alike; but the force of

tradition, the partisan character and the weaknesses or dishonesty of officials and the variations in social pressures bring about inequalities of treatment. As between races, classes and sexes such discrimination varies inversely with power of resistance, which in actual practise often becomes synonymous with power to inflict injury or mete out punishment to the discriminators. From this viewpoint discrimination is closely bound up with toleration, which is a state of suspended animosity, arising either from recognition that the gains from discrimination scarcely offset the losses from retaliation or from the growth of emotional indifference toward the category of differentiation, as in the case of religious toleration. Discriminatory treatment of a group intensifies its sense of solidarity, particularly when the basis of discrimination is a social value of sacred quality, as race or religion.

A social group, whether an integral or a constituent society, necessarily exercises discrimination against opposed groups or individuals in efforts to maintain itself or achieve its purposes; witness the discriminatory action against bourgeois individuals, practises and ideas in Bolshevik Russia or against the members and aims of the working classes in Fascist Italy, Hitlerite Germany or democratic United States. The intensity of the discrimination is conditioned by the intensity of the will to achieve or dominate or by the violence of the emotions aroused by the objects of discrimination. There is often a conflict of social values; there is also a hierarchy of such values. Complete toleration is a contradiction in terms, for it implies toleration of the intolerant and thus becomes synonymous with pure negativism or complete indifference to all social values, including toleration itself.

The Thirteenth, Fourteenth and Fifteenth amendments to the Constitution of the United States, designed to prevent discriminatory legislation on the basis of race, have given rise to a multitude of judicial decisions which sustain or condemn differential treatment of designated categories of persons. The courts, however, grant to the legislators a reasonably wide discretion in classifying the subjects of legislative regulation, differentiations which favor the upholding of a certain class of persons, places or objects when the classification is founded on a "reasonable principle" rather than an "arbitrary distinction." The considerations back of the classification may often be of a purely practical character. Thus American law distinguishes insane persons, infants, school pupils, dependent and delinquent children, absentee voters, convicts, migrants, attorneys, physicians, veterans, stockholders in fiduciary corporations, persons of certain age groups and many others. As the guardian of marriage and of the family the state may grant pensions to widows with children but deny them to widows of common law unions; it may differentiate between sexes in qualifications for marriage. Labor laws may differentiate between men and women, adults and minors and persons engaged in different occupations. Men alone are subject to a poll tax, and only after they are twenty-one years of age. Any differentiation can be rationalized and approved as non-discrimination or, with a change of the social setting, condemned as a violation of ideals of equality. Moreover in practise laws designed to prevent discrimination or, on the contrary, to set up a legal differentiation among persons may affect the form but not the substance of social relations, according to the intensity of emotional attitudes in the communities affected.

The question whether discriminatory attitudes, public or private, conscious or unconscious, show any tendency to disappear seems to require a negative answer. Such attitudes undergo change, however, with the succession of generations and the shifting social setting. From the idealistic standpoint of absolute equality there appears to have been little social discrimination in certain American communities where homogeneity of race, religion and economic status and strong attachment to democratic ideals gave rise to an exceptionally free mobility of persons, both socially and geographically. There are signs that this mobility is diminishing and that class lines are deepening on the basis of wealth, education and occupational rank. The regime of freely mobile and competing individuals is giving place to a regime of corporate groups, trade unions, civil servants, professional associations, merchants' associations, veterans and other groups through which the actual rights, privileges, income and social rank of the individual are largely defined.

This multiplication of class differentiae is accompanied by a rapid growth of social integration and a consequent increase in the powers of governmental agencies, especially those remote from the individual citizen. These apparently unavoidable social trends are coupled with an increase in the discretionary powers of police and administrative officers, which involve dangers of discriminatory action. Moreover the integration of social life, which has intensified

national consciousness and the sense of corporate unity, has given rise to new pressures toward conformity, standardization and uniformity. At the same time the increased propaganda power of press and radio makes possible a rapid mobilization of discriminatory emotional attitudes latent in the mores. The Ku Klux Klan, Americanization, fundamentalist and anti-evolution agitations in the United States following the World War and the racial and religious phobias now manifest in Germany make it doubtful whether the growth of scientific knowledge, wealth and popular education have banished the fears, jealousies and irrationalities which supply the subjective basis for those invidious distinctions constituting the essence of social discrimination.

FRANK H. HANKINS

See: SOCIAL ORGANIZATION; EQUALITY; STATUS; CASTE; CLASS; CLASS CONSCIOUSNESS; SLAVERY; RACE CONFLICT; ETHNOCENTRISM; ANTISEMITISM; MINORITIES, NATIONAL; ALIEN; WOMAN, POSITION IN SOCIETY; INTOLERANCE; SEGREGATION; MOBILITY, SOCIAL; ASSIMILATION, SOCIAL.

SOCIAL EVOLUTION. *See* EVOLUTION, SOCIAL.

SOCIAL INSURANCE. This term is used to cover the rather diversified group of governmental measures designed to protect workmen and other groups of the lower or middle economic strata against the ordinary hazards of industrial life. It is applied loosely, usually by way of description rather than as an abstract definition, the social objective being stressed far more than the insurance method. By common agreement the concept embraces industrial accident insurance, workmen's compensation, health insurance, old age, invalidity and unemployment insurance and sometimes also governmental measures of direct relief in which the insurance method is altogether absent, such as old age, mothers', widows' and orphans' pensions or direct unemployment relief. More recently there has been a tendency to extend the term to governmental measures for the guaranty of certain wage minima, such as the so-called family allowances and minimum wage legislation. The French *assurance*, emphasizing purpose or objective, has at times been used in English in preference to the term insurance, which places emphasis on the technique employed. Theoretically social insurance through state action which makes it mandatory and requires distribution of the cost between the employer and employee or between the state and the employee and sometimes among all three, and the system of direct grants from the public treasury are diametrically opposed in method, theory and philosophy. Yet through many intermediate stages the distinction between them has become considerably less clear. Even where the insurance method is used, as in workmen's compensation, the entire cost may be placed upon the employer. Thus a direct participation in the premium (the cost of insurance) by the insured does not constitute a fundamental principle of social insurance, and it becomes increasingly difficult to draw the line between insurance and mere gratuities. Because of the increasing coverage and variety of methods used, the broad term social insurance has now displaced others formerly used—labor, or workmen's, insurance (*Arbeitversicherung* or *assurance ouvrière*), state insurance or compulsory insurance—and is preferred to industrial insurance and welfare insurance, which have been proposed as substitutes in the United States.

Although it is usual to ascribe the beginnings of the movement to the first compulsory accident insurance act of 1883 in Germany, which was rapidly followed by others covering sickness and old age, its sources derive from earlier periods. The introduction of these measures by Bismarck represented in concept certain basic notions prevalent in Germany as to the paternalistic role of the state with respect to its citizens. In applying this concept, previously embodied in public poor relief and poor law legislation, to modern industrial society, the legislation owed much to the previous efforts of working men themselves, through their unions or through friendly or mutual aid societies not restricted to working men alone, to provide insurance against many hazards on a purely voluntary basis and without any state cooperation or control. The principle of legal compulsion was not altogether novel in 1883; there had already been enacted governmental pension laws limited to a few select groups, particularly in hazardous employments. The funds furnished protection in case of accident, illness and sometimes old age and occasionally applied to widows and orphans. Even for the most distinctive contribution of modern legislation, whereby part of the burden of cost is placed upon the employer, precedents may be found prior to 1883. A step toward the development of state insurance along somewhat different lines was made by France in 1850 and Italy in 1883 in their establishment of state insurance funds in which participation

was voluntary and individual but which offered to the workman assurance of security on a non-profit basis, the state at times even contributing to the insured workman's premium.

The details of the development of the various branches of social insurance will be found in the articles devoted to these special topics. From Germany the compulsory method spread to countries under German cultural influence. While it met with success in these states, there was considerable resistance to the method of compulsion in the Latin countries of the continent and in Great Britain. The International Congress of Insurance against Industrial Accidents (later the Congress of Social Insurance), which was organized in Paris in connection with the World Exposition in 1889 and which met at frequent intervals until the eve of the World War, witnessed a recurrent battle between the adherents of the principle of compulsion and those who advocated subsidized voluntary insurance. At its session of 1908, however, the victory of the former at least in theory was virtually conceded. Social insurance spread rapidly, first throughout Europe, then to countries of the western hemisphere; and legislation of this character is not unknown in South Africa, Australia and the Far East. The World War effected a temporary halt, but since 1920 such measures have spread more rapidly than in the preceding thirty-seven-year period. In the appendix to her comprehensive study "Insuring the Essentials" Barbara N. Armstrong presents a list of laws now on the statute books of 62 countries and about 120 legislative jurisdictions; she records as many as 235 specific systems, divided as follows: workmen's compensation, 119; health or sickness, 26; old age insurance and pensions, 49; survivors' (widows' and orphans') insurance, 23; unemployment insurance, 19. Workmen's compensation is well nigh universal; and systems of old age insurance or pensions are nearly as widespread, except for a few countries, including, until recently, the United States. Health insurance and survivors' insurance are more or less limited to Europe, North American countries being characterized by a system of straight widows' pensions. Unemployment insurance, the most recent, the most complicated and yet the most important branch of social insurance, is only now beginning to win a place for itself.

In the United States the movement has lagged considerably behind that in European countries, partly because of the higher economic status of the American wageworker, partly because of the dominant individualistic philosophy extending even to the trade union movement. Only workmen's compensation has been accepted in almost all of the states. The health insurance movement, which for a time gained considerable strength, collapsed in the reaction following the World War. Direct public allowances to widows and orphans in most states took the place of corresponding insurance systems in Europe; within the last five years the growth of the movement for old age pensions has resulted in the enactment of such measures in 27 states and 2 territories, while in Europe contributory compulsory old age insurance is replacing the system of gratuitous pensions. The movement for unemployment insurance has grown only as a result of the great depression beginning in 1929.

So strong has become the general tendency within the social insurance movement toward compulsory systems with contributions from the three parties concerned, the employer, the employee and the state, that very frequently the term is limited to contributory compulsory systems alone. And yet within two fields at least, those of health and unemployment insurance, the voluntary subsidized systems are still quite common in European countries. It is argued, however, that despite the partial success of both health and unemployment insurance on a voluntary basis in countries like Denmark, such voluntary systems have failed, after decades of continuous growth, to include in any country the entire section of the population which is in need of such protection; have placed too large a share of the burden upon workers by, except in Denmark, freeing employers from participation in the cost of insurance; and because of insufficient means have not worked out satisfactorily with regard to the services and aid rendered. Although there is strong resistance to legal compulsion to insure, it is safe to hazard the guess that the method of voluntary subsidy will disappear under pressure of the other two methods—compulsory insurance at one extreme and gratuitous public grants at the other.

Wherever the movement for social insurance gains considerable headway and legislation is proposed or demanded, its merits are fought out over again along lines which by this time are well known. The comparatively simple arguments for compulsory social insurance draw their strength primarily from recognition of the grave hazards confronting the workman and analysis of his economic status. The adverse

effects of direct relief and the worker's inability to protect himself individually through personal savings are pointed out, and reference is made to the obvious advantages of the collective method of protection. It is held that since the cost of private insurance, including profits and excessive overhead, is prohibitive, a public system of insurance must be devised. The expense of such insurance, since the earning capacity of the majority of workmen does not leave a sufficient margin to enable them to pay for all the types, must be borne partially or wholly by other parties, such as the employer or the state. The element of compulsion is necessary with respect to both the employer and the employee, in order that the worker's family may be protected against his own lack of foresight. In addition to these theoretical considerations support is found in the force of example, in the persistent world wide development of the compulsory contributory type of insurance and in the fact that in almost every important country systems of social insurance, once established, have been retained.

Criticisms of social insurance are based on its alleged harmful effects or on its inadequacy to cover the problems involved. Particularly in the United States it is argued by trade unions that a more satisfactory wage level would enable the wage earner to meet these hazards in an individual way. Another argument, adopted by organized capital and sometimes by the larger taxpayers, is that any form of social insurance places an excessive burden upon industry or upon the state or both. The thesis that the security which social insurance methods bring to the wage earning masses must result in demoralization, lack of foresight, destruction of the habit of saving and even deliberate malingering is repeatedly advanced, particularly in opposition to health and unemployment insurance, since it is assumed that illness and unemployment are more easily simulated than industrial accidents, old age or widowhood.

Those theoretical economists who oppose social insurance hold on the one hand that its cost ultimately reverts to the wageworker, forcing down his wages, and on the other that the absolute guaranty of a subsistence minimum provided particularly by unemployment insurance interferes with the natural law of wages and therefore hinders the adjustment of wages to economic conditions. It has frequently been argued that the cost of social insurance proves a very serious impediment to the industry of one country in competing with others in the international market; but this argument must be self-limiting to the extent that the movement becomes universal. That such difficulties may arise is recognized, however, by the International Labor Office, which is endeavoring to encourage international agreements to equalize conditions and burdens upon industry in the various countries.

Radical and revolutionary critics have maintained that by its offer of a measure of security social insurance is bound to divert the proletariat from its revolutionary goal and to weaken the strength of its own organizations, and have also voiced the economists' argument that the wage earners pay the cost in one form or another.

The gradual disappearance of opposition to social insurance on these grounds among the socialist parties of Europe has resulted in the accusations of the left wing that the social democratic movement has become a mere campaign for social insurance. If the acceptance of the principle of social insurance in the Soviet Union has apparently weakened the force of this argument, it is still maintained that the efficacy of such insurance in that country is quite different from that in capitalist countries, where the increasing hazards resulting from an inherently faulty structure make adequate coverage far too costly. The insistence of communist groups in the United States and elsewhere upon large insurance funds to be financed entirely by the state or the employer or both is based not on belief in the possibility of the enactment of such legislation, but on the propaganda value of demands of this nature.

An entirely different criticism is leveled against the use of the insurance method, on the ground that it complicates unduly the social purpose of achieving security for the wage-working masses. Granted that the state or society owes every citizen either an opportunity of making a living or provision for his support in case of disability or unemployment, the same results might be achieved by a direct system of grants instead of by the present indirect method of placing this obligation upon the employer and industry or upon social capital in general. This mode of attack has become particularly forceful in England and Germany in the field of unemployment insurance, because under the terrific strain of continued mass unemployment insurance systems have been forced to deviate from the insurance principle. The extension of the system of unemployment insurance benefits in England beyond the paying capacity of the in-

surance organization, with advances from the government treasury, undoubtedly represents partial acknowledgment of the principle of governmental recognition of the right to maintenance, which is only an extension of the principle, advanced by labor and socialist leaders of the early nineteenth century, of the right to work. More recently, however, the British government has been compelled to supplement the insurance scheme with straight relief.

Without some sort of insurance scheme the only alternative in capitalist society, which is not ready to accept the principles of collective responsibility and legal right to maintenance, is the dole, which has recently gained extensive application in the United States at a time when the European unemployment insurance systems were being severely criticized as doles. Although public relief funds, local and national, may provide even larger funds than unemployment insurance schemes, there is a fundamental difference between the two methods which should not be obscured. Relief, whether from private or from public sources, is always a gratuity based upon consideration and evidence of need. The principle that an insurance benefit is a contractual right and obligation and does not require evidence of need—unqualifiedly true of private insurance—is carried over into the field of social insurance (except in systems of straight pensions), with the difference, however, that in social insurance the element of contractual obligation is even more important than that of payment of premium. It is recognized that the "means" test introduced in Great Britain for supplementary benefits and in Germany and Austria for practically the entire unemployment insurance system must be regarded merely as a temporary measure if the entire theoretical foundation of social insurance is not to be wiped out and replaced by a method of relief.

In short, social insurance may be considered as a halfway measure between strictly individualistic methods of voluntary and private insurance and the collectivist or socialist demand of the right to maintenance and support. It rejects the implications of uncorrected individualism, while at the same time it accepts the modern individualistic organization of economic society based upon private property and the wage and profit system. A fair appraisal of its social value must proceed from an honest recognition of this and all other measures of social legislation, not as fundamental principles of economic organization but as temporary methods of adjusting the existing economic organization to the needs of the people. The use of such measures even in the Soviet Union suggests that only when the collectivist principle is extended to all economic life will insurance, including social insurance, become unnecessary.

I. M. RUBINOW

See: PUBLIC WELFARE; DEPENDENCY; POVERTY; CHARITY; POOR LAWS; EXPENDITURES, PUBLIC; INSURANCE; LABOR LEGISLATION AND LAW; LABOR, GOVERNMENT SERVICES FOR; WORKMEN'S COMPENSATION; COMPENSATION AND LIABILITY INSURANCE; UNEMPLOYMENT INSURANCE; HEALTH INSURANCE; FAMILY ALLOWANCES; PENSIONS; MOTHERS' PENSIONS; MATERNITY WELFARE; OLD AGE; MINIMUM WAGE; TRADE UNIONS; BENEFITS, TRADE UNION; MUTUAL AID SOCIETIES; FRIENDLY SOCIETIES; FRATERNAL ORDERS; GROUP INSURANCE.

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SOCIAL LEGISLATION. *See* LABOR LEGISLATION AND LAW; PUBLIC WELFARE; SOCIAL INSURANCE.

SOCIAL ORGANISM. Although the fiction of the social organism was first systematically developed in the course of rationalizing the political and social relationships of the modern nation state, anthropomorphic analogies between the realms of natural and social life may be traced to much older philosophies and religions. Aristotle and Plato, for example, in articulating the ethical views of the Greeks as to the ideal interrelationship between the individual human being and the collectivity represented by the *polis* emphasized the organismic character of the political unit and took for granted the harmonious interworking of the elements which composed it. The characteristic premise of later social organismic theories that the individual finds his freedom by participation in a larger integrated collectivity was foreshadowed in the Catholic formula of the *corpus mysticum* of Christ, conceived as a living ecclesiastical body organically composed of mutually interrelated members. When subsequently, as in the writings of the Calvinist Althusius, the traditional *corpus mysticum* was replaced by the *corpus symbioticum*, emphasis was shifted to a conception of society itself as an organismic, autonomous entity composed of interdependent, individual members.

The analogy between the natural and social realms was given a more secularized and materialistic expression by certain political theorists of the Renaissance, who, like Hobbes, sought to proceed from the scientific laws of physics to a rational, juristic analysis of state and society. By way of illustrating his central premise that the state never becomes adequately regulated until all of its members are subjected to the force of law and that furthermore no particular estate is qualified to act as representative of the whole, Hobbes decorated the title page of the original edition of his *Leviathan* with the sketch of a giant, composed of innumerable smaller human figures. This hypothetical being, he argued in contrast to the philosophers of antiquity, is not a harmonious and living unity nor necessarily well integrated. Harmony and unity must be promoted artificially by an enlightened autocrat in whom is vested unlimited control over the individual members constituting the body politic. With the further spread in the eighteenth century of a natural scientific approach to the study of political and social problems the analogy of the social organism, in Althusian rather than Hobbesian terms, was applied both to society as a whole and to the individual citizen. In political economy, where the analogy gained the widest currency, the state was regarded as an artificial superstructure imposed upon the natural economic organism. The hypothesis that the economic process functions according to natural laws in a manner analogous to the circulation of the blood was adduced as argument against any interference on the part of the state with the free working of the individual forces which make up the economic totality.

The leaders of the German romantic movement, although reacting sharply against the rationalistic conception of nature, economics and the state, took over the idea of the organism and after altering its connotations to suit their purposes gave it a central place in their *Weltanschauung*. Preoccupied with problems of aesthetics, the romantics were inclined to regard both state and economy as artistic creations; and instead of analyzing causal relationships, as in the natural sciences, they placed their major emphasis upon teleology. Man they regarded as *homo faber*, creating for his own use tools analogous to the organs of the body. The analogy between tool and organ, as found, for example, in Carus and Kapp, reduced the individual to the role of a passive instrument in a vital process controlled by higher laws. Whereas the eighteenth century rationalists had repeatedly compared the social order to the machinery of the clock and the forces at work in the political process to the balancing of the scales, the numerous disciples of Burke and Herder, repudiating this static and mechanistic notion with its implications that order had been preestab-

lished by external plans, developed in a variety of forms the idea of an organism which unfolds and evolves according to the autonomous laws of its own inner being. Although the natural scientists from the time of Buffon had made use of the concept of adaptation, the generation of Schelling was the first to think of the physical and social organism in terms of a dynamic process of becoming.

The romantic conception of the social organism, with its emphasis on tradition and continuity, was advanced in conscious reaction against the static doctrines of natural law and the social contract. In the political and social theory of such thinkers as Novalis, Müller and the other mediaevalists as well as in the jurisprudence of Savigny the essential force in society was conceived to be not the reasoning individual but the collectivity, a dynamic entity moved by irrational forces: a unity which although superindividual nevertheless displays the spiritual qualities of the human being and can thus be regarded as endowed with personality. Where the theorists of the French revolutionary movement had traced the origin of the state to a voluntary act of creation on the part of the individual members, the German romantics, in the spirit of Burke and the French traditionalists (*see* TRADITIONALISM), portrayed it as a preexistent organic force antedating human contrivance. As has happened so frequently in the history of the organismic concept, they tended to confuse fiction with reality and as a result accepted the primacy of society and state as a necessary postulate of all social and political speculation. The priority of the state and its independence of the will and consciousness of its members find clearest expression in Hegel's philosophy of history, which brought together in a new synthesis the rationalism of the Enlightenment and the historism of his romantic forerunners.

The various attempts of the romantics to define the social organism were in the last analysis verbal exercises. The organismic method is differentiated from the mechanistic chiefly by the emphasis it places on the teleological element, but in any exact and empirical science the organismic and teleological processes must be reduced to mechanical and causal processes. Only from a metaphysical point of view can a real substance be accepted as a functional entity or as partaking of the nature of body or soul. Such anthropomorphic views of the state overlook the fact that social and political groups lack the full cohesion and integration characteristic of the human body. They would have to explain the renewal of the group by the rise of new generations; and, even though it is true that societies undergo a process of growth and flowering, it is quite impossible to say that they are capable of reproducing themselves. The large social and political groups, with none of the organic properties of the family, are merely the products of conscious association and organization.

While the concept of the organism was first widely popularized by political and economic philosophers, it experienced a recrudescence at the hands of nineteenth century sociologists (*see* SOCIOLOGY), who found in it a convenient hypothesis enabling them to treat society as an autonomous natural order, susceptible of the same type of empirical investigation as natural phenomena. The physiocratic comparison of the economic process with the functioning of the circulatory system and, less explicitly, Adam Smith's theory of the division of labor had helped prepare the way for an analogy between the social sphere and physiology. The more direct forerunners of positivistic sociology from d'Alembert to Saint-Simon had developed the outlines of the hierarchical classification of the sciences which Comte used as the basis for his assumption that sociology was to be built directly upon biology. It was natural therefore that the founder of positivism, proceeding from this hypothesis, should transfer the idea of the organism from the biological to the social sphere. Furthermore Comte and many of his successors were directly influenced in their organismic formulations by contemporary physiologists: Comte by Bichat; Spencer by Milne-Edwards and the embryologist von Baer, who propounded the biologic law of the evolution from homogeneous to heterogeneous; Schäffle by the founders of cytology, Schleiden and Schwann. It was the Darwinian theory of evolution, however, which provided the most powerful stimulus for the application of biological concepts to the study of society and which enabled the sociologists to treat the historical as opposed to the static aspects of the social organism according to the methods of natural science.

Under the influence of Spencer's evolutionism it came to be assumed that the unfolding of the social process is essentially the same as the evolution of the organic, since both evolve by means of differentiation of organs and functions. In emphasizing the similarity of animal and human societies Spencer declared that the

antinomy between society and individual is to be explained in organic terms as the relationship of the constituent members to an integrated whole. In the sociology of Comte the individual had been an abstraction; but according to the new thesis, as systematized, for example, by Novikov, the individual derives significance from his role as a freely moving member within the social order. Whereas Comte had represented all of mankind as a single organism, the new school of sociologists identified the harmoniously and permanently integrated social organism with a particular society or nation. For in reality these later schools of organismic theory represented attempts to rationalize nationalism and nationalistic institutions in terms of the laws of biology rather than of the laws of physics which underlay the prerevolutionary theories of political liberty. Sociology was forged in the course of the movements which developed in opposition to the principles of the French Revolution. Under the influence of the traditionalism of Bonald, Comte set out to harmonize order and liberty. Civil society came to be explained as the natural order, and this order was said to be characterized by the division of labor and mutual interdependence. By emphasizing the analogy between the social and the biological organism the apologists of the nation state were able to portray society as a closely knit unity in which each individual member, by performing his specified function in the interdependent economy, enjoyed his share of both security and freedom.

In proclaiming this theory of a harmonious society built upon consensus and solidarity the great majority of the liberal social theorists in France came to place less and less emphasis on the strictly biological and physiological aspects of the organismic analogy; Fouillée, for example, in his attempt to combine the organismic formula with the older theory of social contract introduced the concept of a "mental," or "contractual," organism as a means of bridging the gap between the natural and the moral order. Shortly, however, even this intermediate position was in the main abandoned and *solidarité* came to be defended without resource to naturalistic analogies of any sort. In certain other quarters, however, even among French sociologists, the conception of society as a real organism continued to be expounded. According to the Russian statesman Paul von Lilienfeld, the cellular division into entoderm, mesoderm and ectoderm is the counterpart of the division of the social organism into classes. Moreover, according to Lilienfeld, every human society consists of a nervous system, which corresponds to the organic, and of intercellular substance. Deviations from the norms of progressive evolution are to be understood as a disease of the cells, and the anomalies of the intercellular substance, that is, nutrition, represent disturbances of the economic circulation. In such a system, however, the entire sphere of consciousness as well as nerve tissue, which according to the German scholar and politician Albert Schäffle is the equivalent of spiritual organs, is neglected.

Although American sociologists under the influence of Spencer continued to employ biological terminology and occasionally used the formula of society as an organism, it came to be generally recognized among them that such a social organism moves in accordance with its own peculiar laws and that while there are certain analogies with physiological functions, social life is essentially psychical rather than biological. With the turn of the century the concept of the organism began to be regarded as merely a methodological hypothesis for the investigation of social interrelationships. In the course of the concentrated attack on the older theories of the social organism it was pointed out clearly that the element of consciousness which is present in social units is absent in biological and that whereas society is composed of free individuals, the body is made up of fixed cells. The overelaborated biological analogies of Lilienfeld, Novikov and Worms have come to be generally repudiated. Among recent sociologists and social theorists there is almost unanimous agreement that individual man is no more to be understood in terms of the evolution of the animal world than is society in terms of the building of cells.

But although the theory of the social organism has been rejected by natural and social scientists, it has been perpetuated by certain authoritarian groups as a rationalization of their policy of domination. The widely influential Darwinian theories of the struggle for existence and the survival of the fittest were shrewdly transposed by the spokesmen of the dominant classes to the social process. Although Huxley had repeatedly warned against the identification of biological and political laws, the opposition to social and humanitarian legislation produced a brand of social Darwinism which glorified the right of the strong; while in the theories of publicists, such as Lea and Mahan, there developed also a militaristic variant of the theory of selection. In

the subsequent period political organizations, erected in accordance with functional rather than ethical standards, have frequently made use of the organismic analogy as a means of justifying their policy of suppression. Since such a fiction is convenient, in conjunction with geopolitical formulae, for glossing a traditionalistic *Machtpolitik*, the terms organism and organismic have come into new prominence in recent fascist apologetics.

GOTTFRIED SALOMON

See: POLITICAL SCIENCE; SOCIOLOGY; SOCIAL PROCESS; STATE; TRADITIONALISM; ROMANTICISM.

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SOCIAL ORGANIZATION. Every human group is organized; its individual components do not behave independently of one another but are linked by bonds, the nature of which determines the types of social unit. Kinship, sex, age, coresidence, matrimonial status, community of religious or social interests, are among the unifying agencies; and in stratified societies members of the same level form a definite class.

Maine, who introduced the valid distinction between kinship and territorial ties, incorrectly denied the existence of the latter in ruder societies; this position was popularized by Lewis H. Morgan. Both ignored phenomena anticipating the state of civilized countries, a deficiency partly supplied by Schurtz' theory of associations. Primitive communities do not conform to the simple pattern conceived by earlier writers but are often segmented according to several coexisting principles. To determine the comparative influence of the several resulting loyalties is one of the most important problems of social organization.

The societies of the ruder hunting peoples, as exemplified by the Bushmen of South Africa, the Andamanese or the Washo of Nevada and California, lack centralized authority and hereditary class distinctions. This does not preclude the dominance of powerful personalities or the control of the community by leaders for a definite purpose, as when a Washo of recognized competence superintends a rabbit hunt. As a rule, however, the headman of these tribes exercises no special authority, since authority is vested in the totality of adult males. In parts of Australia this situation involves a gerontocracy, the fully initiated elders assuming the reins of government and even reserving to themselves the choicest food; thus age status determines government relations. Other hunting communities, such as the northwest Californians, define influence in terms of wealth, a factor likewise prominent among the pastoral nomads of the Old World. Inasmuch, however, as the size of herds and flocks is subject to great vicissitudes, these peoples rarely develop hereditary castes. Such castes evolved in Polynesia and Micronesia, where loftiness of rank depended theoretically on directness of descent from the gods. These differences in rank may or may not be coupled with distinctions as to political power; in Hawaii the supreme ruler was likewise the highest in rank, while in Tonga the *tuitonga*, although regarded as spiritually and socially superior, was overshadowed in the affairs of state by a secular chief.

The Polynesian states were miniature kingdoms even where, as in New Zealand, geographical conditions did not hinder expansion. On the other hand, enormous African Negro populations have repeatedly been united under a single despot. Although this development was fostered by Mohammedanism, it long antedated Islam and occurred independently of its

range, as in the case of Chaka, who made the Zulu, once a petty tribe, into the dominant people of south Africa. Among the Bakuba of the southwestern Congo the king became a slave to court etiquette and a puppet in the hands of his ministers. On the west coast of Africa the ruler may either encounter a check from an independent secret society or enhance his prerogatives by gaining control of that organization. In some of the African kingdoms autocracy precludes aristocracy; the king was the only blue blood of Uganda and even the most powerful officials acted only by delegated authority. A different condition is found in Ruanda, where the subjugation of peasant tribes by cattle breeders has resulted in the dominance of a privileged pastoral aristocracy over the agricultural commoners, who in turn despise the roving pygmoid hunters of the area. On a higher level the Bedouins have subjugated the Arabian peasantry as their nomadic ancestors subjected the agricultural civilizations of the Near Orient.

African kingdoms refute the view that primitive groups are built on the exclusive basis of kinship, that the territorial tie is an extremely recent peculiarity of literate societies. In Uganda the kinship grouping by clans remained, yet government rested on the supremacy of the king and the realm was divided into minor regional units. Wherever a gifted primitive despot ruled by divine right, whether in Polynesia or in Africa, in theory he approached closely the modern ideal of a totalitarian state. In the New World authentic instances of such processes are rare. At the time of the Spanish conquest the Incas of Peru, claiming descent from the sun god, had achieved a state socialism which regulated economic organization in all its details.

Even in ruder societies the concept of a territorial unit is dimly foreshadowed. The Ifugao of Luzon have been described as anarchists who regulate all social relations in terms of kindred. Were this so, two bodies of kinsmen would treat one another as do two autonomous civilized states; but there is no such independence. Fellow residents recognize definite obligations not to embroil one another in feuds with outsiders; while the thief from another settlement is killed outright, larceny within the village is merely punished by a fixed fine. Among Plains Indians also a nascent clan feud was not a matter of indifference to the rest of the community. The neutrals realized that the result of such dissension would be the inevitable weakening of the tribe and made every effort to restrain the warring kindreds. There is here no lack of local ties but rather an absence of coercive authority within the local unit; persuasion takes the place of authority. In Luzon a go-between unofficially attempts to mediate. In case of a Plains Indian murder the police society merely urged a peace pipe on the victim's kin and conveyed the indemnity offered by the culprit's family.

Although local contiguity creates union among preliterate peoples, the tie of kinship unquestionably eclipses it. It precipitates two group forms, the family and several types of unilateral segment. The family consists of a father, a mother and their children, the latter not being always biological offspring but sometimes merely reckoned as such by legal fiction. In such a group the children's relations are bilateral; that is, they are linked to both parents. This is not true in the series represented by the lineage, clan and phratry, in which the children, for certain purposes, are related to only one parent, the rule of descent varying in different tribes and areas. Theoretically a clan (sib) embraces the descendants of a single ancestor or ancestress, the sense of common descent leading to the rule of exogamy. Actually it is often impossible to prove common derivation; at times the clans folk are demonstrably constituted of several distinct bodies of kin. It is also certain, as Parsons has shown among the Pueblos and Goldenweiser among the Iroquois Indians, that succession to office, loosely described by earlier writers as following clan lines, really follows in a line of blood relatives. It has thus become necessary to distinguish with Gifford the lineage, that is, the body of persons unilaterally related by blood, from the clan composed of two or more lineages. The Hopi of Arizona present the case of a tribe subdivided into roughly equivalent matrilineal units, some of which are mere lineages while others, not necessarily larger, comprise more than one lineage. In the Pueblo area groups of diminished membership attach themselves to those in a more flourishing condition, thus furnishing historical instances of how originally distinct unilateral groups may fuse.

Clans often become associated through common social or ceremonial interests into major units, called phratries, or brotherhoods of clans. The bond within the phratry may be relatively loose; that is, the association may not imply more than an informal feeling of preferential friendship. On the other hand, the phratry may be

charged with the most important functions. The phratry becomes a moiety (French *moitié*) when each clan is recognized as part of one of two major units; but moieties also occur without any subdivision, that is, the entire tribe may consist of two clans.

The moiety, or dual organization, appears typically in Australia, Melanesia and North America and is strangely lacking in Africa. In its typical form the moiety is a clan of major extent, whence follows the rule of exogamy. The moieties are complementary halves charged with reciprocal duties and privileges, a phenomenon which is important in conjunction with kinship rules. Given two exogamous halves, an individual's father is in one and his mother in the other; hence he connects with one moiety the rules regulating his behavior to maternal kin and with the complementary moiety the conduct he owes to his paternal relatives. Since etymologically moiety means merely a half, it may properly be used whenever a tribe is correspondingly divided into groups other than clans. Thus the Pawnee and eastern Pueblos have ceremonial moieties not connected with exogamy; and the Todas of India have endogamous moieties.

The looser form of phratry is clearly but a secondary combination of clans. But when the phratry or the exogamous moiety has definite functions, the problem arises whether it may not be the primary unit from which clans arose by segmentation. The alternative is to postulate a later association of clans into a few major units. Both processes have occurred at different times. In some parts of the world overgrown clans split into seceding bodies; yet so long as a sense of kinship persists, the parent group and its offshoots continue to form a larger functional unit. On the other hand, distinct clans have merged into a larger body, as in the fusion of two or more lineages among the Hopi.

Lewis H. Morgan was so much impressed with the intrinsic oddity of a unilateral alignment of kin that he postulated a single origin for the idea—in striking contravention of his general evolutionistic philosophy, which favored the multiplication of similar phenomena in diverse regions through some immanent social law. Morgan's theory as to the clan, which he called gens, implied several ideas. The family, he believed, was a recent development from a primeval state of promiscuity progressively tempered by reformatory steps. One of the major reforms was the institution of the exogamous clan, which barred marriage of siblings and also of more remote kindred within the clan. Finally, Morgan accepted the popular belief in the biological harmfulness of consanguine marriages; he contended that a tribe which eliminated this possibility by a clan system ipso facto would have a better chance of survival than its rivals, and that the advantages accruing from it would lead to its rapid dissemination. He and his followers assumed the priority of the clan over the family, although they did not put the clan at the beginning of social evolution. Among the arguments adduced were the kinship terminologies of various peoples, which were said to be explicable solely on the basis of the supposed sequence.

The distribution of unilateral systems does not bear out these hypotheses. The clan is a widespread but far from universal phenomenon and is absent from some of the rudest marginal peoples, such as the Andamanese pygmies, the Ona and Yahgan of southernmost America, the unequivocally simple peoples of the Mackenzie area, of Washington, Oregon, Nevada and Utah. On the other hand, the family is of virtually universal significance: whether the father is the putative or actual progenitor, socially there is always a male provider for the household, a differential tie between this functional father, his spouse or spouses, and her or their offspring. A possible exception is found in some Oceanian islands, where the hypertrophied practise of adoption sometimes leads to doubt as to whether a child belongs socially to one or the other set of parents; whatever the ultimate interpretation of these facts may be, they are extremely rare and appear in communities far too complex to be regarded as samples of primeval mankind. In the large and culturally diversified area, such as America north of Mexico, the rudest peoples lack clans; unilateral systems are generally associated with farming tribes and exceptionally complex societies of hunters, such as the Tlingit of northern British Columbia. In Siberia equivalent findings appear; the simple Chukchi and Koryak are clanless and have kinship terminologies which in no way suggest a pristine unilateralism; but the Yakut and other Turkic peoples, the felt making, iron smelting pastoral nomads of the area, are organized into rigid patrilineal clans and phratries. On both continents unilateral systems appear as later grafts on an earlier family organization.

In Australia, where clans generally coexist with the family, the same conclusion emerges from another line of argument. All individuals

are here ranged in classes whose social behavior toward one another is fixed. A man treats the entire group of his real and potential fathers-in-law according to the same pattern determined by the kinship term he applies to all of them indiscriminately. Apparently such classificatory usage militates against the family principle. But social conduct maintains distinctions ignored in nomenclature. A man owes duties of the same kind to all his fathers-in-law, but the husband of his wife's own mother may claim differential treatment; the man is potential mate to a bevy of mothers' brothers' daughters, but if possible he espouses the daughter of his own mother's own brother. A distinction is thus systematically drawn between the next of kin and those more remotely related, and the true family is segregated from the rest of the camp. The most important unit in daily life is that composed of a woman, her husband and the offspring he has fathered: it is the primary economic group and is likewise the one with the strongest sentimental bonds (Malinowski, Radcliffe-Brown, Warner).

The question of how the clan came to supplement the earlier family system may be answered conjecturally from a survey of clanless tribes, with attention directed toward potential germs of unilateral alignment. Such factors may be detected in the rules of residence, as described by Tylor, and of inheritance. Newly married couples reside either with the husband's or with the wife's parents or wherever they please. Simple clanless tribes like the Yurok of northwestern California practise local exogamy from a sense that all fellow villagers are likely ultimately to be blood kindred, and the residence is theoretically patrilocal. The men therefore bring wives from other villages, thus creating the core of what under favorable conditions might blossom into a full fledged paternal lineage; and two or more such unilateral groups would form a typical clan. The Yurok never attained that condition because of two contradictory features. Residence was not absolutely patrilocal; if a man failed to pay an adequate bride price, he had to serve for his wife in her village and was thus lost to his own potential lineage. Equally significant was the lack of a unifying designation for the nascent lineage. The family is an intrinsically loose unit, because as the children grow up they inevitably found new families; and although in the agricultural communities of the Old World there are extended families formed of blood brothers with their wives and descendants, the girls are inevitably lost to their family on marriage. The lineage or clan, however, operates on the principle of once a member always a member, usually by affixing to each member an unmistakable and permanent badge in the form of a name. Hence these unilateral groups never lose their constituents, ticketed as they are by their group name. Even in China persons with similar surnames do not marry, a phenomenon plausibly interpreted as a survival of clan exogamy.

Matrilocal residence would correspondingly create a core of a maternal kin. Where, as among the Hopi, all women bring their husbands to the bride's mother's home, a woman is united with her sisters, her and their daughters and the offspring of these daughters. If such coresidents affix a common label to all the children born in such a household, irrespective of sex, a maternal lineage is at once set off from the rest of the community.

Not merely coresidence but common property interests may be invoked in this connection. As soon as property of a certain type is highly valued, its transmission tends to become regulated in a definite way. Even simple hunting populations recognize such exclusive claims; for example, Washo families own clumps of pine nut trees and Veddas reserve to themselves special tracts of land. Here the auxiliary principle of the sexual division of labor helps to segregate the core of a lineage. Since women are responsible for the garnering of wild vegetable food, a woman claiming a patch for exclusive use will exploit it with her daughters, who automatically become her heiresses. Correspondingly the male core of a paternal lineage is segregated by the phenomenon observed by Speck among the northeastern Algonquin, the prerogative of hunting in a delimited tract. A common name for the children, male and female, who are associated with such a territory would define a true lineage.

Since these processes are common even among very simple peoples, the origin of the unilateral principle presents no such difficulty as Morgan and more recently Olson have assumed. If it were a matter of whimsically assigning some dozens of kinsfolk to one's own group to the exclusion of others, the arrangement might well appear unique and its precise duplication in diverse regions would be explicable only by diffusion from one center. Fixed residence rules, however, bring about in the most natural manner the characteristic unilateral alignment of kin, although only those of one sex. Hence the re

peated formation of unilateral groups independently of one another is highly probable. Each and every clan system has not of course evolved by itself. Clan systems have assuredly often been transmitted; but in order that such a conclusion may be proved in any concrete case, far more is required than the bald fact of unilateral reckoning. Only if this abstraction is coupled with the same concomitants has the argument for a common historical origin claim to consideration. Thus not merely are the majority of tribes in the eastern United States organized into clans, but the clans bear the names of animals and often of the same species; frequently they are grouped into moieties, which generally provide a line of cleavage in athletic games, and sets of individual names are owned by the clans but restricted to members. There follows from these coincidences at least extensive borrowing of traits, and in so far as the systems are all either patrilineal or matrilineal they may be accepted as having a single center of origin. Among the tribes of British Columbia, the plains or the southwest, however, the associations with the clan principle are too different to permit such a conclusion, especially for such discontinuous areas.

This question leads directly to the problem of the relationship between matrilineal and patrilineal descent. Lowie and Schmidt, who derives the maternal clans from the horticultural activities of women, treat paternal and maternal clans as having a distinct origin. Kroeber and Olson, on the other hand, do not postulate any necessary sequence of the two but see no difficulty in the change from one form of descent to the other. To earlier anthropologists the priority of "mother right" was a foregone conclusion; in the irregular conditions imputed to early cultures paternity would be unknowable, while the bond between mother and child could never be ignored. But primitives are often not at all interested in knowing who is the begetter of a child. Thus in south Africa the purchaser of a bride ipso facto becomes the social father of her future children, whether these are conceived out of wedlock or not, and among the Todas of India legal paternity is determined by a purely conventional ritualistic act.

Likewise among patrilineal peoples the avunculate, that is, the assignment of significant functions to the maternal uncle, who may exercise parental authority, is interpreted by the earlier anthropologists as a survival from an earlier matrilineal condition. But such avuncular privileges can be interpreted in several ways involving no such assumption. The specific powers of a maternal uncle are often balanced by those of the paternal aunt; and when paternal kin are charged with special functions in a matrilineal people, as, for example, among the Crows or Hopi, an earlier patrilineal reckoning could just as plausibly be invoked to explain the facts. Moreover the avunculate may often be the effect not of maternal descent but of matrilocal residence which has never ripened into a full fledged maternal clan organization.

No uniform sequence has ever been proved in either direction, and it is hard to imagine how and why a thoroughgoing paternal or maternal clan system would alter its basic constitution. It seems far simpler to regard both systems as springing independently from a loose type of organization and influencing each other merely in such relatively extrinsic matters as the type of clan names.

The functions of unilateral bodies vary considerably. The lineage or clan not merely regulates marriage and axiomatically prescribes mutual helpfulness in the routine of daily life but also imposes solidarity in legal and political situations. In contrast to the brittle and at best minute family, the unilateral grouping unites fairly large numbers in a common cause and thus looms as the forerunner of major cooperative effort. On the other hand, one-sided emphasis on clan loyalty is a separatistic factor, precluding the development of still larger territorial aggregates.

The clan, although sometimes a wholly secular institution, may be strongly charged with religious values. Thus according to Laufer the older form of Chinese ancestor worship probably consisted in the adoration of the heroic founder of a clan, who was supposed to watch over his descendants. Primitive peoples frequently have totemic names for their clans, and while emotional associations with the plant or animal eponym may be tenuous, they often assume deeper significance; in Australia some of the most serious rituals are linked with the clan.

The unilateral system rarely occurs on the lowest levels but makes its first appearance in somewhat more complex cultures, persisting in pre-Columbian Peru with a definite political organization and in the backward portions of Europe, such as the Balkans, in the most recent period. Founded on kinship, like the family, but capable of marshaling far greater forces, it made for enhanced cohesiveness until it came into

opposition with the potentially still wider principle of local contiguity.

Associations in a measure paved the way for recognition of the principle of local contiguity. In simpler cultures individuals are not ranged solely according to either kinship or local ties; as Schurtz first pointed out, they unite in associations according to sex, age and religious and social interests. An Australian boy is not merely a member of his family and totemic clan; he joins, possibly at about seven years of age, the group of bachelors, who dwell apart from the rest of the camp and whose example exerts henceforth a deep influence on his behavior. As he grows older he advances to higher status by a series of initiation rites, in some tribes automatically becoming with age a member of the gerontocracy. The importance most primitive tribes attach to the notion of seniority appears in the widespread distinction drawn between elder and younger brother and sister, which is not a purely terminological difference but reflects differences in attitude and conduct. Thus the levirate is a common custom, but often it is only the younger brother who is allowed to wed his elder's widow. Among the Yakut of Siberia a woman is forbidden to show herself before her father-in-law and all her husband's elder kinsmen. Relative age, in other words, determines status and so does sex. In a Yakut hut definite spaces are apportioned to the male and to the female inmates. Among the Andaman Islanders a double form of segregation appears; married couples live apart from the unmarried camp mates, who are divided into a bachelors' and a spinsters' group at opposite ends of the settlement.

The Masai of east Africa demonstrate in the most striking fashion the inadequacy of the older view that primitive communities are made up solely of clans. At least as important as their clan system, even in the regulation of sex life, is associational alignment. Every male individual is either an uncircumcised boy, an unmarried warrior or a married man, and equivalent grades divide the women. The bachelors occupy a separate kraal with the single girls. What is more, the individuals jointly initiated by circumcision form lifelong groups with fixed mutual obligations and rights. North American tribes outside the Mackenzie, plateau and basin areas exhibit an almost infinite variety of organization. There are societies of rain makers and doctors in the southwest; the Plains have military organizations, which in some tribes are divided into age companies as well as all sorts of ceremonial fraternities; in the northwest common hereditary guardian spirits lead to a regrouping of individuals during the season of the winter festival. Melanesia has ghost societies and men's clubs, and Africa, especially in the west, is honeycombed with age classes, men's and women's societies and secret fraternities dispensing justice and sometimes controlling all public life. Among more advanced peoples the Chinese are conspicuous for the inordinate number of their organizations; there are religious and political societies, trade unions, merchant guilds which have perfected the code of business life, mutual benefit associations for policing the crops of a village or for organizing a hare hunt.

The associations of ruder peoples differ not only as to function but also as to the basis of admission. Some demand exorbitant entrance fees; others are joined because of a common visionary experience; still others separate all initiated men from uninitiated boys and women, who are debarred from the mysteries celebrated on pain of instant death. Schurtz ascribed to the men's organizations political potency, inasmuch as the physically most active members of the community were thus combined into aggregates of greater size than was consistent with the kinship principle. Associations certainly succeed in bringing together unrelated men, and in some instances, as in the case of the Melanesian ghost festivals, even members of normally distinct local units are brought into effective collaboration; thus associations of various kinds can foster unions which would be impossible in societies organized on the sole basis of kinship. Yet some associations are as particularistic as the clans. Among Plains Indians the active rivalry of military societies was quite as capable of precipitating internecine feuds as the disagreement of clans. Associations are then potential means for novel combinations rather than uniform realizations of major units.

Although associations, territorial aggregates, families and clans have been treated largely as separate entities, they are often intricately and intimately interlocked. Hopi fraternities are in a sense religious associations; yet the higher offices in them descend preferentially in a maternal lineage, which thus constitutes the core of the group. Similarly, although Crow military clubs barred no one on principle, men tended to affiliate themselves with a society previously joined by some kinsmen. The Masai blacksmiths form a spatially and socially segregated

pariah caste into which no Masai of ordinary standing will marry; they thus represent an inferior occupational subdivision, but affiliation may not be escaped by giving up the trade—the group is a hereditary class of outcasts over and above its association with a despised calling. Such occupational castes are relatively common in east Africa, blacksmiths and tanners usually ranking as the lowest. Considering the absolute dependence of the natives on their metallurgists for tools and weapons, this position of the smiths, who in Siberia are treated with the utmost esteem, is puzzling. It may be explained by the fact that useful arts are often practised by peaceful folk who readily fall prey to more warlike tribes and are then degraded to a lower level. For example, when the cattle breeding aristocracy of Ruanda, interested in no useful occupation except animal husbandry, looks with contempt on the older farming populations, which perform all the other necessary labors, it links occupational classes with fixed hereditary differences in rank. Among the Masai the warriors form simultaneously a standing army and a status class.

There are infinitely varied ways in which a society may combine units of different types. The coordination or subordination is achieved with varying degrees of elegance, which can be appraised, however, only by the assumption of an arbitrary subjective standard. An individual who belongs simultaneously to two units may be confronted with a conflict of loyalties. In primitive matrilineal societies lineage and family affiliation are likely to clash. A Trobriander or a Tsimshian is legally bound to transmit his most valued possessions to a uterine nephew, yet attachment to his own sons, in a social if not in a physiological sense, impels him to favor them to the detriment of his matrilineal kinsmen. As Malinowski has shown, such conflicts between love and duty may precipitate tragedy among simpler peoples. On higher levels the possibilities for antagonism do not disappear. Attachment to a religious body, an economic class, an idealistic fraternity, may even evoke revolt against the state itself, as is illustrated by the attitude of a patriotic German Catholic during Bismarck's Kulturkampf, of the I. W. W. in the United States and of conscientious objectors to war in any militaristic country.

As Vinogradoff has pointed out, the claim of the modern state to absolute sovereignty within its territorial limits is comparatively recent in Europe. A new Scandinavian king traveled from province to province in order to gain the support of local groups. The Althing, the assembly of Iceland, passed laws but was impotent to enforce them. On the continent compulsory arbitration, self-help and outlawry preceded coercive measures. Under Charlemagne the crown executed its own decrees only in specific cases. In recent times the absolute supremacy of the state has become a favorite dogma, but practise often fails to tally with ideology. The constitutional rights of Negroes do not become realities in Mississippi any more than the Eighteenth Amendment achieved automatic recognition through the sovereign federal government. The contrast appeared more glaringly in imperial China. The emperor was in theory the vice regent of Heaven, hence the source of all power and the rightful claimant to implicit obedience. Actually the viceroys of provinces were virtually independent monarchs; the emperor was hedged in by the codified law, and his official acts were subject to criticism by a board of censors, so that imposition of new taxes was likely to meet with determined opposition.

There are many parallel forms of social structure but few instances of far reaching duplication through stage after stage in diverse areas; there is little evidence of complex laws of sequence. Economic conditions limit the character of developments; highly organized states, for example, are hardly consistent with the life of hunters, and modern individualism tends to destroy the traditional bonds of the clan or the family, but beyond this it is difficult to generalize. The clan has been thought of as a necessary intermediate state between the simple looser organizations and the politically organized peoples, yet this is not at all a certain conclusion. Thus according to this view the Aztecs of southern Mexico ought to have passed at one time through a clan stage prior to achieving a firmer centralized government; yet the more critical recent authorities fail to be convinced that the units recorded by Spanish chronicles are the equivalents of exogamous unilateral groups. Tropical South America teems with horticultural tribes which by analogy with peoples of similar level would be credited with clans; but according to Kirchhoff's classical researches few of them were so organized, the majority having as a substitute a local unit, the extended family (*Grossfamilie*), composed of the core of a lineage plus coresidents from without. This unit may often have served instead of the clan as an intermediary between the minia-

ture family and the major social aggregate. The data on associations are still more striking. That societies should dichotomize on the basis of sex or split up into lesser bodies of uninitiated and initiated bachelors and married elders seems a priori plausible, and abstract psychological arguments have been adduced to show how natural it is to form secret societies. Siberian tribes seem to have been predisposed to such developments. There women were generally rated as inferior, had disabilities as to property rights and were even spatially set off in the household; notwithstanding their lower legal status, however, they were not excluded from public and ceremonial festivities, like their Australian and Melanesian sisters, but took an active part in them. Among the Yakuts, for example, female shamans ranked higher than male shamans; and in the great kumiss festivals women participated freely. Siberia is preeminently the land of shamanism, which has elsewhere led to the formation of secret societies; yet no such developments occur throughout this vast area. The only safe inference is that social phenomena pursue no fixed sequences, or at least that their sequences are so intricate as to elude perception.

ROBERT H. LOWIE

See: SOCIETY; FAMILY; INCEST; KINSHIP; MARRIAGE; INTERMARRIAGE; AGE SOCIETIES; GERONTOCRACY; SECRET SOCIETIES; CASTE; CLASS; SLAVERY; WOMAN, POSITION IN SOCIETY; STATE; EMPIRE; ANTHROPOLOGY; CULTURE; EVOLUTION, SOCIAL.

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SOCIAL PROCESS. The history of the social process concept is closely tied up with the history of the emergence of sociology as an autonomous study. Small wrote that "all sociologists since Comte have more or less consciously assumed this concept as their major premise." And it was Cooley's opinion that "the first requisite in the making of a sociologist is that he learn to see things habitually in this way."

The influence of the concept on the American sociological tradition has been enormous. Small, in seeking to clarify the concepts by which an adequate foundation could be built for sociology as an architectonic science, selected social process as the basis for his construction and embodied an analysis of it in his book *General Sociology* (1905), which he afterward described as "a treatise on the category 'social process.' " Earlier in the same year E. A. Ross had analyzed the concept at some length in his *Foundations of Sociology*, which Small described as "the first [book] in English to put much stress on the term 'process' as a scientific social category." He added, however, that "Ratzenhofer had anticipated both books, and the term 'social process' has been used in a semi-unconscious and amateurish way by a great many people." Small's influence was important, since he was principally a student of the history of ideas and brought to the attention of the American group an account

of the sociological tradition from the time of Montesquieu and Savigny which ran principally in terms of the making of social process theory. The theory had a marked effect upon the thinking of Ward, Giddings, Bentley, Ellwood, Dewey, Mead and Thomas in America and of Simmel, Oppenheimer and von Wiese in Germany. But after Small the most important name in its development was that of C. H. Cooley, whose *Social Process* (1918) summed up the state of thought on the concept which American sociology had reached in its maturity. Since then there has been a tendency to carry it to an extreme, notably in the "Chicago school," where it became the central conception of sociology and the principal instrument of analysis. Society came to be viewed not only and primarily as process but as a network of innumerable processes.

Negatively the concept of social process represents an important reaction against static theory. It is characteristically opposed to the conception of society as structure, or society as a formal or static arrangement of blocks of material. As such it is closely tied up in the history of ideas with evolutionary thought, which did for the whole of social thinking what the philosophers of history had succeeded in doing for themselves only by a gigantic intellectual effort: it shaped social thought in a temporal perspective. It thrust into the foreground of the philosophic consciousness the notion of society as a developing organism achieving its continuity through some sort of selective process related to the performance of function. The study of the formal and the logical gave way to the study of development and activity.

Where evolutionary thought was not completely triumphant a literature of reconciliation arose, well illustrated in English thought by the writings of Bagehot, Ritchie and Caird. It is on the whole quite easily explainable that the idea of process should have flourished in the intellectual climate of an age of rapid movement in inventions, of rapid social change, an age with its codes and standards in flux. To this historical reason must be added a more strictly psychological one, indicated by Bergson's remark: "The consciousness we have of our own self in continual flux introduces us to the interior of a reality, on the model of which we must represent other realities." Similarly G. H. Mead, in a shrewd essay on Cooley, says that he discovered his society "from the inside. . . . Finding it in living, it was a process."

At the core of social process theory is thus the notion of movement, change, flux—of society as a continual becoming. "Society," writes MacIver, "exists only as a time-sequence. It is a becoming, not a being; a process, not a product . . . . Society . . . lives on only as a changing equilibrium of present relationships." Georg Simmel in fact took the position that since society is never a product but only a process, one should not speak of society at all but only of socialization. And Ross called the social process primordial, since it not only constituted society but logically preceded it. But apart from the negative value of furnishing an antidote against an undue structural emphasis in social thought, there is little in process theory itself that makes it a valuable instrument of analysis. The mere flux, continuity, becoming, finally emerge as ends in themselves, and they tend to inhibit questions of the purposes or direction of the process or of differences of value in it. Social process theory thus becomes a species of raw vitalism, in which the stuff of social experience is set up as the supreme and unquestioned value and as the final term in explaining itself.

But this does not exhaust the importance of the idea. It must be seen as the center of a whole configuration of concepts ranged around it which are both historically related to it and logically implicit in it. These are: first, the concept of process itself; second, the concept of social interaction, or of society as a flow of relations between individuals; third, the concept of historical and social continuity; fourth, the concept of the organic connection between the individual and society; fifth, the concept of the social heritage; sixth, the concept of society as an organic unity; seventh, the concept of multiple factors and the rejection, in the problem of social causation, of any particularist or determinist elements.

The conception of society as an organic whole of interrelated parts goes back to Montesquieu, whose *esprit des lois* arose from the relation that the laws themselves bore to the whole of the social order, that whole constituting the *esprit général*. But it received its classic expression in Hegel, with his sense of society as an organic whole. In Hegel's thought this theory of organic unity was combined with a theory of historical dialectic which emphasized the continuity of history. A similar emphasis is to be found among the traditionalists, notably Burke and de Maistre, who counted upon the ordered continuity of religion and tradition to knit together the social fabric and who insisted upon the organic con-

nection of the individual and society. Comte, whose formative thinking was not very far removed from the shadow of the European revolutions, followed the traditionalists in their appreciation of the unity of society and the continuity of history. Comte saw history as development, although after a hierarchical fashion that was his own contribution; and he saw society and the realm of thought itself as organic wholes.

To the influence of Hegel, Comte and later Darwin in forming social process theory there were added in the nineteenth century Marxian thought and the repercussions it aroused. This gave rise to a polemical struggle which revolved about two axes: the validity of what was primarily a conflict theory in the interpretation of social change and the validity of the materialist interpretation of history with its selection of a single set of factors as constituting the dynamic of historic change. In sociology the conflict theory was represented by Gumplowicz and Ratzenhofer. While not in the main line of the Marxian tradition, they were largely inspired by the doctrine of the class struggle and extended a similar analysis to the sociology of racial and national conflict. They had considerable influence upon American sociology, principally through Small and Ward. The problem of the materialist interpretation, however, even more than the theory of conflict, became the storm center of European sociology in the last quarter of the nineteenth century. The counterstatement to the Marxian position found much support by reverting to Eichhorn's theory of the complexity of society and the multiplicity of factors that must be invoked to explain the movement of events. Multiple causation became the rallying cry of those who opposed or feared Marxian thought. This counterstatement took extreme form among the Russian liberal sociologists, like Lavrov, Mikhailovsky and Kareyev, and among the French solidarists; both set out to defend the theory of multiple causation in the interests of libertarian democracy. Representing the middle ground between Marxism and traditionalism, they sought in historic continuity for the laws of progress which would justify and fortify their libertarian efforts. They debated incontinently the question of the relation between the personal and the impersonal factors in the historic process and of the relation between the individual and society in the social process. The prevailing point of view was that of the organic unity between the two. This is represented in German thought also in the work of Stammler, Simmel and Dilthey, and the basic preoccupation is perhaps best expressed in Ditlhey's phrase, the *Strukturzusammenhang*, or inner unity, between the individual and society.

It is significant that Cooley's *Social Process*, which stands at the end of this whole historical sequence in the sociological tradition, includes under its title the entire configuration of elements in social process theory. Indeed the logical connection between them is clear. If society is a process and not a product or an agglomeration, it follows that it can be only a flow of relations or interactions between individuals. Von Wiese's definition is helpful: "We are all 'relatives' in the old, now obsolete, meaning of the word—that is, we are all persons relative to, connected with, or dependent on others. . . . Social process . . . is the dynamic aspect of any given social relation." And if society is a flow of relationships, it follows that history is an unbroken continuity of such relationships—an evolutionary process in which, as in the organic world, nature makes no leaps and in which the most catastrophic act is the attempt to break with the past. For the individual by himself is helpless; he lives only through his relations with other individuals around him and even more through his relations with the individuals who have preceded him: it is the social heritage that they pass on to him, in the form of accumulated knowledge and crystallized institutions and vested interests, which enables him to muster the requisite skill and order through which he may survive. Thus in such a train of reasoning the question of the individual versus society becomes pointless, as social process theorists are careful to point out: the individual lives only through society. This organic connection obtains, however, not only for any individual and the society of which he is a part but for the society as a whole; the primary note here is the Hegelian "altogetherness of everything." Not merely history but society itself is a seamless web which the thinker can break only at his own peril. The Marxian theory, borrowing as it does from Hegel, is also an organic theory; but in it the dialectic of history is moved by a set of particular causes: the organization of production is so bound up with the other social manifestations that changes in it produce corresponding changes in them. But the main line of social process theory is organic in a quite different sense. It does not admit of any particularist emphases, and it sees a qualitative homogeneity

in the entire social process. The problem of social causation becomes thus infinitely complex, permitting no simplification. A change in any part of the social process is to be accounted for only in terms of changes (which are both cause and effect) in a multiplicity of factors in the rest of the social process and, by ultimate logic, in the whole of it.

The implications of this entire complex of theory for social change and its consequences for social action are far reaching. By stressing the unbroken continuity of history and society it tends to bolster the status quo and to inhibit revolutionary action which might break with the past and endanger the fragile social heritage. The change that the theory envisages is in reality only that of continuity and not radical or revolutionary change. By positing the organic relation of society and the individual it places the locus of the social process and the locus of change in the mind of the individual, denying society as an objective reality and denying also the sweep of impersonal forces in history.

On the whole social process theory represents the liberalism of the realm of sociology. It has furnished the foundation for progressivism in political and educational movements and for an entire program of social work and social reform. Sociologists have for the most part followed Cooley's injunction and adopted it as their fundamental intellectual attitude. But its very indecisiveness has done much toward preventing the achievement of an adequate theory of social change or social causation. And through its function of rationalizing the adherence to the status quo and the fear of revolutionary action the theory has in the movement of events carried implications of a definitely antiliberal character.

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See: SOCIOLOGY; SOCIETY; SOCIAL ORGANISM; SOCIAL CONTRACT; CHANGE, SOCIAL; CONTINUITY, SOCIAL; STATE.

Consult: Cooley, C. H., *Social Process* (New York 1918); Small, A. W., *General Sociology* (New York 1905), and *Origins of Sociology* (Chicago 1924); Ross, E. A., *Foundations of Sociology* (New York 1905); Giddings, F. H., *The Principles of Sociology* (3rd ed. New York 1896) bk. iv, and *Studies in the Theory of Human Society* (New York 1922) ch. v; Park, R. E., and Burgess, E. W., *Introduction to the Science of Sociology* (2nd ed. Chicago 1924); MacIver, R. M., *Community; a Sociological Study* (3rd ed. London 1924), and *Society; Its Structure and Changes* (New York 1931) pt. iv, especially ch. xx; Wallas, G., *Our Social Heritage* (New Haven 1921); Dewey, John, *Experience and Nature* (Chicago 1925) ch. v; Oppenheimer, Franz, *System der Soziologie*, 4 vols. (Jena 1922–33) vol. i, pt. ii; Wiese, L. M. W. von, *System der allgemeinen Soziologie* (2nd ed. Munich 1933), adapted and amplified from 1st ed. by Howard Becker as *Systematic Sociology* (New York 1932); Spykman, N. J., *The Social Theory of Georg Simmel* (Chicago 1925); Mead, G. H., "Cooley's Contribution to American Social Thought" in *American Journal of Sociology*, vol. xxxv (1929–30) 693–706; Teggart, F. J., *Theory of History* (New Haven 1925).

SOCIAL PSYCHOLOGY stands midway between general psychology and the social sciences and is claimed as a subdivision by both psychology and sociology. Besides its treatment as a division of sociology, sometimes being called psychological sociology or folk psychology, it is intimately related to political science as political, crowd, mass or mob psychology and as collective psychology. It is closely connected with economics through the psychology of advertising and propaganda as well as through the fundamentals of economic motivation; with religion through the psychology of religion; with education through certain aspects of educational psychology; with anthropology through folk psychology; with jurisprudence through crowd psychology; and with ethics, art and literature through both folk and mass psychology. On the other hand, general psychology since the time of William James has been moving rather definitely away from the metaphysics and even the physiology and psychology of individual behavior toward social psychology. Even physiological psychology makes a considerable contribution to social psychology through its analysis of the effects of the endocrines upon responses of individuals in social situations. Neurological psychology is important to social psychology through its study of the instincts and the methods of conditioning responses to social stimuli. Abnormal psychology and social psychiatry are related to crowd psychology and other phases of social psychology on many counts; but particularly through the phenomena of suggestibility, imitation, fixations, censorship, compensation, rationalization and personality types.

Social psychology, considered as a branch of psychology, is the study of individual responses as conditioned by stimuli arising from social or collective situations; considered as a branch of sociology or as collective psychology, it is the study of collective responses or of the behavior of groups and other collectivities. Social psychology, however, no longer is regarded by the students of the subject as merely a branch of

either general psychology or general sociology. It possesses largely an independent line of development and it is not, historically speaking, primarily an outgrowth of either of these two disciplines, although it has always been closely connected with them.

Although social psychology as a recognized social science dates from the last decade of the nineteenth century, it had previously undergone a number of advances toward integration while it was still a nameless discipline. The Greek sophists of the fifth century B.C. had observed and named some of the psycho-social processes. Protagoras, for instance, had announced the fact that not natural law, but public opinion, determines what men consider right. He had the very modern notion also that this ruling public opinion should be made enlightened through science or knowledge and should be controlled by means of education. The sophists were perhaps the first to grasp clearly the abstract fact of custom and tradition as intangible but powerful factors in the lives of men, and thus to rob the gods and nature of the honor of bringing order and continuity into human collective behavior. Other implications of a social psychology in ancient times are found in Plato's idea of organizing human society on the basis of personality types; Aristotle's theory of the four fundamental human relationships and the original social nature of man; the stoic emphasis upon the psychic communion of mankind; the Epicurean anticipation of the theory of social contract; and the Christian dogma that man is not born social but antisocial (original sin) and must be socialized (born again).

The next great contribution to the unnamed field of social psychology was made by G. B. Vico, in his *Scienza nuova* (1725), as the result of his examination of the whole of classical literature then available in order that he might ascertain, as he said, how the mind of God had expressed itself in history or in the behavior and thought of men. He came to the conclusion that the mental life and development of all peoples had been essentially the same. He attempted to state these laws of mental and cultural development under three general periods: the age of the gods, of the heroes and of men. After Vico, Condorcet developed the thesis that an era of planned civilization directed by scientific opinion was dawning. Herder saw mankind evolving from insensate matter into a moral world controlled by the ideal of a perfect humanitarianism. Adam Ferguson pictured the conflict between the collective ideals of civic self-sufficiency and paternalism. Hegel perceived a world soul developing and dominating collective thinking in the direction of universal liberty under the guiding restraints of collective constitutional action. Saint-Simon and Comte planned a system of psycho-religious controls which would marshal the benevolent emotions of man in the service of collective welfare and mutual aid.

All of the above thinkers were working toward a collective psychology. But there were contemporaries who were laying the foundations of a social psychology from the standpoint of individual responses as conditioned by social stimuli. The early moral philosophers of the seventeenth and eighteenth centuries—and especially men like Hooker, Shaftesbury, Bishop Butler, Hutcheson, Price and Adam Smith—were developing the theory of moral sentiments, such as conscience, benevolence and sympathy. The psychologists Hartley and Helvétius added the weight of their analyses. At first these men regarded the moral sentiments as inherent in the original nature of man or as having been implanted in the soul by an act of divinity, which the metaphysical deism of the eighteenth century transformed into heredity. But the influence of the philosophy of history school and the environmentalism and rationalism of the French *encyclopédistes* began to transform the hereditary explanation of social attitudes into a theory of acquired dispositions collectively or socially conditioned. Helvétius, who came closest to being a collective psychologist, and Godwin, who might appropriately be considered the first political psychologist, added greatly to the vogue of the theory of acquired social attitudes. They were true and able forerunners of the mass psychologists of the late nineteenth century in France and England and later in the United States. In a similar way Adam Smith served as the most prolific and stimulating transmitter of the theories of moral sentiments to the nineteenth century social psychologists of the individual type, especially in the United States and England. Thomas C. Upham was the outstanding early example among the disciples of Smith in the United States. For a while this approach to social psychology lapsed, but it reappeared toward the end of the century especially in the writings of J. M. Baldwin and C. H. Cooley. In England this viewpoint served its apprenticeship in the theories and practical proposals of Bentham, the Mills, Spencer, Leslie Stephen

and other utilitarians. Through these men and Bain and the Scotch school generally they reenforced the thinking of Baldwin and Cooley.

Such, in the briefest outline, was the very important development of social psychology before it acquired a name. The first phase of social psychology to achieve distinct recognition was folk psychology. In 1860 Lazarus and Steinthal, following the immediate lead of Herbart and Hegel and of that branch of the philosophy of history which had turned toward ethnology, established their *Zeitschrift für Völkerpsychologie und Sprachwissenschaft*. During the next thirty years they published also several monographs in this general field. They selected language and ethnology as the source from which to draw the data of social psychology, apparently because these subjects had already been largely developed on the psychological side in Germany and were in process of such development in other countries. Their data were much more objective than those available to the English, Scotch and French schools of moral philosophy and therefore more capable of integration into a science. Folk psychology was by no means the invention of Lazarus and Steinthal, who might rather be characterized as the formulators and promoters of the new subject rather than its discoverers, and even they remained too close to the Hegelian metaphysical concept of the oversoul to make of their subject a true science.

Wundt went further and attempted a true science of folk psychology which, as Karpf points out, was intended to present, first, a psychological history of culture; second, the theory of collective mind; and, third, the origins of collective behavior. For the most part he dropped the metaphysical assumptions of Vico, Herder, Condorcet and Hegel and like Spencer attempted to derive his conclusions from the inductive study of ethnological materials. He went beyond Spencer in the study of social origins and found his most enthusiastic but largely independent follower in W. I. Thomas in his Chicago period. Other social psychologists in the United States influenced largely by Wundt were Baldwin, Dewey, Cooley, Judd and Mead, although they were perhaps even more stimulated by neo-Hegelian concepts of collective behavior and opinion. The inadequacy of ethnology as a basis for either a modern social psychology or a modern sociology began to be made clear in the 1890's as the result of the growing complexity of a society which compelled both of these social sciences to seek their data from and to make their descriptions of contemporaneous social and psycho-social processes. Folk psychology therefore declined rapidly in importance; and the struggling race psychology, which had obtained a place in university catalogues, remained stillborn, mainly because of the discovery that social instincts were a myth and that race was a sociological and anthropological rather than a psychological concept.

The new brand of social psychology which had most to do with the retirement of folk psychology from the center of the stage in the last decade of the nineteenth century has been variously denominated crowd psychology, mass psychology, mob psychology and even collective psychology, although this last term might also be applied to other aspects of social psychology. Adam Smith devoted extensive passages to custom, fashion, opinion and other aspects of collective behavior. But it was Walter Bagehot and Gabriel Tarde who first carefully observed what E. A. Ross later called the social planes and currents in collective behavior and attempted to reduce them to definite and schematic formulation. It has long been recognized that Tarde overworked the concept of imitation, but it is equally true that the recent attempt to deny any significance to this concept is unjustified. Tarde's formula of repetition, opposition, adaptation, harks back to the Hegelian dialectic and presages the dialectic of social growth of Baldwin, so important in the United States around 1900. Tarde was the first social psychologist to give adequate attention to invention, but he failed to find a naturalistic basis for it in the process of the conditioning of responses. Closely supplementary to the work of Tarde was that of Gustave Le Bon and Scipio Sighele; they more than Tarde took over the ideas of the French abnormal psychologists, particularly of Bernheim and Janet, and applied their theories of suggestion, hysteria and hypnotism to the analysis of crowd and mob phenomena. This line of attack has been extended even further by E. D. Martin to include theories of paranoiac motivations and obsessions. E. A. Ross consolidated the findings of Tarde, Le Bon and Bagehot and introduced them into the United States, first in his *Social Control* (New York 1901) and later in the first work ever published under the title *Social Psychology* (New York 1908). Ross also is credited with having given the first course by this title ever offered in a university, at Stanford in 1899. This phase of social psychology, which had such wide vogue from about 1890 to about

1910, has in its turn fallen into relative disfavor. But its importance is perhaps greater than is usually recognized, partly because of its aid in objectifying psycho-social situations and in making them subject to symbolic control and practical manipulation, but also because of the large contribution it has made to political psychology, the psychology of religion and the psychology of the mores. Émile Durkheim and Lucien Lévy-Bruhl have made an interesting combination of the neo-Hegelian theories of the oversoul, of folk psychology and of the French-English crowd psychology. In Durkheim's hands the oversoul is reduced to collective representations. These appear to be general concepts and emotions which acquire a symbolic detachment and objectivity, enabling them to be communicated in the psycho-social environment and thus to become dominant factors in collective responses. Lévy-Bruhl, even more than Durkheim, has gone to the field of ethnology for his most telling illustrations of the operation of these collective representations and in addition has made some excellent criticisms of the psycho-social assumptions of the ethnologists, while he himself has displayed an inadequate grasp of modern psychology. The Durkheim school generally has been closer to anthropology than to sociology, although several investigators have attempted to make applications to the fields of religion, economics, sociology, political science and education.

About 1910 the chief emphasis in social psychology began to shift definitely toward personality analysis. Perhaps this movement really had begun earlier in the works of Baldwin and Cooley. Three major lines of attack upon this theme developed: the instinctivist social psychology, the psychoanalytic approach and the environmentalist approach. The instinctivists, led by William McDougall, had a long line of antecedents among the Scotch metaphysicians and the German child psychologists and another in William James. It was the naïve atomistic theory of this group that personality is a bundle of inherited behavior patterns which may be manipulated by the educator or by social directors and institutions somewhat as the typist operates a typewriter to produce an intelligible manuscript; that is, by releasing the keys which are the instincts. By 1920 this mode of personality analysis was under fire and by 1925 it was in rapid retreat, although it still has standing in other countries where social psychology is less well developed. The psychoanalytic approach to personality analysis also started with an instinct theory—one which was more crude than that of the instinctivists themselves—and attempted at first to interpret all personality in terms of the conflict of an all powerful "sex" instinct with an "egoistic" instinct, but later brought in something like a "herd" instinct, in the form of the super-ego, to make room for an alignment of the two former so-called instincts against social disapproval. This phase of psychoanalytic social psychology is now without adherents except among the "faithful," and the theory of personality conflict which they brought to the fore but did not originate has now been reduced to a theory of conflict of acquired interests and of socially conditioned attitudes and impulses with native appetites. Nevertheless, the psychoanalysts did help to emphasize some categories of interpretation taken over mainly from the abnormal psychologists—wishes, compensation, rationalization, fantasy, neuroses—which have been widely adopted by such social and political psychologists as Graham Wallas, W. I. Thomas, F. H. Allport, L. L. Bernard, Kimball Young, J. K. Folsom, E. D. Martin and H. D. Lasswell. The environmentalist school of personality analysis among the social psychologists, beginning with Adam Smith and other eighteenth century writers already mentioned, came to be recognized as a leading branch of social psychology through Baldwin and Cooley and was reenforced and extended by the work of such men as Wallas, Thomas, Allport, Bernard and Young in particular. In this modern form the old ethical emphasis of Adam Smith and his confrères has given way to a purely objective analysis of personality. Ellwood, Bogardus, Kantor and most of the recent French and German social psychologists belong primarily to the collective or crowd and folk psychology rather than to the environmentalist school of personality analysis, although all of those mentioned have been definitely concerned with the latter. This field of study and investigation developed within social psychology in response to a definite demand from educators, advertisers, propagandists, ministers, club directors and other leaders for definite knowledge of the personality mechanisms which must be manipulated in the processes of character formation and social control. With the discarding of the social instincts theory there has been a consequent return in this connection to the theory of the conditioning of responses which John Locke so ably and clearly set forth in his *Essay concerning Human Understanding*

(London 1690; ed. by A. C. Fraser, 2 vols., Oxford 1894), and which Pavlov has recently renewed.

The newest and at present the dominant emphasis in social psychology—the behavioristic viewpoint—is built upon and refines and reorients the environmentalist school. Modern behaviorism in social psychology may be said to have originated, or at least to have been foreshadowed, by August Comte; but the comparative psychologists, especially John B. Watson, were responsible for popularizing the principles of behaviorism and for giving it its name. These men, however, with a few exceptions, have not worked in the field of social psychology. Behavioristic social psychology of the present day is primarily the product of the United States and its chief sponsors have been Allport, Bernard and Kimball Young, although it has now been adopted by most of the writers in the field. It places the chief emphasis in social psychology upon the constructive adjustment of the personality to environment, and it accordingly makes extensive use of the theory of the conditioning of responses and of the environmentalist analysis of personality. Through this behaviorist, or functional, adjustment orientation social psychology is allied intimately with all the social sciences concerned with collective behavior in the fields of politics, business, religion, recreation, art, literature, language, delinquency, mental hygiene, education, vocational guidance and the like. All of these subjects are essentially behavioristic in content and outlook and they find in a behavioristic social psychology aids to the interpretation of their own problems of group and individual behavior which could not be found in the old metaphysical theories of free will, rational choice, instinctive domination and so on. All of them are becoming "institutionalized," under the molding influence of social and folk psychology. Individual motivations are now traced back to social origins and both individual and collective behavior, even in language, literature and art, are being explained in terms of the social conditioning of responses. Such a behavioristic interpretation in the social sciences opens the way for an objective analysis of the conditioning factors in behavior and therefore to productive research in all phases of social control.

At present social psychologists and social scientists generally are not greatly interested in schools of social psychology. The chief immediate concern is in the development of quantitative testing and measurement technique. This emphasis upon psycho-social research has been reached only after several decades of effort. The German research approach in social psychology, as represented by Lazarus, Steinthal, Wundt, Vierkandt, Thurnwald and Simmel, has been mainly cultural and institutional. Good work has also been done in child psychology and personality development, especially by Pestalozzi, Herbart, Preyer, Stern and Bühler. In France Le Bon, Tarde, Durkheim and Lévy-Bruhl have emphasized the mass-cultural-institutional approach and Le Bon and Tarde the analogical method. The recent British development began with the cultural-institutional-historical approach of Bagehot and Graham Wallas, but its chief contemporary emphasis is upon the analogical (instinctive) interpretation of Shand, McDougall, Drever and Thouless. The social psychologists of the United States have led in quantitative research in social psychology in recent years.

During the latter half of the nineteenth century there was a constantly growing tendency among social psychologists toward stating their investigational problems in such a manner that they could be answered by means of the application of statistical techniques. Quetelet, Buckle and Tarde were ardent advocates and practitioners of the application of statistics to the disclosure and interpretation of psycho-social uniformities. It was not, however, until after Galton's invention of the method of correlation in 1888 that adequate methods for the measurement of these phenomena were developed, and they were not experimented with extensively until the present century. Recently measurement in social psychology has been applied both to mass behavior, as in the studies of Ogburn, Rice, Willey and Lundberg in the fields of voting, conservatism and radicalism, and leadership and to personality, as in the measurement of social attitudes, fairmindedness, honesty, social intelligence, temperament and the like. Methods of personality measurement have progressed more than general statistical measurement of collective phenomena. In 1904 Thorndike published his *Introduction to the Theory of Mental and Social Measurements* (New York, 2nd ed. 1913) and thus gave a marked impetus to the quantitative method. The Binet-Simon scale and its numerous derivatives also have made various contributions of value, although some of them have been greatly overestimated. Much the same may be said of the various stud-

ies of eminence by Galton, Pearson, Cattell and others which led up to the recent heavy emphasis upon the refined analysis and computation of social attitudes by Allport and D. A. Hartman, Thurstone and many others. Much effort has been expended upon the production of measuring scales for the detection, evaluation and prediction of religious, political, domestic and other social attitudes, with the result that large phases of the corresponding social sciences are being transformed by this psycho-social quantitative technique. The emphasis upon scientific labor management, motion study and the like early in the twentieth century together with the growing interest of educators and employers in vocational aptitudes has greatly stimulated the development of a field of industrial psychology which overlaps with social psychology, educational psychology and personality analysis and rating. Methods of rating and ranking of all types of persons and in many fields of social behavior have been for some time actively and widely discussed. Rankings and ratings, however, give way increasingly to standardized tests, such as those developed by Allport, Thurstone and numerous other workers in the field. These techniques have been extended especially to the measurement of such aspects and problems of personality as emotional stability, will temperament, social maturity, fairmindedness, social distance and social attitudes. This phase of measurement promises to become one of the most fruitful in the whole field of science. In 1928 Hartshorne and May began to publish the results of their experiments in extending measuring techniques in the field of character to real life situations, but as yet practically all such tests continue to be of the pencil and paper variety.

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See: PSYCHOLOGY; SOCIOLOGY; SOCIAL PROCESS; COLLECTIVE BEHAVIOR; CROWD; ENVIRONMENTALISM; BEHAVIORISM; ABNORMAL PSYCHOLOGY; COMPARATIVE PSYCHOLOGY; PSYCHOANALYSIS; PERSONALITY; INSTINCT; HABIT; IMITATION; METHOD, SCIENTIFIC.

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SOCIAL REFORM. *See* REFORMISM.

SOCIAL SANCTIONS. *See* SANCTION, SOCIAL.

SOCIAL SETTLEMENTS. The term settlement, as used by neighborhood workers, goes back to the origin of the movement when, in 1884, Samuel A. Barnett founded Toynbee Hall in London. Twelve years earlier, as a young clergyman, Barnett had become vicar of St. Jude's in one of the most wretched districts in the East End. His experience convinced him that industrial and urban changes had undermined much of the English parish system, and that charity and mission schools altogether failed to make up for the draining off of parishioners equipped to give civic and educational leadership to such areas. Accordingly he sought some new means of reenforcement, closer to the ground than the rising university extension movement, in which he was active. His concept was reminiscent, on the one hand, of the "principle of locality" hammered out by the Scotch divine, Thomas Chalmers, in rechurching Glasgow in the early nineteenth century and, on the other, of that of Edward Denison, who in the 1860's afforded an example of what a resident layman might do by taking up lodgings in Stepney and, with encouragement from Ruskin and the historian Green, envisaged a colony of young men who would throw in their lot with the dwellers in an underprivileged neighbor-

hood. In the words of Robert A. Woods, historian of the settlement movement, Barnett proposed to bring "some of the nation's chief sources of power" into the vacuum left by the collapse of older forms of community life. At his invitation a group of young Oxford and Cambridge graduates took up their residence in the Whitechapel district of London, naming their quarters in memory of one of their number, Arnold Toynbee, whose career had been cut short by death. The founders of Toynbee Hall and of the other settlements which followed its lead reflected the century long revolt against evils ushered in by the industrial revolution. In the midst of the ferment, however, they held to what the poets, novelists and essayists, the political and religious insurgents of those decades, so often lacked—a practicable approach to the life and problems of the times. Not only did they organize clubs, classes, lectures, concerts and other educational, cultural and recreational activities, but they elected to become a part of the community itself, to study its needs and to participate in its struggles. Toynbee residents were early drawn into the labor conditions underlying the great dockers' strike and into the scheme of social research that issued in Charles Booth's epoch making study, *Life and Labour of the People of London* (2 vols. and appendix, London 1889–91; rev. ed., 17 vols., 1903). Thus from the start, through the interplay of essential human contacts in these centers of residence, the settlements sought to avoid falling into the category of superimposed institutions. Then and since they have been invested with an unspoiled confidence in the contribution which, by a process of give and take, the people of a locality themselves might make. This explains how in England they have counted steadily upon dislodging mind sets at both ends of an old order and how in the United States, where settlements spread even more rapidly, they have revived the spirit of pioneering in decades which have seen the frontier shift to urban centers. Through the subtle understanding and vivid leadership of Jane Addams the more democratic aspects of the movement soon came to be typified in the public imagination in Hull House, opened in 1889 on Halsted Street in Chicago.

In England the example set by Toynbee Hall led within six years to the establishment of six other neighborhood centers: Oxford House in Bethnal Green, the Women's University Settlement in Southwark, Mansfield House in Canning Town, University Hall, Bermondsey Settlement, founded by Mrs. Humphry Ward, and Newman House. Although Anglican, Unitarian, nonconformist and Catholic auspices were included in these beginnings, and although the settlement movement has repeatedly drawn impulse from religious and ethical sources, Barnett and his associates set the type in consistently rejecting sectarian bias and evangelical intent.

This approach especially appealed to early oversea visitors to Toynbee Hall, who were to become the founders of the first American settlements. In 1886 the Neighborhood Guild, later the University Settlement, was initiated in New York by Stanton Coit and Charles B. Stover. The year 1889 marked the opening not only of Hull House in Chicago by Jane Addams and Ellen Gates Starr but of the College Settlement in New York by Dr. Jane E. Robbins and Jean Fine (Mrs. Charles B. Spahr). The first Boston settlement, Andover House, later South End House, was founded in 1891 by William J. Tucker and Robert A. Woods.

So much has depended on the personality of founders and headworkers that certain other names must be singled out from the list of those who have given distinction to the movement in the United States: in New York, Lillian D. Wald (Henry Street Settlement), Mary K. Simkhovitch (Greenwich House), John Lovejoy Elliott (Hudson Guild) and Gaylord S. White (Union Settlement); in Chicago, Graham Taylor and Lea Taylor (Chicago Commons) and Mary E. McDowell (University of Chicago Settlement); in Cleveland, George A. Bellamy (Hiram House); in Philadelphia, Anna F. Davies (College Settlement); in Pittsburgh, Charles C. Cooper (Kingsley House); in New Orleans, Eleanor McMain (Kingsley House); and in San Francisco, Elizabeth Ashe (Telegraph Hill).

Transplanted to the United States, neighborhood work became more flexible; it broadened out from its academic matrix, employing the term "social settlement" and then discarding qualifying words entirely. Men and women were included in the same household, a departure which would have been impossible at the time in England but was not so difficult in the United States with its coeducational universities. Emphasis shifted from class rapprochement to race relations, assimilation and mutual adventures in community growth. With immigration at its flood, the early American settlements were among the first to introduce classes in English for foreigners and courses in citizenship, to en-

courage and conserve folk arts and to experiment with other branches of adult education.

Starting with an old residence or rooms in a tenement, the early settlement has grown into a cluster of neighboring houses, a quadrangle covering an entire city block or a tall modern building. Clubrooms, clinics, gymnasia, studios, social halls and theaters as well as summer camps outside the city find place in the scheme. Although frequently settlements are regarded as recreation centers, their larger purpose is apparent from the Hull House charter: "to provide a center for a higher civic and social life, to institute and maintain educational and philanthropic enterprises, and to investigate and improve the conditions in the industrial district of Chicago." In the pursuit of such aims American settlement workers gave their attention to all the aspects of neighborhood and community welfare—to conditions of sanitation, health, education, recreation, housing and industrial relations. They struck out against sweatshops, unsanitary workrooms, child labor, low wages, overwork of women and other civic and industrial evils. In some cases their agitation resulted in local improvement, in others they led the way to remedial legislation. First at Hull House and then at Henry Street Florence Kelley, secretary of the National Consumers' League, linked such protests against industrial exploitation with practical proposals which laid the framework for labor laws and factory inspection. The idea of the federal Children's Bureau, a human departure in government, was Miss Wald's, and its first two chiefs, Julia C. Lathrop and Grace Abbott, were residents at Hull House. The war and post-war years have witnessed a further extension of settlement interests and strategy into such fields as large scale public housing, city and regional planning, systematized social insurance, internationalism and world peace.

Intrinsically the settlement movement is decentralized, but city, national and international federations have lent it collective strength. In the United States a National Federation of Settlements, formed in 1911, reported in 1930 an enrolment of 160 houses, with 1500 staff members and 7500 volunteer assistants, while a partial census of activities indicated that over 1,000,000 people were reached each year. These figures are exclusive of some 300 church houses of all denominations, and other hybrid organizations which frequently call themselves settlements.

The English settlements likewise have increased in number since 1914; they now total 72 and are organized in two bodies: the British Association of Residential Settlements and the Educational Settlements Association. Recent developments indicative of the vitality of the movement have been the spread of neighborhood houses in the depressed mining areas and experiments in connection with the new housing sections, which, while they afford admirable living conditions, are often lacking in the rudiments of community life. A dozen neighborhood houses in Canada and others in Australia have shared in the impulse from Toynbee Hall.

The extent to which the settlement movement has taken root in continental Europe is apparent from the fact that at the present time France has 59 neighborhood houses; Holland 51; the Scandinavian countries 12. A number of early neighborhood centers sprang up in France quite independently of the British movement and even before its inception. The oldest, L'Union des Familles, was founded soon after the Franco-Prussian War by Madame de Pressensé. Like the Volkshuis of Holland, the French centers were non-residential, and it was not until the turn of the century that residential settlements came into being in France. In 1902 the abbé Viollet opened his L'Oeuvre du Moulin Vert, which recruits its members as families rather than as individuals; and in 1903 several borough settlements in Paris were started under the leadership of Madame le Fer de la Motte. During and after the World War a number of neighborhood centers were established both in the cities and in rural areas, and by 1932, 25 non-sectarian societies were affiliated with the Fédération Française des Centres Sociaux. The federation includes the social centers of the villages of the Chemin de Fer du Nord, where the workmen themselves are the prime movers. The settlement movement in France has from the beginning drawn on the ideology of Saint-Simon, Fourier and Frédéric Le Play in its concern for strengthening the life of the local community.

One of the best known and most successful European settlements, the Soziale Arbeitsgemeinschaft, was founded in Berlin in 1911 by Friedrich Siegmund-Schultze. It emphasized the self-organized activity of the people living in the working class district which it served and also offered a striking example of the interplay between voluntary social service and a system of socialized public administration. The Berlin and the Cologne settlements were among the first to

suffer under the Nazi regime which began in 1933.

The settlement movement has taken root in China, Japan and India or has been spread by missionary leaders. Notably in India the neighborhood house has played an important role in overcoming caste barriers and racial cleavages.

Following the first international Conference of Settlements at Toynbee Hall in London in 1922, subsequent meetings were held in Paris (1926), in Amersfoort, Holland (1929), and in Berlin (1932).

In the United States, where the social settlement has reached its widest and most varied development, volunteers have characteristically played a large part in settlement beginnings and continue to do so even today, when, under modern organization, executive responsibility and specialized activities are commonly assigned to trained, salaried staffs. Similarly the chief source of financial support has been voluntary contributions, raised directly by the board of trustees or directors or as part of the local community chest. Fees paid by members of clubs and classes have met some of the expense, and with the passage of time endowments have accumulated. Settlement boards are usually drawn from the community as a whole, but as a foil to absentee bias they are sometimes balanced by neighborhood leaders and men and women who have themselves come up through the clubs.

The trend has been for each house to enter the field without a preconceived program, to see the work grow out of situations which call now for one type of service, now for another and to keep it plastic. This approach and the decentralized leadership of the movement throw light not only on the variety of forms of neighborhood work but on those disparities in standards and motives between individual houses which have led to criticism of the movement as a whole. Thus on the one hand it has been charged that settlement work is superficial in that it remains on the side lines of the economic struggle, and on the other hand it is held to have become obsolete as a result of the development of social programs by schools and community centers under public auspices. Such charges from the outside have been matched and anticipated by the self-analysis and criticism of settlement workers themselves. Even more the search for realistic promptings in the life about them has done more than anything else to save settlements, although by no means universally, from the pitfalls of patronage, sentimentality and institutionalism and from partaking of what Miss Addams called "the inevitable flatness of the commonplace" as they have become "part of the established order of things."

Unlike case work agencies and specialized forms of social work which minister to particular needs, neighborhood workers are in a sense general practitioners who emphasize the group as central to their scheme. Beginning with their own household and engaging all the surrounding groups that enter into the social composition of the neighborhood, settlement workers are concerned with the life of the community as a whole. Not only do they carry on a local exchange through which the varied resources of the community can be drawn upon in any case of need, but they bring together generations, races and interests and give effective social expression to the educational, cultural and recreational aims which are at the heart of their program. It is natural therefore that the club should have become the "activity common to all settlements," from the recreational clubs for young people to the adult organizations which often serve as forums for the discussion of social, political and economic problems and as channels of organized and effective protest against neighborhood ills.

In the field of health the American settlements have been at the forefront in initiating health education, medical examinations, convalescent homes, child health centers and such current innovations as habit clinics for small children and heart and nutrition clinics. The visiting nurse service of the Henry Street Settlement gave impetus to similar services the world over and led to the introduction of school and city nurses. In originating the term "public health nursing" Miss Wald saw the potentialities for the community of the nurse who is also a social worker.

In education the settlements introduced or demonstrated many of the developments which have enriched the public schools—playgrounds, kindergartens, nursery schools, classes in home economics and manual training, vocational bureaus, junior employment services, visiting teaching, study rooms and ungraded classes. In adult education the settlement class for immigrants was the forerunner of comprehensive schemes developed and expanded under municipal or state auspices.

In a decade which is confronted with increased leisure, whether through unemployment or through shorter working hours, the activity of neighborhood workers in sponsoring cultural, aesthetic and intellectual pursuits has taken on

new significance. In this field Albert J. Kennedy, for many years secretary of the National Federation, has given distinguished leadership to the American development. There are twenty settlement music schools, apart from some fifty music departments. Through experiments in group singing and playing and through concerts, recitals and choruses an effort is made to stimulate wider appreciation of music. Historically settlements have taken a leading part in reviving native festivals, dances and folk arts. Needle craft shops have long encouraged foreign born women to preserve their native skills not merely for their inherent value but as part of the effort to awaken in American reared children a pride in handicraft. Today settlement art schools, children's art museums, classes in pottery, modeling, painting, drawing, metal work, woodcarving, basketry and weaving as well as dancing and dramatic departments give play to the creative instinct. The little theater movement in the United States has drawn inspiration from the Hull House Players and the Neighborhood Playhouse of the Henry Street Settlement.

From the outset the residence of settlement workers in congested areas and their first hand contact with problems resulting from industrialization gave rise to distinctive social and economic studies. Beginning with *Hull-House Maps and Papers* (Chicago 1895), the South End House studies, *The City Wilderness* (Boston 1898) and *Americans in Process* (Boston 1902), the American settlements have contributed a valuable group of findings in the field of social research. Kingsley House under William H. Matthews helped initiate the Pittsburgh Survey (*Findings*, 6 vols., New York 1909–14), which assayed life and labor in the American steel district. In 1926, at a time when no governmental agency or responsible private foundation had ventured to appraise the experiment, the National Federation of Settlements appointed a committee, with Miss Wald as chairman, to gather evidence as to the social effects of prohibition. The results of this study were published under the title *Does Prohibition Work?*, by Martha Bensley Bruère (New York 1927). The fissure of unemployment which was showing through the crust of post-war prosperity, but of which the public was unconscious, next presented a telling opportunity to settlement workers. At the National Settlement conference in 1928, eighteen months before the stock market crash which ushered in the depression, a committee on unemployment was appointed under the chairmanship of Helen Hall, then director of University House, Philadelphia, and later of Henry Street, New York. More than a hundred settlements cooperated in inquiries carried on over a period of five years. A popular version of the study *Some Folks Won't Work*, by Clinch Calkins (New York 1930), ran into four editions, while the comprehensive findings, *Case Studies of Unemployment* (Philadelphia 1931), provided one of the first source books for the student of unemployment. Subsequent inquiries dealt with the effect upon families of mass unemployment and mass relief, and Miss Hall carried out a study of the effectiveness of the British system of unemployment insurance as contrasted with American makeshift emergency measures. The settlements sent the first group of social workers to present testimony at hearings in Washington calling for the exercise of federal responsibility toward unemployment. They have been active in urging a threefold program of employment stabilization, employment services and unemployment insurance. It is in areas of change and growth, where new situations must be met and new knowledge applied, that neighborhood workers thus link insight with instigative energy.

Today roughly 600 settlements on four continents have their prototype in the original household at Toynbee Hall in 1884. The neighborhood house, with a resident group as the core of its work, is one of the few general social institutions originated within the past half century. This is a brief span in such a process of evolution, but it is long enough to invalidate any definition of the settlement in terms of particular activities and to disclose its enduring character as a nucleus for social discovery and initiative.

The propensity of neighborhood workers to be forerunners, encouraging the public to take over what they have proved workable, has given currency to the notion that the settlements have been putting themselves out of business. Yet their usefulness can scarcely be ended with the adoption by the community of the things they have discovered, for their primary function, discovery, would still be theirs. The fact that they are grounded in and change with their neighborhoods, draw in their neighbors and promote self-organization along natural lines may indeed be the secret of the persistence of settlements in the midst of change. In the impending contests for industrial control the settlements will be needed, as they were in the 1890's, as centers of contact, understanding and impulse.

Meanwhile the economic shifts being ushered in by mass production and mass distribution are only in their inception. Man's invention has gone but a short way toward devising ampler schemes for living for all. Experimentation is not well done in the mass. The neighborhood house is intimately bound up with the community, where conviction springs from personal contact and can offer a fresh interpretation of the problems of an industrial civilization in the process of finding itself.

PAUL U. KELLOGG

See: SOCIAL WORK; COMMUNITY CENTERS; COMMUNITY ORGANIZATION; NEIGHBORHOOD; PLAYGROUNDS; RECREATION; BOYS' AND GIRLS' CLUBS; WORKERS' EDUCATION; ADULT EDUCATION; SLUMS.

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SOCIAL SURVEYS. In its broadest sense a social survey is a first hand investigation, analysis and coordination of economic, sociological and other related aspects of a selected community or group. Such a survey may be undertaken primarily in order to provide material scientifically gathered upon which social theorists may base their conclusions; or its chief purpose may be to formulate a program of amelioration of the conditions of life and work of a particular group or community. Although either type of survey may yield results of value to the other, scope and method are governed chiefly by the initial purpose of the study. The first type was introduced into sociological thought by Frédéric Le Play in the middle of the nineteenth century and has resulted in a rich and varied literature as well as in a less definite but nevertheless powerful influence, particularly in French and German sociology. The latter, while gaining much from the impetus given by Le Play's studies of European working men's family budgets, had its actual inception in England in the last quarter of the century with the work of Charles Booth and his associates and has attained its fullest development in the United States. Thus the social survey as a method for the study and analysis of social phenomena as well as for the application of a program of social planning is of comparatively recent origin, although it had been envisaged by thinkers belonging to an earlier period.

Le Play realized that in order to study the chaotic forms and material of society, some basic unit which would contain within itself the essentials of the larger complex must first be selected. He chose the family as both the simplest and the most universal unit of society. The next problem was to devise some adequate method for the quantitative measurement of the different components or elements of that unit; and for this Le Play chose the family budget as yielding by careful analysis of all of its component items the best quantitative expression of the whole family, its organization and functions and its relation to all the other groupings and institutions in the society in which it existed. His monumental *Ouvriers européens* (6 vols.,

1855) was the result of two decades of studies of thousands of budgets of working men's families in a number of countries. From these he selected for intensive monographic study a few families and their functioning and on the basis of both types of approach formulated a number of conclusions with respect to the organization of various types of society. Nor did Le Play limit himself to methodology for social analysis as a basis for sociological generalization. In this work, in *La réforme sociale en France* (2 vols., 1864) and in the journal which he edited he sought to use such studies as a basis for practical proposals for social amelioration.

The disciples of Le Play, notably Demolins, however, concerned themselves more with the former type, broadening the basic unit, for which they felt the family was not a sufficiently comprehensive form, and seeking more satisfactory methods of measurement than those expressed in monetary terms. The *nomenclature de la science sociale* which they devised included examination of other social units and institutions and of geographical and related environmental factors. Indeed the survey in the human geography and the ecological schools of sociology owes much of its methodology to the followers of Le Play. Other sociological schools, however, have been influenced by Le Play's method and approach.

While Le Play's method of studying family budgets as the basis for social planning still remains the model for such studies, the social survey which includes a broader view and a more comprehensive measurement of working class communities may be said to have originated with the epoch making work of Charles Booth and his associates in their study *Life and Labour of the People in London* (17 vols., London 1903). Aroused not so much by interest in social generalization as by the startling revelations of London poverty, Booth, himself a statistician of note, and a selected staff of investigators composed of outstanding economists and social workers undertook an extensive field investigation. Limited to a definite group within a single city, Booth and his associates did not restrict themselves to any single grouping as the unit of measurement but used every available source of information in the community which would not only throw light on the income, working conditions, housing, health, living standards and free time activities of working class London but also show the effects of education, religion and administration upon them.

The influence of the Booth survey in the field of social planning was as significant as that of the survey method in sociological generalization. Social workers, philanthropists, economists and statesmen who on the basis of speculative deduction from economic or moral laws had looked for the causes of misery in the individual shortcomings of the poor were now made aware of the close interrelation of all the forces which make for and perpetuate poverty and its accompanying social problems. Booth's study of London was followed by a less ambitious survey of York sponsored by B. S. Rowntree (*Poverty; a Study of Town Life*, London 1901, 2nd ed. 1902), which was significant chiefly because it verified the major conclusions drawn in Booth's previous study.

In the United States the social survey made its appearance in 1909 with the Pittsburgh survey undertaken by Paul U. Kellogg and his associates (*Findings*, 6 vols., New York 1909–14). Indeed it was in connection with this study that the term survey was first applied. In the United States, as in England, realistic if not scientifically conducted investigations of social conditions had preceded the survey. Chief among these were the revelations of slum conditions by Jacob Riis and by the workers at Hull House, Lincoln Steffens' muckraking accounts of civic corruption and Upton Sinclair's novel of the conditions of the workers in the meat industry, *The Jungle* (1906). It was the Pittsburgh survey which introduced the use of trained social workers, sociologists and economists in a study of the living and working conditions of the unskilled immigrant laborers in the city's principal industry—the steel mills. The survey applied the methods developed by Booth and his associates; in addition it made abundant use of photographs and it publicized and interpreted the findings through an exhibit and through the periodical press. The fact that the Pittsburgh survey was from the outset sponsored not by an individual but by a group of social agencies, including the periodical *Charities and Commons* (which subsequently changed its name to the *Survey*) and the Russell Sage Foundation, aided the institutionalization of this method of social study. In 1912 the Russell Sage Foundation established a department of surveys and exhibits, and in 1914 its executive head undertook the next important community survey of Springfield, Illinois. This differed from the Pittsburgh survey in that its emphasis was more on general social than on economic aspects, and it marked

a progressive step in that it initiated a far wider degree of community participation.

Since 1914 the social survey has become an established method of studying group and community problems. Up to January 1, 1928, no fewer than 2700 surveys are listed by the Russell Sage Foundation for various communities and groupings. This development may be attributed to the changing and mobile character of American life, both urban and rural, and to the growing number of social reform and fact finding agencies, public as well as voluntary, which have sought to bring to light the problems involved in a dynamic industrial civilization. For this purpose, however, the generalized social survey of a community has given way to the specialized local or group survey covering a particular phase of community life, such as health, crime and delinquency, recreation, education and housing. Of the 2700 surveys listed only 153 were of the general community type, 81 being of urban and 72 of rural areas. The specialized survey was first undertaken in the Cleveland series on education (25 vols., 1915–17), hospitals and health (11 vols., 1920), recreation (7 vols., 1916–20) and crime (1922). *The Regional Survey of New York and Its Environs* (8 vols., New York 1927–31) and the *Regional Plan* (2 vols., 1929–31) based upon it are broader in scope and marked by a somewhat different approach.

In England the social survey still adheres closely to the pattern laid down by Booth, as is evidenced by the *New Survey of London Life and Labour* (7 vols., London 1930–34) published by the London School of Economics. But the type of survey which stresses geographical and topographical relationships, particularly in connection with city and regional planning, began to appear about 1920. Even earlier the work of Geddes and Branford in the field of regional surveys showed the influence of Le Play. At the present time a land utilization survey is proceeding under the direction of L. D. Stamp of the London School of Economics.

Indeed the development of varied types of social survey, both by semipublic and by governmental agencies, marks the disappearance of the social survey as a clearly defined form of social investigation and its far reaching influence upon social planning. The use of the survey as a basis for social planning must be clearly differentiated, however, from that of earlier governmental surveys. While it is true that attempts of well ordered governments to obtain data with regard to communities as a basis for administrative action date back even before the *Domesday Book*, and that the cadastral surveys of later periods as well as the registers which were the by-products of administrative action in cameralist and mercantile states yield rich material for the social economist, these were in the main mechanical and non-analytical in character and were little concerned either with social theory or with social planning.

In the United States at the present time the influence of the social survey method is not restricted to the field of planning programs of amelioration or change. Early in the century a number of surveys of small towns were undertaken by N. L. Sims (*A Hoosier Village*, Columbia University, Studies in History, Economics and Public Law, no. 117, New York 1912), J. M. Williams (*An American Town*, New York 1906) and other students of F. H. Giddings. The type known as the social process community study, which includes only incidentally program making aspects, has also been conducted through a long succession of rural, village and small town studies by sociologists and economists attached to state agricultural colleges and to the Institute of Social and Religious Research and has served as the basis of much recent thought in the field of rural sociology. Another type has been the area study undertaken by the so-called ecological group of sociologists. Here the emphasis has been not so much on process as on existing relations between the group and its area.

With the publication of *Middletown*, the study by R. S. and H. M. Lynd (New York 1929), the social survey in the United States entered on a new stage. This study covered every group in the community and based its descriptive and analytical summaries on an ordered and extensive array of data. If its scope seems to be as broad as that of the *nomenclature* of Le Play's disciples, its basic interest is not in theoretical conclusions or in the formulation of a definite program but in an analysis of the changing character of society under varying economic, political and social forces. Despite its popular and non-academic style therefore it represents a renewed approach to the study of the community as a whole and more nearly resembles the method used in anthropological field studies of primitive communities.

Because of the diversity of uses of the social survey there has inevitably developed a lack of uniformity in the selection of units and of the qualitative and quantitative indices devised for their measurement; this defect undoubtedly

creates difficulties if the surveys are to be used comparatively on the broader field of social generalization rather than with reference to the particular problem or community studied. But it also explains why the social survey method is no longer restricted to a particular school of sociological thought but has been adopted by rival schools. Similarly, in place of the former criticism of the limitations of the social survey method on the part of adherents of the statistical as well as the case work school, there has come an acknowledgment that the social survey combines and supplements both.

NILES CARPENTER

See: SOCIAL WORK; SOCIOLOGY; NEIGHBORHOOD; COMMUNITY; POVERTY; FAMILY BUDGETS; COST OF LIVING; CONSUMPTION.

Consult: Lundberg, George A., *Social Research* (New York 1929) ch. vii; Sorokin, Pitirim A., *Contemporary Sociological Theories* (New York 1928) ch. ii; Harrison, Shelby M., "Development and Spread of Social Surveys" in *A Bibliography of Social Surveys*, ed. by Allen Eaton and Shelby M. Harrison (New York 1930) p. xi–xlviii; Odum, Howard W., *An Introduction to Social Research* (New York 1929) ch. xvi; Branford, Sybella G., and Farquharson, Alexander, *An Introduction to Regional Surveys* (London 1924); *Chicago; an Experiment in Social Science Research*, ed. by T. V. Smith and Leonard D. White, University of Chicago, Studies in Social Science, no. xvii (Chicago 1929).

SOCIAL WELFARE. *See* CHARITY; INSTITUTIONS, PUBLIC; SOCIAL WORK.

SOCIAL WORK

GENERAL DISCUSSION ..... PHILIP KLEIN
SOCIAL CASE WORK ..... PHILIP KLEIN
TRAINING FOR ..... MARY CLARKE BURNETT

GENERAL DISCUSSION. Although the term social work did not come into use until the twentieth century, the recognized special field of activity now denoted by it dates back to the 1860's. The content and values of social work since that time have been sufficiently different from the "charity," "philanthropy," "poor relief" and "social reform" which constituted its historical antecedents to make it a new and characteristically modern phenomenon.

No satisfactory definition of the term has yet been achieved. Devine in contrasting it with "social economics . . . as community housekeeping," calls it by analogy its "salvage and repair service." Tufts offered a series of definitions based on a variety of principles of classification but finally decided on a definition by enumeration, taking as his guide a detailed list of social work occupations drawn up about 1912 by the Employment Bureau of the National Social Workers' Exchange (afterwards consolidated with the American Association of Social Workers). A more ambitious attempt was made by Alice S. Cheyney, who analyzed agencies listed in charities directories, curricula of professional training schools for social workers and proceedings of the annual meetings of social workers known as the National Conference of Social Work. "Social work," in her definition, "seems to comprise a group of allied activities called by a common name and considered to be but various phases of a single undertaking because they are all engaged in spontaneous efforts to extend benefits in response to the evidence of need; because they all show a major interest in improving the social relationships of their beneficiaries and because they all avail themselves of scientific knowledge and employ scientific methods." In a discussion of definitions at the First International Conference of Social Work, which met in Paris in 1928, Percy Alden of England, dissatisfied with this last definition and with a half score others quoted by Miss Cheyney, resorted to what is essentially a definition by enumeration in describing social work as consisting—for Great Britain at least—of four major activities: relief or prevention of poverty, cure and prevention of disease, treatment and reform of the criminal and the general abolition of conditions "which hinder progress in our industrial and economic life."

Despite the distinct character of modern social work as contrasted with the older "charities," it is difficult to understand either its present scope and nature or the concepts, theories and philosophies now current concerning it and molding its future, without a recognition of the important historical elements which have gone into its making. Prior to 1860 little of what in retrospect would be recognized as social work had to do with anything but the relief of the poor. In the middle of the nineteenth century the status of poor relief and its philosophical substructure were essentially as they had been for the three centuries preceding. It was still assumed, for example, that poverty was the effect of shiftlessness and irresponsibility, that is, of character weakness, rather than of external

circumstances. The existence of any appreciable degree of involuntary unemployment was thus implicitly denied. The extent to which this theory had penetrated the field of poor relief is well shown in a passage quoted by P. F. Aschrott from the manual of the London Charity Organisation Society: "With regard to the relief of widows we find that the main object of the Charity Organisation Society is to instill among the population a sense of the importance of saving and foresight. If the head of the family makes no provision in case of his death part of the responsibility falls on his wife and it is doubtful whether the widow ought to be relieved of the consequences by charitable aid." In this respect as in the matter of unemployment the realities of economic life were not permitted to penetrate through the moralistic defenses, strengthened as always by a certain amount of psychological soundness.

There was indeed even during this period considerable concern for the child as such, although mainly as a victim of poverty or of its consequences; there was also a growing interest in the reform of penal institutions and laws not strictly related to poverty. But child welfare, as an endeavor separate from the mere support of dependent children by the poor law authorities, began to develop, first in the form of institutions for orphans and neglected and dependent children, only at the beginning of the nineteenth century. It was later and to a limited degree only that educational developments arising from the seeds sown by Rousseau, Pestalozzi and Fröbel began to spread into the kindred fields of all child care and into the institutional practise for adults, as the function of institutions became educational rather than custodial. Penal reform, although traceable to Beccaria and Howard before the opening of the nineteenth century, occupied but a minor place in social work until the second half of that century. The work of Obermaier, Montesinos and Crofton still consisted of isolated experiments, and the entire body of modern penology and criminology was barely foreshadowed. The hospital, in so far as it was not merely part of religious institutions, had become a purely medical agency rather than one belonging to the field of social work.

Poor relief even at that time was not a simple idea, any more than the institutions and instrumentalities through which it was practised represented a logical and clear cut social plan of action. It was in a somewhat confused way associated with the care and education of children, with ministering to the sick and crippled, with ethics and religion: almshouses, workhouses, hospitals, prisons, orphanages, homes for neglected children, were recognized as institutions in some way akin to although not coordinate with the central concern of poor relief.

In general the organizational constituents of social work as they appeared about 1860 were, first, poor law authorities, national, municipal or those of other local types with or without institutions for paupers, children, sick or infirm; second, private relief agencies, sectarian, fraternal or, in rare instances, independent, often endowed and providing either indoor or outdoor relief or both; and, third, a few children's reformatories and prisoners' aid societies. Charity was the watchword and character the earnest, often pompous concern of sponsors; social cleavage between donor and recipient was wide, while social reform was brought into the picture only where the poor were regarded as a menace to wealth and peace or as an unbearable burden to the taxpayer.

Yet certain factors of great importance, the effects of which are realizable only in retrospect, were already at work. Thus the humanitarian idealism which so clearly dominates all social work—as important in its hypocritical masks as in its true functioning—is clearly traceable, at least to the time preceding the French Revolution. One of its most conspicuous manifestations was the upheaval in the field of penology. In the United States, for example, almost at one stroke the bulk of capital offenses was written down to imprisonment; and incarceration replaced mutilation, stocks and branding. Much, possibly most, of the credit for the antislavery movement and for the English factory legislation as well as for the new attitude and institutions for child welfare, for the treatment of the insane and for Red Cross service in wars also must be assigned to this comprehensive humanitarian wave. In fact the first serious check to the movement did not come until the upheaval of the World War. More fundamental even than humanitarian work was equalitarianism, also associated with the French and American revolutions. This was no mere theory but a new, persistent, permeating habit of thought, which led not only to demands by the suppressed but to voluntary grants by the possessors of power. Under the sway of this sentiment the colossal conceit of the ruling class—not yet wholly extinct—by which the poor, when not a menace, were at least by definition of inferior stock and without title to

advancement in the social scale, could no longer parade as the expression of a natural law. Although this aspect of the aristocratic tradition is dying a very slow and reluctant death, its senescence has had a deep effect upon the development of social work, particularly in helping the emergence of a new value attributed to the individual in his own inalienable right as such. But most important undoubtedly has been the rapid spread of the habit of scientific thought in the realm of social subject matter. Ultimate credit for this phenomenon is due unquestionably to the work of physical scientists, whose intellectual reign was ushered in by the nineteenth century.

Moreover the social theorists of this new period were faced by a social crisis. Conditions of the depressed classes had become compelling in much the same way as at the end of the sixteenth century, when they had led to the series of legislative measures enacted between 1550 and 1642 for the relief of the poor on the continent and in England. To the attitude created by the humanitarian and equalitarian movements and by the spread of scientific thought was added the motive power supplied by the industrial revolution, which was creating an exploited laboring class and an increasing pauper class as fast as social theorists and rebels were defining the rights of man and establishing the democratic dogma. Luddite uprisings and the Chartist movement were expressions of the new paradox of increasing exploitation and poverty with expanding proletarian consciousness and power. By 1844, within a decade of the reform laws and of the new poor law (1834), the middle class, in which is to be found the body of reformers and philanthropists, had organized in London a Society for Improving the Condition of the Labouring Classes. About the same time an Association for Improving the Condition of the Poor was founded in New York. The Society for the Prevention of Pauperism, which originated in New York in 1818, had already translated its aspirations into a House of Refuge for Children. By 1868, according to Helen Bosanquet (*Social Work in London, 1869 to 1912*, London 1914), England had eight associations for "improving the conditions of the labouring classes." In 1857 the Social Science Association was founded by Lord Brougham, who became its first president. The establishment of the Charity Organisation Society of London itself, the agency which was to prove the most influential factor in creating what is now regarded as modern social work, is credited to the effects of a paper read by Dr. Henry Solly before the British Association and Society of Arts on the subject of "How to Deal with the Unemployed Poor of London and with Its Roughs and Criminals Classes." At its very inception this society combined such distinct interests as that of Octavia Hill in housing the poor, that of Edward Denison in what would now be called field studies in sociology (and which soon was transformed into the social settlement movement) and the technical interest in poor relief administration—sharpened by the rediscovery of Thomas Chalmers and the Elberfeld system —which was to give rise to social case work and "community organization." The charity organization movement and the social settlements may be regarded as the beginnings and chief representatives of modern social work and may be recognized as present in some form or other in the protean organization of the field.

In the growth of modern social work, as seen against this background of cultural-economic events, the most conspicuous and probably the most important single factor has been the evolution of social case work and of certain of the agencies in and through which it has grown to its present stature. Its significance is more far reaching, however, than either its practise alone or the work of those agencies. It represents the source and avenue of the ideas which have made social work, for good or evil, what it now is. Social case work represents both historically and analytically the introduction into social work of the scientific mode of thought and of the specific contributions of such social disciplines as sociology, economics, biology and political science. Into the details of actual performance this new spirit brought a displacement of theological, religious and ethical principles, even though in the motivation of sponsors and to some extent of practitioners much of religion and ethics still continued. The scientific motif led inevitably to its technological sequel, and social case work is responsible for most of the drive for and much of the substance of technique in social work. To a considerable extent the technique in this part of the field actually became the basis of technique throughout the larger field, including areas such as group work and community organization. Technological developments naturally led to specialized training and therefore to the professionalizing of social work personnel. The results of this professionalizing in turn led to the unexpected but far reaching effect of the gradual

replacement of lay philanthropic leadership in social work by technically trained professionals, who now became not only the executive instruments of social work but also its conceptual leaders, program makers and interpreters. Social work is at present largely a professionally defined area of public service, whether financed by church, relief organizations, municipality or state; and this is for the most part due to events associated, directly or indirectly, with the growth of social case work. This professionalization of social work is moreover perhaps the most distinctive characteristic of modern social work.

By virtue of its new scientific character the perspective of all social work shifted from an "external" view previously held by social reformers, theorists and philanthropists alike, in which the poor, the sick, the criminal or the neglected child appeared mainly in contrast to the normal and quantitatively solid mass of population, to an analytic view as if from the angle of the client himself. The social worker in this new conception was no longer an agent serving the social mechanism so much as an instrument of adjustment manipulated in the interest of the client and upon the physical and social environment of the client. This shift of perspective is most pronounced in social case work but is unmistakable in other parts of the field as well. In one sense it is paradoxical, for the outlook of the client is of necessity individualistic, while social work by definition is social in principle and purpose. But that paradox is only the perennial and unsolved one of the relations of individual and society. The new point of view does not pass judgment or reassign values in this relationship. It merely shifts emphasis, for purposes of immediate action, from the deductive and mechanistic viewpoint of classification and definition of categories to the psychological and inductive method concerned with connotation and specific adjustment. The concepts of social justice, social responsibility, democracy (in the sense of the right of participation), gain a somewhat modified definition from this "inner," or client determined, perspective of present day social work. It is in this light that social work seems to put the emphasis upon the neighborhood and local community as the matrices of the individual and of the potential social work client. It is this shift to the internal perspective that has made possible the tremendous spread of the mental hygiene movement in social work, for mental hygiene particularly contemplates the universe through the life and experience of the individual.

Certain other specific events, conceptual as well as institutional, can best be understood in the light of this new point of reference. The place of child care in the modern social work system, for example, has been practically made over; and not a little of the improvement of the life and outlook of the child in normal circumstances may be attributable to this general tendency. The serious and widespread attention given to the education of the child in Soviet Russia, Fascist Italy and Hitlerite Germany, even though based on socio-political grounds, shows the unmistakable effects of this new attitude. The increase in governmental as well as private pensions for the care of the preschool child and for the pregnant mother is in part at least a manifestation of the same trend, particularly as expressed in children's codes passed in a number of American states and in the statements of the White House Conference on Child Health and Protection.

In the course of this development certain specific results have been achieved, some reference to which is imperative for an adequate sense of the nature of social work interest. Among these have been: the reform of the almshouse and removal of the insane and the child from this catchall of social refuse; the removal of the child from the mechanical maws of "criminal justice"; the popularization of play and playgrounds for city children and the organization of recreation as a basic educational and preventive social instrument; the introduction of prenatal care for mothers and of visiting nursing and health education; the reduction and social condemnation of child labor; the introduction of decent standards of living in the relief of the poor; the infusion of social work into medical treatment and public health, including the great movements for combating tuberculosis and malnutrition of children; a more enlightened attitude and procedure with respect to venereal diseases and the positive pursuit of social hygiene and sex education. Along somewhat different lines the social survey, case studies in social science, community appraisals and much of the progress in pensions for mothers and the aged and in social insurance and safety legislation may be counted among the accomplishments of social work.

One further classification of social work, especially current in the United States, will serve to complete the sketch of its present status. It is

based on the technological point of view and cuts across most other classifications, such as those founded on aetiology, objective or sponsorship. Social case work, group work, preventive and educational work and community organization constitute the categories of this classification. Most of the social agencies may be distributed among them according as one or the other technical process underlying the categories is paramount in their program. Of these four technological divisions the first only, social case work, has received reasonably adequate discussion in professional literature. The other three, although clearly differentiated in practise, in the distribution of personnel, in the curricular provisions of professional schools and in meetings, conferences, special associations and committees, still lack comprehensive formulation. Such articulation of techniques as exists in these fields, with the possible exception of the job analysis study of group work by Margaretta Williamson, may be found chiefly in the publications of particular, often national, agencies, such as the Association of Community Chests and Councils, child labor committees, the Young Men's Christian Association and the like.

To many social workers both in America and in Europe the foregoing survey, and especially the implied content of present day social work, would seem to be overbalanced on the side of social pathology. They would point out that in recent years more of the activities and personnel of social work are to be found in group work—public health and health education, industrial relations, vocational guidance, adult education, recreation, progressive education, child study, social legislation and "character building"—than might be surmised from the foregoing remarks. These areas of social work are, it is true, often larger and in some ways more important than the more narrow definition of the field, such as that of E. T. Devine, would imply. The attempt here has been, however, to deal with social work in its more clearly recognizable and undisputed areas, where the historical continuity is least open to question and where no doubt can exist as to appropriate auspices or personnel. In the other fields, which from the standpoint of a narrow social work interpretation would be considered peripheral, there is no such clear case for classification or historical identity. Here the medical and educational professions, the clergy, organized labor or the academic world would stake out an equal claim with social work. Too much would depend, with respect to inclusion or exclusion of any given area, upon the particular definition of social work favored.

One of the oldest divisions in the social work of western nations has been that between voluntary, or private, and official, or governmental. To a considerable extent this division, at least until recent years, has been parallel with another division of interests; namely, between emphasis upon case work and that upon mass measures, such as categorical relief by legislative acts and social insurance. The United States, and Canada to a considerable extent, have been associated with the social case work point of view and, because of its history and tradition, with private philanthropic auspices for social work. Social case work techniques are at home primarily in these countries and the influence of psychiatric thought upon them has been most pronounced. Although England is the birthplace of social case work and the home of the most militant of its representatives, as opposed to categorical relief, it is now and has been since the social insurance laws of 1911 decidedly within the sphere of major influence of mass measures for general social improvement. It includes in the center of its field of interest a great body of social insurance and of educational and recreational programs and cedes a commanding position to governmental agencies as against private organizations for the conduct of social work. Germany, while perhaps the best representative—outside the Soviet Union—of social insurance and the socialization of social work, as a whole has nevertheless made relatively great gains in the application of social case work technique with its principles of treatment of the individual client, even though the status of the clients is determined primarily by categorical regulations as to the receipt of benefits. Next to the United States and Canada, Germany also has gone furthest in the professionalization and advanced training of its personnel. It has developed its association of professional workers and set up a considerable number of professional training schools. The Soviet Union and Italy, each in its own way, have absorbed so much of the social work program in their general social and political organizations that it is hardly possible to discuss the social work activities of these countries independently of their governmental systems. The actual practises current in these and other continental nations have now become better known through the meetings and publications of the International Social Work Conference,

the first of which was held in Paris in 1928 and the second in Frankfort in 1932.

In so far as social work has constituted part of the public activities of any country, the question of financing has been part of the general problem of taxation. The raising of tax funds and their distribution for social work were fundamental features of the political and administrative problem of the ancient civilizations and have become a major factor in the history of England in the form of poor law legislation and administration. Taxation has often been combined with private financing in a variety of ways, as in the form of subsidies to private agencies, emergency appropriations to supplement private funds and endowments, and various forms of division of labor between private and governmental agencies. Organized private philanthropic financing has been for the greater part of western history dependent upon church income from tithes and fees and profits of the large scale agricultural and industrial operations of church lands, endowments and foundations, the raising of money by personal appeal, mail campaigns and membership organizations. No striking change in private financing of social work, with the exception of endowments and foundations, occurred until the introduction of the campaign method and the community chest, the former in the latter part of the nineteenth century and the latter in the early part of the twentieth (*See* DRIVES, MONEY RAISING). Of these the community chest movement is more relevant and important for social work, not only because of the substitution of this new method for the sundry venerable systems of raising money by mail, charity balls, bazaars and the like but also because it represented an attempt to diffuse into the total community membership the philanthropic consciousness, the sense of social responsibility and, theoretically at least, the appreciation of the nature and function of social work in a community.

While principally an American movement, the possible ultimate importance of this new method of financing, initiated as a concomitant of the World War, might have become more significant had not the depression interfered with this as with so many later tendencies in social and economic life. The extraordinary shrinkage of private resources of all kinds has thrown back upon the organized political bodies, with their taxing power, the major task of providing relief for those in economic distress. Always the largest part of a social work budget, this has recently been derived from public, not private funds, in the United States in the proportion of 90–95 percent in 1933 in comparison with a maximum of probably not more than 60 percent in 1928, the latter figure itself being a tremendous increase over the percentage prior to mothers' pensions. This increase of financing from public resources has weakened one of the major services of the community chest movement, that of providing with relatively greater efficiency than do other methods the necessary funds for the social work of the community. In view of the fact that appropriations of nearly $1,000,000,000 were made by the federal government of the United States for relief between July, 1932, and May, 1933, the place of the community chest method of financing social work may become as uncertain as that of private philanthropy as a whole.

Thus, again, social work has had to face its oldest and most persistent problem: whether social work is, should be and will be chiefly the expression of organized philanthropic and individual voluntary interest or whether it is primarily and therefore fundamentally the organized expression of planned social economy, both as a temporary remedy for particular individuals and as a constructive and orderly mechanism for changing social conditions. And it still remains to be determined whether the relative constituents of social work are changing as the form of social life is changing, having passed through tribal communism, monarchic despotism, the feudal system and laissez faire capitalism, and are about to enter a new socio-political structure, whatever its temporary description may be.

The philosophical objectives of social work as they have gradually been crystallized in its institutions and programs since the middle of the past century are difficult to formulate. The very existence of a philosophy of social work is frequently denied, and it certainly is not available in a form which might be recognized as an acceptable general program for the entire field. It is involved and almost buried in the great variety of specific theories and objectives which appear in the form of agency programs and purposes, of credos of sponsoring bodies, and of individual faiths, theories, hopes and prejudices of social workers, boards of directors and presidents of agencies. Not only are these theories and statements of policy diverse, but for the field of social work as a whole they are often conflicting and antagonistic. On such matters as

industrial democracy, birth control, ethical conformity and cultural desiderata, a wide gamut of theoretical positions will be found among the personnel and in the formulated policies of social work organizations. There are, it is true, certain trends common to social work, such as the professionalization of personnel, the specialization of functions and the refinement of technique, but these are not part of its wider basic philosophy.

What then is common and to the field bears a philosophical connotation? First, negatively, social work does not contemplate or perhaps even recognize the possibility of a comprehensive socio-political system capable of being devised in toto and introduced in toto, of such a nature as to guarantee the elimination of the social and individual difficulties which now render social work necessary. In other words, social work does not recognize any of the proposed social systems, such as socialism, communism or anarchism, as an adequate utopia. Were capitalism and the institution of private property a program instead of a fact, social work would class them along with the other proposed systems. In practise consequently its objectives are addressed to the socially detrimental by-products of capitalism as the here and now. Philosophically then the premise of social work is the empirical impossibility of a deliberate and planned utopia. Its specific theories and programs are the pluralistic expression of this skepticism of a monistic concept.

In the second place, social work, both temperamentally and philosophically, is opposed to the idea of the sacrifice of the life, happiness and security of living generations for the putative salvation of those to come. If it were possible to be absolutely certain that in exchange for the price to be paid by the living generations a happy utopia for the future of mankind might be purchased, perhaps the preoccupation of social work with the woes of the living might be surrendered. But nothing in the history of mankind justifies the likelihood of a kingdom of God on earth—a lasting kingdom. The chances would still seem—to the social worker—a poor statistical risk. He is still asked by the proponent of one or another complete social system to neglect the visible and often curable ailments of the day for an uncertain world of theoretical perfection. His focus is the misery of the present and of the predictable future. His instruments of precision, such as they are, are the perennial facts of individual and social psychology manifested in a definable social environment rather than controversial measures for social reconstruction. Perhaps all this is truer of American and English social work than of that of other nations, for the same reasons that render Anglo-Saxon nations as a whole less ready to embrace fascism or socialism or similar replacements of the more orthodox systems of the past.

A third aspect of social work philosophy is in a sense but another phase of its pluralistic viewpoint: it holds that within limits prescribed in each instance by the particular nature of the subject matter social work must apply the scientific method in its processes. This implies the possibility of rational processes, of the application of the inductive principle to social study, of quantitative research. Social work is not only empirical in its outlook but almost by definition thoroughly pragmatic, despite the fact that irreconcilable differences may exist between pragmatism as a philosophy and the religion and ethical tenets of many of the institutional sponsors of social work, notably the Catholic church. Whether in the relief of the destitute, in the practise of social case work, in recreation, community organization or group activities with the young, social work gives recognition to the determining values of pertinent cultural tradition, folk mores, varying legal systems, temperamental and emotional selectivity; it recognizes political tradition, customary standards of living and the varieties of family cohesion prevalent among diverse groups as data of no less independent objectivity than statutes, dietetics or the biological function of the family. Just as it refuses to recognize a perfect scheme for the socio-political organization of human society, so it rejects rigid criteria of mores, laws, tradition, ethics, in the daily practise of its activities.

This philosophical complexion of social work often produces an uncomfortable insecurity for the social worker in the company of his fellow tinkerers with the social system; he is reactionary and shortsighted to the socialist and communist; he is the hated uplifter to the man in the street, the harebrained idealist to the hard headed business man, a meddler to the politicians and a dangerous agitator to the more reactionary of the conservatives, in whose eyes any champion of the downtrodden is by definition a rebel. Moreover he often agrees with one or another of his own critics, sometimes with several, and often, in his incapacity to recognize

his own unconscious eclectic philosophy, with all of them.

All that has been said thus far about the nature and theories of social work should, strictly speaking, be dated as representing approximately the situation for the period ending in 1927. The world economic depression which has set in since then has brought to a head forces which were started or strengthened by the World War and by the Russian Revolution and which have made exceedingly uncertain a number of generalizations regarding social work, especially in the Anglo-Saxon countries. It is difficult to discern a permanent trend or an approximate form which the background and individual activities of social work may take in the immediate future, especially in the United States. Some of the important elements of this uncertainty, as they appear to the social worker, may, however, be recognized.

First, the social surplus on which social work has been operating has diminished and has in fact been rendered precarious even in principle. In its crudest form this fact makes the termination of some agencies practically certain, the continuance of others dubious and the contraction of programs and functions of still others imperative. What shall stay and what shall go: relief proper, the group training of the young, health administration and education, social case work, industrial welfare, or the improvement of working conditions and industrial relations? Is the period of contraction temporary or permanent, and are the social criteria for a selective contraction recognized?

Second, is the social surplus diminished only where private property and individual philanthropic funds are involved, and does society therefore face the assumption by the taxpayer of activities hitherto financed in whole or in part from private resources? On the face of it, this is what is happening, as the changing ratio of private to public funds in American social work would seem to indicate. But European practise has long been largely in the public field. Has the change indicated therefore merely a local significance for the United States? How much of it moreover represents response to the economic emergency and how much a reorientation in program and philosophy?

Third, under the goad of the accelerated development of the industrial system and more recently of the acute economic depression tremendous impetus has been given, despite the cost involved, to categorical relief in the form of insurance or pensions. How far is this movement likely to continue and spread? Will it leave so small a residuum for the non-categorical forms of relief as to make this function a relatively unimportant one, regardless of whether it is conducted by private charity or by the government? Will these events moreover remove the focus of social work from relief to its other areas of endeavor?

Fourth, changes in social case work have widened the gap between the conception of social case work as a method of relieving destitution and that of a technique in personality adjustment, relatively independent of economic problems except as these problems themselves provide the setting and ideology of personality difficulties in families. The depression, however, has pushed economic problems to the fore and by bringing governmental agencies into the areas of services in unprecedented measure has set in bold relief basic questions as to the relation of categorical relief to relief on a case work principle. Much of the adjustment between possible answers to these pressing questions of the moment will depend upon the duration of the depression and upon whether it represents an acute, if prolonged, temporary situation or the beginning of a new economic era on a lower standard, as has been the case in continental countries. The question of standards is organically involved in the preceding one. Social work, increasingly well financed, especially in the United States, working in progressively comfortable economic environment and under the influence of a fast mounting and enormously pervasive standard of living, has built up and established correspondingly high standards of client services, covering not only higher cost but also more intensive individualization with all its attendant philosophical corollaries. From minimum relief of "less eligibility," social work has progressed to "rehabilitation" on the client's own former standard of living and to the provision of elaborate medical, vocational and psychological treatment. What is true of individual standards of treatment is true also of the whole concept of social services. Adequacy of provision of such services now connotes a minimum of economic recreational, educational, health and aesthetic components undreamed of a half century ago. The total budget of social services if ideally developed would require a social income far in excess of anything known. But does the productivity of man in this age of machinery and

efficiency preclude a system of indefinitely expanded social services? Whereas before the depression the answer might have been given in the negative, at the moment, despite the fact that technically it is possible, prediction is indeed impossible from the larger social point of view.

Finally, social work is not certain of its attitude to the family as a social institution. Parts of the social case work and relief field have developed an increasing loyalty to the concept of the family as a basic institution of society, the protection and enhancement of which is a major objective. This point of view has been held more on ethico-social grounds than on sociological and anthropological evidence. Other streams of thought have centered on the psychological problems of the individual, whose membership in the family is of greater importance as a libidinal fact than as a social or economic factor. The changing relationships in family life, arising from urban and industrial conditions, the emancipation of women, a revival of classical philosophy in sex matters and the contribution of psychoanalytic thought, give no clear indication as to which theoretical choice will contribute most to the progress of social work.

There is a tendency in the United States for social work to seek a more deliberate and articulate philosophy than the somewhat unconscious one projected above. Events in the Soviet Union and effects of the present depression in increasing public management of social work have probably done more to stimulate this tendency than the natural development in the field itself. To some extent this means the adoption bodily of current economic radicalism and particularly of communism. While this movement is substantial, especially among the younger element in the profession, and while it has a more sympathetic reception, if such it may be called, than it used to have among the contributing public, it would be unwise to take newer aspirations as the actual underlying philosophy of present day social work as seen in action. It is as yet, and will be as long as the present social system in capitalist nations continues, the hope and inspiration of individuals in an upset world rather than the realistic statement of the actual principles of procedure.

PHILIP KLEIN

SOCIAL CASE WORK as it is known today had its inception in the revolt against the methods and assumptions of the English poor relief laws and their administration. Thomas Chalmers (1780–1847), clergyman and writer on theological and economic subjects, may be regarded as its initiator. After observing critically the workings of the English poor law and conducting an experiment in poor relief in his parish in Glasgow (1822) independently of the poor law and without the aid of public funds Chalmers concluded: first, that the tests provided by the poor law failed to differentiate between persons actually in distress and those merely taking advantage of the public provision of funds; second, that the remedies provided by the law not only did not remove distress but tended to create a pauper class; third, that there was an "invisible fund" available for the relief of those actually in distress, namely, the good will of friends, relatives, neighbors and church, which would render unnecessary the enormous drain upon the public treasury for poor relief; and, fourth, that the destitution of the "poor" was due not to external causes alone but also to habits of improvidence, to ignorance and similar causes. He proposed therefore a number of changes in the system of poor relief. First of these was the general use of investigation as a more scientific test of need than the automatic work test of the poor law and as an effective deterrent from voluntary pauperism. In the second place, he urged the discontinuance of public funds for poor relief, the tapping instead of what he called the invisible funds and the substitution in the administration of non-governmental agents, in his own case deacons of the church. Finally, he advocated more education for the poor, and he initiated activities intended to develop among them habits of thrift and other constructive improvements in their mode of living. The lines of thought thus opened up by Chalmers, after a period of quiescence following his death, were revived by a number of disciples, including Edward Denison and Octavia Hill, pioneers in social settlements and housing reform, and later by Charles S. Loch. These followers were instrumental in creating the first Charity Organisation Society, founded in London in 1869. This society and its many emulators became the chief vehicle for the definition and spread of social case work during the next generation; but Octavia Hill continued to be its chief spokesman and literary propagator, until she was succeeded by Sir Charles Loch. Investigation became the keystone of individual service. The manifold causes of poverty and distress were recognized; assistance other than monetary was emphasized;

the study of all social and psychological factors in the life of the client was urged; and the full resources of the community, both private and public, were marshaled and coordinated.

The charity organization movement, which continued to be the principal channel for the development and definition of social case work until the end of the nineteenth century, found economic conditions more favorable to its florescence in the United States than either in England or on the continent. Moreover it was in the United States that contributions to case work by children's courts and by medical and psychiatric agencies were beginning to be made at the opening of the new century and that the first authoritative formulation of social case work was promulgated in 1917 by Mary E. Richmond in her *Social Diagnosis*. This work soon came to be used as text and guide, wherever social case work was practised or taught.

Since the establishment of the first Charity Organisation Society, social case work has been continually enriched by advances in the physical and social sciences. Biological discoveries, studies in the field of mental deficiency, progress in pedagogical technique stimulated and guided by psychological experiments and theories, developments in medicine and the accumulating data and theories of sociology, all were being translated by the case worker into treatment procedure. Most important perhaps, the better understanding of personality problems ushered in by the mental hygiene movement and by Freud and the new psychiatry gave to case work a formula for increasingly fruitful synthesis of the disparate facts constituting the social history and aetiology of the "case." While on the one hand propaganda, imitation and the natural spread of information increased the number of social case work agencies, the workers themselves kept building up and intensifying the content and technical refinement of the subject.

From a technical standpoint social case work may indeed be regarded as having entered a new stage of development about 1920. By this time the sociological formulation characteristic of Miss Richmond's *Social Diagnosis* was yielding to the more psychological conception contained in her *What is Social Case Work?* with the "development of personality" as its goal. But this new psychological emphasis soon outgrew Miss Richmond's formulations. In the course of the next ten years the psychiatric interpretations of personality rapidly gained in the study and analysis of social case work situations. Still more recently social case treatment along lines defined by psychiatric theory has tended to displace not only treatment in the older conception but also emphasis on social or psychological study. These stages of technical progress are set forth by Virginia Robinson in *A Changing Psychology in Social Case Work*. It is too early as yet to determine whether the revival of a sociological interest in the case work field, induced in part by the political and economic upheavals in western nations in the past decade and in part by the natural reaction to any strong new school of thought, will usher in still another stage in social case work technique. For the present, however, its technical literature is found mostly on the psychological-psychiatric "front."

In the light of these developments a definition of social case work is not only difficult but may easily become inherently controversial. All schools of thought in the field do agree, however, that social case work is not synonymous with poor relief, while the popular assumption that it is provides the most frequent source of confusion. This is because the clients of most social agencies are drawn preponderantly from the lower economic strata and manifest in a large proportion of cases either acute or chronic economic distress, and because case work itself had its inception in poor relief. Briefly stated, the essential quality of social case work is the application of scientific method rather than the rule of thumb to the treatment of the individuals or families who are or are considered unable, in the words of Porter R. Lee, to make "their way to acceptable organization of existence" or, in the more usual terms, to the aid of the head of the family "who cannot secure for himself or his family the combination of opportunities, services and expert advice" with whose assistance he can be self-maintaining (introduction to *Vocational Aspects of Family Social Work*). But inasmuch as self-maintenance, either on a socially recognized minimum level or on a level ordinarily held by an individual, depends both on his particular human equipment and on his environmental circumstances, his failure in self-maintenance may be due to a breakdown in either of these compartments. Correspondingly the attempts toward his rehabilitation may have to be addressed to either of these phases of life or to both, and in varying degrees of emphasis. Indeed the breakdown of the human equipment itself may be traced as readily to undue environmental strain as to its inherent weakness; or an environment relatively favorable to a person

with reasonably adequate equipment may fail to serve one of lesser endowment. It is possible then that the means of readjustment may be determined not directly by the obvious area of breakdown, but by detailed analysis of the particular configuration of circumstances and equipment of the given individual. Social case work consists in the application of the suitable combination of techniques appropriate to the individual problem of maladjustment. It must therefore contain techniques adapted to both personality difficulties and environmental conditions. It is evident, however, that in the values attributed to the several aetiological factors in any case there is great latitude for differences of opinion and a correspondingly wider choice in the distribution of emphasis as to the selection and combination of methods of adjustment—psychological, economic or sociological. Failure in self-maintenance, as understood in social case work, may manifest itself in a variety of ways, and the particular form of failure or the immediate crisis usually determines the kind of agency by which the client will be served. The more frequent types of crises are: economic distress or emergency; death, disappearance or incapacitation of the head of the family; criminal act, delinquency or other behavior crises; illness; mental or nervous disease or disturbance; domestic conflict or marital disruption; release or discharge from therapeutic, custodial or penal institution or court.

The nature of the immediate demands and of the specific resources required to meet them may vary and the kinds of agencies called upon to serve on these occasions are naturally diverse. Essentially, however, the problem of self-maintenance and the procedure called for are the same in all social case work, whatever the client, from the temporarily unemployed to the psychopathic delinquent. This basic body of social case work principles and technique has of late been termed "generic social case work."

The principal steps representing different aspects rather than mutually exclusive categories in the social case work process are usually given as follows: social study; preparation of the social history; diagnosis; planning; treatment; recording.

Social study (formerly called investigation) is in a sense the basis of all case work. Historically it represents the origin of social case work. At first there was a tendency to emphasize the separation of sheep from goats, to test veracity and prevent deliberate pauperization; in Chalmers' scheme the investigation was a substitute for and improvement upon the workhouse test. This point of view is still retained by many, but it is theoretically frowned upon by social case workers and consciously guarded against by competent practitioners. Today the "social study" is superseding "investigation" as a term more truly descriptive of its nature. This first step is the collection and analysis of data pertinent to the aetiology of the client's difficulties and to the discovery of clues for suitable treatment. As such it is analogous to the corresponding procedure required in any research process in the physical and social sciences.

The preparation of the social history of the client as well as the investigation, or social study, usually takes place at the outset, but continues throughout the duration of treatment as new facts are uncovered or new light is shed on their relations and significance. The minimum contents of an adequate history for social case work, as agreed upon by some of the leaders of the profession in the United States after a series of conferences during the years 1923–27 and embodied in the Milford Conference Report, *Social Case Work, Generic and Specific*, show a wide area of sociological and psychological information deemed desirable for the practical purposes of individualized treatment. They include, for the individual client and—when applicable—for other members of the family, important details as to the history, current personal data and current environmental data, genealogical, medical, psychological, economic and social.

Diagnosis and planning as parts of the social case work techniques are regarded as partaking of the character of process as well as of formulation. Diagnosis is of course based on the facts gathered in the social study, but these do not necessarily lead to only one possible diagnosis. Experience, judgment and increasing skill in the evaluation of factors help to organize the disparate facts into an integral diagnosis. This social diagnosis is not a final statement, however, but is subject to correction and amplification as new facts appear. It is in fact a process of organization of data as much as a statement of their relations, even though it is expected to take the form of an explicit formulation and is so entered upon the records. Planning, also conceived of as both process and formulation, must show a relation to the diagnosis and a change in content as subsequent developments modify the diagnosis or as the presence or absence of facilities, technical skill or other circumstances imposes a

change in the plan as a whole or in individual items of treatment. Treatment of course is the objective of the case worker and the justification of all other processes involved. It is conditioned, however, by those processes and by the resources of the community.

Every change in the concept of social case work has created a new definition of its objective and a corresponding change in the emphasis on various types of treatment and methods of procedure. The early objectives of social case work in the only types of agency which practised them were the relief of the poor, the avoidance of pauperizing those relieved and the exclusion of those not requiring economic assistance. Investigation, provision of adequate assistance, friendly visiting, aid in securing medical service, employment or recreational opportunities for children and encouragement in thrift and good habits made up the stock of treatment. In this last phase the moralistic tendency was gradually being displaced by psychological considerations. The extension of case work practise to hospitals and children's courts added new objectives, included a new group of administrative factors, found economic needs often absent and at least not a central consideration and brought into methods of treatment more of psychological content and into investigation a new field of inquiry and a new emphasis. Sympathetic understanding, pedagogical handling, persuasion, purposive provision of educational, recreational and health facilities, widening of opportunities by advice and assistance, all these gained new importance among the galaxy of treatment methods. The appearance of psychiatric social work, child guidance and child placement in the social case work area, the spread of mental hygiene and of the psychoanalytic theories, the recognition of the intimate interaction of human equipment and external circumstances together with the rapid rise of the standards of living due to general prosperity and the corresponding diminution of the economic factor in the potential clientele of an increasing variety of social case work agencies tended to give to readjustment a more psychological content and to treatment a psychological technique. First the investigation expanded into a wider area of social, psychological, hereditary and developmental study; and then the methods of treatment came to embrace a larger amount of technical procedures, from medicine and psychometry to psychiatric service and psychoanalytic guidance. Objectives were redefined in terms of changing attitudes, attainment of psychological security, satisfaction of emotional life, with economic and environmental adjustments to subserve these objectives to the extent that they might be necessary therefor or responsible for the existing imbalance. On the whole this is the present status of social case work. The most recent innovations in its sphere relate less to objective than to technical method. The emotional level on which the client's motivations proceed is affected both by the tangible circumstances of his existence and by his emotional reactions to them. Readjustment on the plane of intellectual and material dealings with circumstances may be not only inadequate but even impossible without consideration of the emotional counterparts and complications in the client's consciousness. These circumstances moreover include personnel relations, to child, parent, spouse, friend or social worker. Treatment therefore must include a high degree of technical skill in the handling of the emotional complexion of the case configuration, and for this purpose the newer social case work emphasizes the analytic and therapeutic relationships among personalities close to the client and particularly as between client and worker. This phase of treatment, as interpreted by Grace F. Marcus, Virginia P. Robinson, Jessie Taft and others, has recently occupied the center of interest in the technical side of social case work, except in so far as the depression has tended to lift back into focus economic causation and the paramount importance of material relief in treatment.

One aspect of this new emphasis in social case work has, however, continued as an independent development despite the depression. In fact the depression or any other environmental considerations are irrelevant to it, for it actually steps out of the field of social case work into that of professional therapy for emotional complications. It might well be called psychological case work as distinct from social case work. As presented by Virginia P. Robinson and even more unequivocally by Jessie Taft, this sort of case work is a distinct professional service as different from social work as medicine or religious ministration and, like these, pertinent only when particularly indicated. The technique is described as "relationship treatment" through a "therapeutic situation" set up between worker and patient and is based chiefly on certain psychoanalytic and philosophic theories promulgated by Otto Rank, a dissenter from the schools of Freud, Adler and Jung. This expansion into a

neighboring field of activity might seem not quite pertinent to a discussion of social case work except for certain important connecting links, among them psychiatric social work, the general mental hygiene influence already referred to and the fact that these contributions come from the personnel of social case work agencies and have arisen out of the work of these agencies.

Pervading the technical considerations of social case work treatment and complicating them still further is the question of the social and political philosophies current in the community. The very foundation of all social work lies in a priori judgments of what is socially desirable and what is not. Any attempt at readjustment implies maladjustment. This is as true of individuals as of groups or conditions. The modern community, in particular the large American city, comprises a population varying widely in economic range, in industrial distribution, in racial and national origins, in cultural traditions, in political and social ideals, in church affiliations and in the opposing philosophies of life of the older and younger generations. In this population there exists therefore a vast range of a priori judgments, both communal and individual. The client's cultural standards are as often as not different from those of the community as represented by the social agency. Each case thus involves the possibility of seeking adjustment to standards on which there may be no agreement between client, community and worker. Which of the many heritages and viewpoints shall determine the plan of treatment? How far, for example, may coercion be used in the interest of a child or other dependent at the expense of individual freedom and mental health of the parent? What are the obligations of the case worker when his client gains economic independence through bootlegging; when religious or church principles and the empirical situation are at variance with regard to birth control, marriage, custody or education of the child; when father, mother, social worker and social setting of the client cannot agree on a guiding principle of treatment? In industrial disputes, strikes and attempts to establish wage standards many cornered disagreements may, and with discouraging frequency do, arise between community, agency, management, worker and client. In an educational conception of case work such philosophical questions assume fundamental importance and create continuous difficulties.

The final step in the case work process is recording. The case record is as important to the case worker as are laboratory notes to the experimenting scientist. In most instances services are rendered by a succession of workers and supervisors, all of whom must be equally informed concerning the case, regardless of the stage at which they enter. Solid facts and imponderables, social history, diagnosis, plan, sequence of treatment, interviews, the response of clients to treatment services, must be recorded in such manner as to result in a minimum of lost motion, embarrassment to the client or chaos in procedure. Except for the fact that every case begins at some time and may be closed at some time, there is no clear cut division in the record between process and result. Both are cumulative, interwoven and related to a changing objective. The record in the best agencies usually has the following constituent parts: the face sheet of ready reference data; the social history; the chronological record of every occurrence of any nature—interviews, receipt of important documents, units, telephone calls, events in the family; correspondence, documents and reports of medical, school, court or other auxiliary agencies. Considerable ingenuity is expended in the arrangement, organization and handling of these records, and experience has shown that the quality of the record tends to be an index of the caliber of the case work.

Practically all case work is carried on by agencies employing professional personnel rather than by independent practitioners. There have grown up therefore both an individual technique and an agency technique commonly accepted for social case work. As in other fields, so here also technique is thought of as procedure in which skill may be acquired by practise and which is negotiable from practitioner to novice by demonstration as well as by theoretical exposition. Its value lies not only in making for efficiency, time saving and sureness of touch but also, in a more intangible way, for conformity between theory and practise. Among individual techniques interviewing, observation, recording and establishing rapport with the client are accorded chief emphasis. In view of the difficulty of transmitting these important techniques except under actual working conditions the training in professional schools includes field practise in operative agencies under competent supervision.

In addition to the technical methods applying to individual practitioners there is what might be called agency technique, which is necessarily

of an administrative nature but which because of its effect upon the task of the worker is regarded of prime importance. It includes such items as "case accounting," "inter-agency relationships" and adaptation of techniques from other fields, specialists and professions. Case accounting includes such matters as the opening or closing of cases, transfer to other agencies, assignment to worker or supervisor, accounting for case loads to the management and to the contributing public. Closing a case, to take one example, is in one phase merely a bookkeeping job; but it implies some of the most important case working processes in analysis, diagnostic review and prognosis and usually follows a conference of workers and a supervisory review. Similarly the proper adjustment of "inter-agency relationships" for a particular case requires a delicate and skilful coordination of functions and resources of two or more—sometimes excessively numerous—agencies, properly adjusted to the needs and psychological problems of the client. The same is true of the adaptation of techniques from other fields, a very frequent process, ranging from the utilization of legal advice to psychiatric examination and vocational guidance.

One of the significant developments in the field has been the professionalization of personnel and the organization of professional training schools for workers. It is pertinent to the consideration of social case work, however, to point out the particular demands that its practise imposes on any plan of training. The high degree of cultural preparation and the extensive acquaintance with the social sciences demanded by the work have led to the requirement in practically all professional social work schools in America of a college education or its equivalent either for admission or for graduation. The acquisition of at least the rudiments of technique make it necessary to include in the curriculum of these schools a substantial ratio of field work in supervised practise. In addition to preparation in professional schools case work agencies of good standing constitute the first year or two of employment of the new graduate, a training period in which work load and supervision are adjusted to the pedagogic as well as to the administrative requirements. In this respect the training of social case workers in the United States is more highly organized and standardized than that for other types of social work. Further specialization in training for the separate branches of case work has introduced other refinements which add to the comprehensiveness of educational and technical preparation.

Not only the extension and refinement of social case work but also its division into special fields has been most intensively developed in North America. Despite the basic uniformity of the case work theory a certain specialization in practise has been brought about by the peculiar conditions and institutional traditions of the several types of agencies.

Family case work as the first of these is the parent of all social case work. It is a large feeder to the special fields enumerated below and has in many cases fostered the development of new specialized agencies, such as legal aid societies, antituberculosis societies and the like. In response to some of these developments many family case work agencies have been gravitating to the theory that their function is not merely that of helping dependent clients to recapture their self-maintenance but also and increasingly to serve in an educational capacity for the definition and improvement of the family as a social institution. The shift of emphasis has led many charity organization societies and relief agencies to change their names to "family welfare associations." This tendency has been counteracted in part by the effects of the mental hygiene influence already described, and both have been somewhat at variance with the historical origin and present popular interpretation of the function of the agency. Family case work in varying degrees of intensity and skill is performed by such agencies as the following: family welfare agencies, under private and often denominational auspices; municipal and county relief departments; state and county mothers' pension or aid departments; church auxiliaries under various names; privately financed travelers' aid societies; and American Red Cross chapters, privately financed but with semi-official status.

Child welfare work was not recognized as a special field of case work until toward the close of the nineteenth century. This was probably because of the existence of well established institutions for child care, particularly orphanages, which antedated the modern social case work agencies both in Europe and in America and represented vested interests in institutional identity and in procedure. The first application of the case work principle to this field was foreshadowed by the early placing out experiments in Europe and the United States and was actually introduced by Charles W. Birtwell in

Boston in the late 1890's. It was soon followed, from a different point of attack, by the Juvenile Court of Chicago in 1899. There developed an increasing number of the non-institutional agencies for the care of neglected, dependent and delinquent children. Eventually even some custodial institutions resorted to case work in place of institutional treatment, thus practically destroying themselves in the interest of better child care. Agencies now carrying on children's case work comprise a large variety of names and auspices, often overlapping psychiatric and family case work, schools and correctional agencies. The chief types are: children's aid societies, state wide or local, privately conducted; orphanages, especially in their after care departments, under a variety of auspices; municipal and county departments, sometimes in connection with family welfare work, mothers' aid or juvenile courts; guidance bureaus connected with schools or independently conducted; visiting teachers as part of school personnel; and special departments or divisions of other agencies, such as family welfare agencies, having wider scope. The distinctions between strictly children's case work agencies and other case work agencies are uncertain and unstable, since most social case work, dealing as it does with families, involves the interests and special problems of children and since children also tend necessarily to draw into their problems parents, kin and home neighborhood. This fact has led to many controversial issues among agencies.

Medical social work, sometimes called hospital social work, is social case work carried on in connection with hospitals, clinics and sanatoria as an adjunct to medical treatment. Cases arise primarily from initial crises in the health of the breadwinner or other member of the family, complicated by other factors, among which economic difficulties are frequent. Often these cases develop into multiple instances of need for medical treatment as other members of the patient's family may be found to have undiscovered or untreated maladies. Medical social work originated in 1905 at the Massachusetts General Hospital in Boston. It speedily spread over the country; by 1925 there were some five hundred agencies and by 1932 perhaps double that number. The distinctly auxiliary position that this branch has held with respect to medical institutions, their strictly medical problems, personnel and institutional objectives, has created some difficulties and limitations. It is obvious that the acceptance of cases tends to be determined by purely medical rather than by social considerations, and that it is often impossible or at least exceedingly difficult to continue the case work to its logical conclusions when the responsibility for medical treatment on the part of the hospital or clinic has ceased.

Psychiatric social work is an offshoot of medical social work, but has gradually become distinct as the development of mental hygiene has afforded an increasing field for specialization. This type of work, at first confined to institutions for the insane and to organizations serving war veterans, was rapidly extended to child guidance clinics, psychiatric clinics connected with hospitals, courts and correctional institutions, protective agencies for predelinquent boys and girls, mental hygiene clinics, schools aware of difficulties with problem children and private practise. Social case workers with psychiatric training have frequently been employed by other case work agencies, such as family welfare societies, to advise and help with difficult cases involving conspicuous problems of mental hygiene. This practise of employing the psychiatric social worker is diminishing only because the general training of all case work tends to place increasing emphasis upon personality study of the client.

Probation, parole and after care are grouped together as a special case work area, first, because of the knowledge of legal procedure involved and the acquaintance that they demand with penal legislation and technicalities and, second, because, although in a sense they represent the official and legal recognition of social case work, the standards in these fields are as yet relatively low. In the United States in recent years, however, there has been a marked improvement in the caliber of social case work under public auspices. In the United States probation developed as early as 1869 and parole in the 1870's. But substantial progress has come only in the last decade or two. Probation is an almost universal practise where there are children's courts. In adult courts it is far less general in the United States except in the larger cities and then usually for cases of felony or for women only. Parole in the United States is for the most part connected with correctional institutions for children and women. Adult institutions as a whole are as yet far behind in anything but legal-technical use of parole. One significant feature of this phase of case work is that, as institutions of all kinds from orphanages to prisons lose their time honored place as social

agencies, by virtue of the growth of probation and placing out, the amount of social case work in this division increases, so that probation and parole promise to develop into the largest field of social case work. Aware of this tendency, its leaders are making efforts to place training and qualifications of practitioners on a level comparable with other case work divisions.

Rural social case work is still comparatively new. In the United States the great body of social case work has been done in the urban centers, chiefly because its practise and extension have depended in considerable degree upon private endeavor and finances. Since wealth as well as exploitation has been a predominantly urban phenomenon, money can be raised or is voluntarily offered in the large communities but is relatively unavailable in rural districts. For a short period only, during and directly after the World War, the country districts contributed more generally to the "home service" of the Red Cross and to other agencies whose popular appeal arose from the war. Such work as is carried on in rural communities at present tends to be financed from cities. As a result a rural case work technique or the adaptation of technique recognized as necessary in dealing with rural psychology has not as yet been worked out adequately. Where it exists the tendency is away from specialization, since the rural worker must take on all types of cases. This is conspicuously shown in the duties of county welfare officers of a few states, for example, North Carolina, in which social case work is being introduced under public auspices by county units and under state supervision and direction.

There has been some progress in the utilization of the social case work method and personnel in industry, as, for example, in the introduction of case workers in the welfare and employment divisions of industrial plants and mercantile establishments and more recently in the addition of case workers to the staff of the compensation service in at least one state government. There had been a few instances of the former type before the war in the more progressive establishments and in some of the more patriarchal industrial communities (*see* COMPANY TOWNS; WELFARE WORK, INDUSTRIAL). The war multiplied the number of such workers, as it multiplied all welfare and personnel activities in industry, and tended to establish the principle of case work technique in industrial welfare service, even though the post-war deflation brought a corresponding shrinkage in quality and extent of personnel. The brief sway of this movement and its grudging recognition by industrial executives did not bring the social case work in this field to a high standard of performance. The employment of case workers in connection with compensation service is of particular significance, however, in that it followed the recognition by public authorities of the fact that even satisfactory legal and administrative provisions for compensation in industrial accidents have in many cases failed to reestablish the reasonable adjustment of the family, and that the necessary instrument for the purpose was the routine availability of social case work as a supplement to social provision by law.

It has been the general experience that public or governmental agencies do not lend themselves as easily as do private agencies to the practise of social case work of a high degree of intensity. In addition to the unfavorable conditions imposed upon most public departments by the mass demands upon its operative machinery and staff, and by legal limitations, many of which are necessarily inflexible, there are the psychological hindrances which in the United States are covered by the term politics and in Europe by the tradition of bureaucracy. Roughly speaking, social work in the United States has been in private hands. It has been free to experiment and to refine its methods. The material resources of a nation fast increasing in wealth have been tapped easily, especially in view of the tendency for social leadership and wealth to coincide. On the continent and to a lesser degree in Great Britain social work has developed mainly through legislation and has been operated by public departments. The gain in social legislation has been somewhat offset by the tardy and imperfect application of the social case work method, which is only slowly being grafted upon the public operation of social work functions. The post-war conditions in Europe have helped probably more than any other factor to enrich these public services by the introduction of case work principles. In Germany, for example, these principles were embodied in the statutes of 1922, 1923 and 1924 which provide for public relief and child welfare. Flexibility in service, keeping together of the family, relief in forms suitable to the individual circumstances, are legally established. With the increasing trained personnel and development of professional esprit de corps among the workers, these provisions may be realized. In Belgium the only example of what may strictly be called case work reported at the

International Conference of Social Work in Paris in 1929 was in connection with work to be conducted among homeless men through cooperation between the public authorities, empowered by the law of 1891 to suppress vagabondage, and the Belgian National League for Mental Hygiene; the work is carried on in the Bureau of Social Rehabilitation administered under joint auspices. In these as in other continental countries the mass of social work is a public function and social case work is introduced as rapidly as professional pressure, the provision of trained workers and the influence of private agencies can force the pace. Great Britain has maintained a fair balance between the influence of private and that of public social work, and a number of agencies have been following theories defined by the London Charity Organisation Society. In recent years an intensive controversy has been conducted between adherents of the unemployment insurance scheme and its opponents, who draw their forces in part from the personnel of the Charity Organisation societies. The issue in the eyes of the latter is between "dole" and case work, between pauperization and social rehabilitation. Regardless of the merits of the controversy, it is of importance to note that Great Britain is the only European country in which social case work operates to an appreciable degree through agencies entirely independent of the public authorities and in which, although far less developed, it occupies a position comparable with that in the United States and Canada.

In both the Soviet Union and Italy political conditions and theories of government have to an appreciable extent precluded the practises of case work since the World War. It seems, however, that the social work of the Soviet government does tend in that direction, there being nothing repugnant to Communist principles in the individualization of this phase of state service.

The practise of social case work by public agencies has been limited consistently by legal restrictions as to settlement, residence, the amount or type of relief to be given and types of cases which are acceptable. In American communities the client of a public agency runs the danger of becoming designated a "public charge," which in many cases may lead to deportation, an action always serious and sometimes catastrophic to the client. The physical aspect of public departments, the requirement that the applicant must appear and often that he must "sign up for the pauper list," the policy of making budgetary provisions reach a maximum clientele, the generally untrained public service personnel, especially before the introduction of civil service reforms, have constituted further obstacles to case work standards in public agencies. In the course of time and in view of these difficulties certain compromises have been worked out between public and private agencies. Among these are the public subsidizing of private case work agencies; the designation of private agencies as agents of the public authorities either in toto or for investigation and recommendation; the division of functions assigning simpler or pension types of cases to the public body and more intensive cases to private agencies; the supplementation of public relief in specific instances on recommendation of the private agency (which, however, retains responsibility for treatment); and, especially in courts and penal or reformatory institutions, the supplying by private agencies of the necessary case work personnel, which, while thus holding quasi-public positions, is financed and controlled by private agencies.

Few concepts in the social sciences are so little understood and so cavalierly dismissed from serious examination both by social scientists and by laymen as that of social case work. The colorful remark about "the cautious statistical Christ" well describes the attitude of those who regard social case work as a synonym for charitable relief and reject it therefore as an ungenerous and spiritually or aesthetically objectionable type of charity. On the other hand, as an integral part of social work it has been condemned as "a palliative" by the representatives of political and economic thought who proceed from an analysis of the present social order to a positive scheme for its displacement or radical modification. More pertinent perhaps is the criticism brought forward by those who accept the function of social work in the existing order.

A searching scrutiny of the theory of social case work and of its evolving technique has indeed appeared in recent years within the profession itself. The question has been asked, for example, whether it is possible to judge the results of social case work. How are such results, if any, to be measured? What are the criteria applicable to so complicated a process? What allowance, if any, in these results can be made for the accidental but quantitatively important factors of an inadequate caliber of workers and

agencies, of an uninformed public, of insufficient funds? What proportion of such improvement as is found is due to social case work rather than to other environmental changes, such as increasing prosperity, social legislation, education? And if benefit may come from both case work and mass measures, which is the more economical expenditure of material and energy? The recent introduction of a "dependency index" to measure statistically the incidence of the economic factor runs counter to the theory of social case work which has maintained that the economic factor may be only one of many and therefore an inadequate guide for diagnosis or treatment. Is this theory valid, and will it stand statistical scrutiny as it does demonstration by individual cases?

In social case work as in all social work the service of agencies has been expanding beyond the limits of the lower economic strata into the community as a whole. Courts, child guidance bureaus, visiting teachers, bear relatively little of the stamp of service for the economically disadvantaged. But prior to the depression which began in 1929, even in the so-called family agencies which carry the older burden of relieving economic distress the proportion of "needy" cases had been decreasing as compared with cases of family maladjustment independent of the economic factor. In fact it has been the avowed purpose of many of the agencies to divest themselves as fast as conditions would permit of any distinct responsibility for assistance in cases of purely economic distress and to specialize in dealing with unadjusted families and other strictly case work tasks independently of the presence or absence of the economic factor. Moreover some of their spokesmen would make the focus of interest for family agencies the functioning of the family as a sociological institution—a purely educational and propaganda task—while still others regard case work as an exclusively psychological service rendered entirely on the level of personality relationships. The question then arises as to whether the development of case work as a scientific method of dealing with those incapable of social self-maintenance leads logically away from relief of those in economic distress, leaving this function to the public authorities, to a kind of "service to the unadjusted." If it is thus dissociated from material relief, can it obtain private support? Or should it not also become a distinct public function? In any case social case work thus conceived falls into the category of mental hygiene and psychiatric social work or of psychological therapy. Still another possible conclusion has been suggested that if case work is a skilled service for unadjusted personalities and families, unrelated to the question of economic self-support, it should be carried on by private practitioners who would charge fees as do other professional workers. Psychiatric case workers in conjunction with psychiatrists have already gone into such private practise for definite fees, others in a somewhat informal way have carried on independent private practise, and several social case workers have seriously considered inaugurating professional private social case work practise. Thus the case work agency now supported by philanthropic contributions may logically become either a public service function or private professional practise or both.

In countries outside the United States and Canada some of these questions are not immediately pertinent, since a much larger proportion of the case work is already under government auspices and is clearly recognized as a function incident to the other public services, such as hygiene, poor relief, education, social insurance and child welfare. Private philanthropic endeavor is employed more in exerting pressure for the introduction and development of advanced technical case work methods, in most instances derived from American techniques.

Whereas some of the questions enumerated have been explored by the usual method of discussion and conference, others have given rise in various American centers of social work to research projects of more or less far reaching scope, involving evaluation of case work results and procedures, qualitative and quantitative studies of the incidence of case work in population units, indices and fluctuation of case loads and studies in recording and terminology.

Social case work, while chiefly a borrower from the social sciences, has also made reciprocal contributions: first, the concept of social maladjustment of the individual as replacing in emphasis that of social or individual pathology; second, the case method of social research; and, third, the case work test of social conditions and of the effects of social mass measures. These contributions are claimed by case work not as independent concepts of its own creation, but as the synthesis and focus of nascent thought which the particular function of case work rendered possible of articulation. Thus, for example, whereas sociology has tended to deal with social work as a series of separate social

problems, such as dependency, alcoholism or crime, to be met by a variety of social institutions, each functioning in its special field, the experiences of the case worker have found this interpretation less and less tenable and the cumulative results of case analysis have forced the breaking down of these separate classes of social pathology. On close analysis the clients of the several types of social work institutions show greater similarity than diversity as groups and greater divergence than resemblance as individuals. Thus the social case worker has been led to conclude that the individual client presents not a specimen of a social class, but rather an instance of imperfect adjustments to the particular concatenation of environmental and psychological conditions. Each individual client according to this conception represents the cross section of a multiplicity of social forces, both "creative" and "pathological." The social worker conceives of social life as continuously creating for the individual problems of adjustment which cannot always be met successfully. Any instance of failure represents a combination of "causes," recognized as such in retrospect only and presenting a particular pattern of maladjustment which calls for its corresponding pattern of readjustment or treatment. The task of self-maintenance, in other words, is a function of variables in a variable setting.

As a contribution to methods of social research case work has brought a refinement in intensive analysis as a corrective to the threatening abuse of statistics. Case work is not opposed to or necessarily distinct from or inconsistent with the statistical method, any more than the case method of teaching in medicine or law is incompatible with generalizations. It serves rather as a counterpart, emphasizing the more intensive analysis of fewer items and the use therefore of simpler statistical methods, as against the correlation of large numbers of items and their manipulation by the more complex methods of statistics. It is concerned more with the variations and multiplicity of correlations than with their uniformity. But it raises the doubts shared by other fields of social science as to the possibility of reducing all or the most important variables in social relations to items sufficiently clean cut and comparable to permit of manipulation by advanced mathematical formulae, and as to the applicability of statistical treatment to qualitative factors which do not lend themselves to numerical expression beyond the count of "good, fair and poor." The case work method has spread into the broader field of social research partly by way of the social survey, although in the field of family budgets the social survey antedated the development of the individual case work method. Studies in criminology, judicial procedure and abuses, psychiatry, community organization, cultural changes, industrial relations, the working out of special problems like those of casual and migratory labor, difficulties associated with immigration and the like, all have been pursued with increasing use of the case method, and in many instances personnel trained in social case work have been called upon for assistance.

The third contribution of case work to the social sciences is attributable less to its particular technique than to its routine practise by organizations interested in the larger social problems and in the promotion of mass measures. The data for much social and educational legislation have come from routine social case work. The practicability and effectiveness of such measures have often been tested in the same way. Public health education, including antituberculosis work, social hygiene and mental hygiene, changes in the judiciary system, criminal and civil procedure, safety legislation, workmen's compensation, child labor, minimum wage legislation and legislative changes in public administration are some of the social measures and movements thus initiated, tested or improved by the practise of case work. The contribution involved in this function is not strictly of a theoretical nature, nor is it, on the other hand, merely of a practical administrative character. It may be compared with the function in political science of field studies of different political theories by local observation of their workings under the several governments practising them. Perhaps the difference and the chief limitation of case work in this field of usefulness lie mainly in the tendency of social case work to regard the theoretical generalizations as relatively incidental to its main task rather than as distinct objectives in themselves.

PHILIP KLEIN

TRAINING FOR. The question as to whether social work is or is not a profession has been the subject of continuous debate since 1915, when Abraham Flexner answered the question in the negative. Certain developments have been under way which point definitely toward the fulfilment of at least some of the necessary conditions upon which that status is predicated. These relate to

the establishment of professional standards and the creation of educational institutions in the field of social work. Even today, however, the answer cannot be given unequivocally. For the standards are not uniformly high and it is difficult to determine to what extent they are met by those employed in social work. The United States census of 1930 for the first time classified social work as a distinct profession, listing 31,241 persons as members. Ralph Hurlin, who in 1926 estimated the number of social workers in the United States as 25,000, concluded on the basis of this census that if persons classified in other categories who might properly be termed social workers were taken into account, the total number in 1930 was probably between 40,000 and 42,500.

Professionalization in social work as in other fields has passed through several stages. The pioneers necessarily secured their training on the job. Soon there developed organized apprenticeship plans, providing supervision and related study along with practical experience in a social agency. Then came the formalization and improvement of training, beginning as early as 1898 with the establishment of a summer school in New York and followed at the opening of the century by schools offering academic courses covering an entire year. In 1919, 15 such schools joined together to form the Association of Training Schools for Professional Social Work, now the American Association of Schools of Social Work.

Professional organization developed later. Although the National Conference of Social Work had been founded as early as 1873 as the Conference of Charities and Corrections, it was not until 1921 that a professional organization, the American Association of Social Workers, was created. Its program has comprised: protective aspects, including interest in salaries, vacations, security of tenure; standards of practise, represented in qualifications for admission to membership; organization of local chapters; stimulation of research and publication of job analyses and other technical literature; improvement of standards of social work in civil service; and constructive moves with respect to administrative and legislative questions, chiefly of nation wide concern. The membership of this organization on July 1, 1933, was approximately 7500.

The impetus toward the development of special schools of social work came first from the social agencies themselves rather than from educational institutions, although from the beginning some of these schools were affiliated with universities. The Boston Training School for Social Workers, founded in 1904, was conducted under the auspices of Simmons College and Harvard University. Almost at the same time an unaffiliated institution, the New York School of Philanthropy (now the New York School of Social Work), expanded its curriculum to fill a full academic year instead of a summer course.

The original constitution of the association schools limited membership to educational institutions "maintaining a course of training for professional social work covering at least one academic year, and including a substantial amount of both class instruction and supervised field work." Standards as at present applied to schools seeking admission were formulated in 1928; they stipulate that the school must have existed for two academic years and require a satisfactory written guaranty that it will continue for not less than three years from the date of admission. In 1933 there were 25 member institutions, 10 of which were among the 15 charter members. With 4 exceptions—the New York School of Social Work; the Pennsylvania School of Social and Health Work, founded in 1908; the Graduate School of Jewish Social Work in New York City, founded in 1926; and the Atlanta School of Social Work, founded in 1920 and conducted primarily for Negroes—all these schools are at present an integral part of an academic institution, in 9 cases a state university. Geographically the schools are highly concentrated in the northeastern states. Fifteen are located north of the Mason and Dixon' line and no farther west than Chicago, 3 in the south and only 7 west of Chicago. The location of these schools corresponds roughly to the distribution of social workers. Since schools in the association vary widely in their plan of organization, it is difficult to make general statements about their curricula. Usually, however, the curriculum of a school includes three types of material, which have been designated by the association as follows: fundamental techniques, adaptations of scientific material to the needs of social work, courses in the practise of social work, general courses in social work theory and philosophy, and field work, which is stated to be "planned and supervised experience in the practice of social work" and which must be "under the educational control of the school."

To assist the schools in developing their curricula and to work toward greater uniformity of content in training for social work, the asso-

ciation in December, 1932, adopted a minimum curriculum and agreed by the year 1935 to authorize a school to offer to any student having completed that curriculum at the end of one graduate year of study a provisional certificate approved by the association. It is not anticipated that this will increase the number of persons who receive advanced degrees, as it is assumed that such degrees would not be awarded unless additional graduate work had been completed. Part of the minimum curriculum may be included in the undergraduate year, provided that the student completes in addition one year of postgraduate study in a professional curriculum. Committees composed of persons teaching these courses in member schools are studying the content of each of the courses prescribed in this curriculum with a view to suggesting some degree of uniformity in subject matter. No attempt has been made to set up prerequisites in the social sciences for admission to professional courses; and at the present time there is little uniformity on this point, although the undergraduate schools usually prescribe study of the social sciences.

There is no unanimity among the schools as to entrance conditions, length of course or recognition accorded to those who complete it. The association stipulates merely that a school should "provide a curriculum covering two full academic years," and that "at least 90 percent of the students accepted for subjects in the professional curriculum must have secured two years of academic credit beyond high school." Whether or not both these years must be postgraduate is still an open question. To attract graduate students to the schools financial inducements in the form of scholarships or fellowships may be offered, and in some instances there is a modified apprenticeship arrangement whereby an agency pays a stipend to the student, usually in return for a certain proportion of his time and a "gentleman's agreement" that he will remain on the staff, at least for a year, upon completion of the training period. It is doubtful, however, whether the latter plan can be followed if field work is to be in any real sense under the control of the school. After circularizing the member schools a committee of the association reported in 1929 that "fully three-fourths of the expressions of opinion are to the effect that fellowships or other forms of financial aid are essential in securing the more desirable students for other than undergraduate courses." In one school every student had either a scholarship, fellowship or assistantship. An inquiry by the writer in 1930 showed that of the total of 1015 degrees awarded in the five-year period 1926–30 inclusive, slightly over 50 percent were bachelors' degrees, doctors' degrees accounting for 1 percent. Certificates and diplomas are given in some instances in addition to an academic degree; in others to persons who do not qualify for the latter; while in still others, primarily those schools not a part of a degree giving institution, they are the only recognition offered. In this period 284 one-year certificates and 400 two-year certificates or diplomas were given by 17 schools. Most of the schools admitted unclassified as well as regular students.

Figures compiled since 1930 by the association do not show an increase in the percentage of advanced degrees granted. The total enrolment of students majoring in social work in 24 schools on November 1, 1932, was 2863, of whom 1534 were full time students. Fifty-five percent of the total were reported as holding bachelors' degrees. In the academic year 1931–32 the schools awarded 283 bachelors' degrees, 166 masters' and 5 doctors'. Students who did not receive degrees but who received diplomas or certificates numbered 170, making a total of 624 who completed a program of training. The influence of the schools is, however, wider than the number of their graduates would imply, since there are many part time students in addition to those who leave before completing all degree requirements.

The extent to which professional standards are met by the total number of social workers cannot at present be measured effectively in terms of the membership of the American Association of Social Workers, since up to July 1, 1933, membership had been based simply on a record of experience in "social agencies of recognized standing." New requirements adopted in 1930 and put into force July 1, 1933, stipulate that applicants for full membership must have a minimum of 24 semester hours of technical courses in a school of social work and 300 hours of supervised field work practise in addition to 20 semester hours of biological and social sciences, which may be taken in any approved college. From this date on therefore it would appear that the professional association of social workers will be recruited from those who have had at least some professional preparation in schools of social work. Whether this step will lead to the certification of social workers cannot at present be determined, but the experimental

plan of voluntary registration in California effective after May 1, 1934, points in this direction. The rapidity with which public tax supported agencies are assuming the responsibility for many social work activities increases the need for some such method of identifying qualified practitioners in the field.

Monetary remuneration in social work is closely related to the problem of standards. A study by Hurlin made in 1926 indicated that the average wage of the social workers had not increased in terms of real wages from 1913 to 1925 and was at the time on a par with that of elementary school teachers and below that of high school and university teachers. At the same time social work is demanding postgraduate training and the vacation schedule in social agencies does not, as in the case of the teacher, make it easy to secure advanced academic work without relinquishing employment.

Social work, like teaching, is predominantly a woman's profession. According to the census the ratio of men to women social workers in 1930 was 1 to 4, a probable overestimate of men because of definition. The ratio in the membership of the American Association of Social Workers is estimated at about 1 to 6. Among the students reported as enrolled in the schools in September, 1930, the ratio was 1 to 9.2, but on November 1, 1932, it had risen to 1 to 6.5. It is noteworthy that the men were not evenly distributed in the 18 schools in which men and women are accepted on equal terms, 7 schools reporting 83 percent of the total male enrolment.

The predominance of women in the field, both in the professional associations and in the schools, is even more marked in Europe. Most of the European schools accept only women students. The German association of social workers has been solely a women's organization, although men have occupied administrative positions in social work. In Europe the developments in training have in general paralleled those in the United States; there are, however, some important differences. Schools of social work in Great Britain, from their inception at the opening of the twentieth century, have been closely tied up with the universities; and all 12 in 1930 were members of the Joint University Council for Social Studies. Connection with universities is not as general in the 9 continental countries which in 1928 recorded schools of social work, ranging in number from 36 in Germany to 1 in Poland. In Germany and Belgium the schools are under the control of government authorities, and in the former country graduates who receive state diplomas as *Wohlfahrtspflegerinen* are qualified for positions in the public service. In general there is greater emphasis upon preparation for social work in European countries than in the United States. On the other hand, more schools are conducted under religious auspices in continental countries than in the United States; in Great Britain there are no schools with religious affiliations. In Germany the classification of schools into Roman Catholic, Protestant and non-sectarian is formal and definite. The Roman Catholic schools of all countries are organized in the International Catholic Social Service Union, with headquarters in Brussels. In a report to the International Conference of Social Work in Paris in 1928 there were listed 111 schools in 17 countries and 4 continents, not including 2 schools newly opened, 1 in Japan and 1 in Italy. In 1928 the International Conference founded an International Committee of Schools of Social Work to facilitate exchange of opinion and experience among schools and to deal with problems of international cooperation, such as exchange of teachers and students, organization of an information center, formation of international study committees and participation in international congresses for social work.

Social work is in a sense passing through a phase of development which has been common to all professional groups in its emergence from the apprenticeship plan of training to the establishment of professional education in institutions of higher learning, with emphasis upon work done on the graduate level. Moreover it is attempting to cover the distance between those extremes in a space of time which may seem alarmingly short as compared with the experience of older professional groups.

In achieving its goal of professionalization social work is faced with a difficulty inherent in its own nature which is not shared, for example, by law and medicine. Its practitioners are for the most part employed by one group to render service to another and thus their allegiance is claimed in two directions, sometimes diametrically opposed. To build up an ethical code of practise under these circumstances is a difficult task, and the failure of the community at large to value the services of social workers in the terms accorded to other professional groups may be the result at least in part of this characteristic of the service program. For this among other less important reasons it is impossible for social work

to follow too closely the forms provided by any of the other professions, although it looks to these professions constantly for suggestion and precedent.

MARY CLARKE BURNETT

See: CHARITY; DEPENDENCY; POVERTY; POOR LAWS; INSTITUTIONS, PUBLIC; SOCIAL SETTLEMENTS; CLINICS AND DISPENSARIES; HOSPITALS AND SANATORIA; ALMSHOUSE; UNEMPLOYMENT; CHILD; JUVENILE DELINQUENCY AND JUVENILE COURTS; PLACING OUT; FAMILY DESERTION AND NON-SUPPORT; DISASTERS AND DISASTER RELIEF; REHABILITATION; PUBLIC WELFARE; HUMANITARIANISM; COMMUNITY ORGANIZATION; SOCIAL SURVEYS; PUBLIC HEALTH; SOCIAL INSURANCE; MEDICINE; PSYCHIATRY; NURSING; CHARITABLE TRUSTS; DRIVES, MONEY RAISING; PROFESSIONS.

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SOCIAL WORK, TRAINING FOR. *See* SOCIAL WORK, section on SOCIAL WORK, TRAINING FOR.

SOCIALISM. The terms socialism, communism and collectivism, which have often been used interchangeably, are ambiguous and ill defined; for this reason they have an exceedingly wide range of specific connotations. Proudhon, who passionately combated communism as understood in his time, was later classed by Heinrich Dietzel as a communist. The Bakuninists in the First International were the original collectivists, but to Paul Leroy-Beaulieu collectivism stood for all varieties of scientific socialism. The term socialism was first used in its modern sense in 1827 in the Owenite *Co-operative Magazine* to denote tendencies opposed to liberal individualism and in the 1830's was applied in both England and France to describe the social ideals of Owen, Saint-Simon and Fourier. With the victory of the Marxian ideology, however, it came to be interpreted in a restricted sense. George Bernard Shaw, for example, understands by socialism "the complete discarding of the institution of private property . . . and the division of the resultant public income equally and indiscriminately among the entire population," a description which would not apply to the social order advocated by Saint-Simonians and Fourierists and would be rejected also by many socialist leaders of the present time. Every definition must fail—as Dietzel and Sombart have conclusively shown—which focuses attention upon external features only and overlooks the central motif of all socialist movements.

Although collectivism has been used as the general concept of which socialism, communism and anarchism are the special variants, it seems wiser to adopt socialism, an expression which has left so much deeper an imprint on the public mind, as the all inclusive term. For the purposes of this article therefore the definition of socialism must embrace the characteristic common to all these ideologies throughout history and to the organized socialist movements of the more recent period. These are: first, a condemnation of the existing political and social order as unjust; second, an advocacy of a new order consistent with moral values; third, a belief that this ideal is realizable; fourth, a conviction that the immorality of the established order is traceable not to a fixed world order or to the unchanging nature of man but to corrupt institutions; fifth, a program of action leading to the ideal through a fundamental remolding of human nature or of institutions or both; and, sixth, a revolutionary will to carry out this program. The fact can scarcely be overemphasized that no true socialist is satisfied with merely economic reforms but advocates also a distinct educational, ethical and aesthetic policy.

The content of socialism may further be circumscribed if it is indicated what doctrines and movements, to which the socialist label has for some reason become attached, are not to be regarded as forms of socialism. To begin with, the communism which some students discern in certain types of primitive social organization is not a socialist phenomenon, since it represents a natural, organic evolution rather than a conscious effort. Nor is the communism of the early Christians and of some of their later followers a manifestation of socialism. If they rebelled against the existing order, it was to save their own souls rather than to build a new society; and their organization represented a communism of consumption of goods freely given and received, a form of *religiöser Liebeskommunismus* (Troeltsch). Similarly the communistic orders of mediaeval friars were not fighting the world but fleeing from it. The famous Jesuit colony in Paraguay, which flourished between 1602 and 1767, did not attempt to create a better society but was merely an experiment in religious colonization and missionary work among the natives. Organized Christianity, both Catholic and Protestant, has never been socialistic; it has tried to eradicate the worst features of the prevailing system by developing the moral forces of society. The *Rerum novarum* of Leo XIII promulgated in 1891 and the *Quadragesimo anno* of Pius XI in 1931 are of similar purport, except that the later encyclical indulges in a stronger criticism of the existing order. Analogous in spirit was the *Social Creed* announced by the Federal Council of the Churches of Christ in America in 1908; it emphasized humanitarian principles and has been revised in line with newer programs of social planning and control in *Social Ideals of the Churches*, which was approved by the same body in 1932.

In recent years a number of governmental policies have been improperly identified with socialism. One of them is war communism, which has often recurred in history, coupled occasionally with an exalted messianism. An outstanding instance of this is the empire of the Incas in Peru, which was primarily a military

organization serving the interests of its rulers. The glorification of the regulative measures of belligerents in the World War as war socialism was in part a halting apology for a war which members of the Second International supported; such misinterpretation was possible only because of an overemphasis on the externals of socialism. Municipal socialism may in the future become an integral part of a functioning socialist system, but in its present form it is a purely utilitarian program. The same is true of all schemes of planned economy and partial socialization which do not disturb the essential features of capitalism. Nor is the Italian corporative state, which has not been fully realized as yet, a socialist institution. Despite its pretensions at a synthesis of nationalism and socialism German National Socialism is fundamentally a reaction against socialism. Yet some elements in this extremely heterogeneous movement may be regarded as a late offspring of the feudal and romantic type of socialism. Thus Gottfried Feder, an early and still important theorist of Hitlerism, considers the domination of finance capital to be the chief cause of economic distress; he advocates the nationalization of banks and the financing of public works through the issue of non-interest bearing certificates.

Finally, the programs of certain reform groups have sometimes been unjustly interpreted as socialistic. The teachings of a school of leading German professors in the last third of the nineteenth century were designated by their opponents as socialism of the chair merely because they criticized the shortcomings of laissez faire capitalism and advocated its regulation. There is not much more socialism in the economic, sociological and juristic doctrines of the French solidarists, who without rejecting the capitalist system propose to make it more cooperative in character, thereby improving the status of the propertyless groups. A similar judgment should be passed upon so-called Darwinian socialism of Ludwig Woltmann and others, who attempt to base socialism upon the principle of struggle for existence.

Varieties of socialism may be classified according to their ideals of justice, their motivations, their attitudes toward the state and their methods of attaining their ideals. The aristocratic socialism of Plato, of Campanella, of Fichte in his later period, of some of the romantics and of Rodbertus condemns existing society from the point of view of society, not of the individual, in terms of the *volonté générale* rather than of the *volonté de tous* (Dietzel). The *suum cuique* of Plato is therefore its regulative principle. It is socialism imposed from above which disregards the selfish interests of individuals and tries to establish justice by organizing society in variegated groups. In recent years Othmar Spann, who regards popular socialism as an inconsistent medley of collectivism and liberalism, has sought to revamp such aristocratic socialism in a system which he calls universalism.

Communistic socialism, the oldest of all forms, looks toward the ideal of absolute equality and seeks to express the *volonté de tous*; it appears in practically all periods when masses are living in wretchedness, surrounded by wealth. Its ideal, which represents an unlimited extension of the ideal of the family to the state, can be expressed in the maxim, probably of stoic origin: "From each according to his capacity, to each according to his needs." On the other hand, the socialism which has as its ideal not a mechanical equality of all members of society but rather a potential equality—in the sense of the maxim of Saint-Simon's followers, "From each according to his capacity, to each according to his merit"—has as its fundamental tenet not common ownership but the elimination of all unearned increment. The contrast between these two ideals, which was striking when scientific socialism first emerged, virtually disappeared when Marxism became the dominant socialism of Europe; but after the World War the distinction again acquired vital importance.

Socialism may be motivated by the religious or moral convictions of its advocates or by principles derived from empirical facts claimed to be the source of Marxian socialism and other recent trends or by resentment against the ugliness of capitalist civilization, as in the case of William Morris. Socialist attitudes toward the state differ: state socialism would establish state ownership and would have the state control future production, while cooperative socialism, which distrusts the state and fears the overdevelopment of bureaucracy, would base its system upon the organization of independent producers (guild socialism, syndicalism, industrial unionism). On the other hand, anarchism holds the historical state to be the ultimate source of exploitation and maintains that no reasonable social order can be established without its destruction. Conceptions as to the methods whereby socialist ideals are to be realized likewise vary: experimental socialism claims

that the new social order can result only from new social inventions; evolutionary socialism assumes that the essential elements of the new order are gradually evolving within capitalist civilization; revolutionary socialism maintains that the establishment of the new society can be achieved only by violent uprising; agrarian or liberal socialism regards as the only remedy the elimination of land monopoly, which it considers to be the sole cause of exploitation; jural socialism conceives the main task of the new society as the codification of economic rights, of which A. Menger holds three to be fundamental: the right to the whole produce of labor, to existence and to work.

All attempts to show strictly delimited periods in the development of socialism have failed. There is no positive correlation between the socio-economic surroundings and the type of socialistic theory, for the creative power of great individuals is always decisive. Neither is it true that modern socialism is exclusively scientific whereas the previous forms of socialism were utopian. There are, for example, elements in the thought of Plato, More and Proudhon which express fundamental relations more clearly than do any of the later socialists. It is nevertheless true that there is a dominant tendency in modern socialism to secularize the state completely, to base socialism exclusively on science and to make it a conscious movement of the proletarian class.

PRE-MARXIAN SOCIALISM. The precursors of socialism from antiquity until the eighteenth century worked in a highly religious or metaphysical atmosphere. Certain theories or movements developed during this period, however, show sentimental reactions or ideologic constructions which approach certain aspects of modern socialism. Robert von Pöhlmann has contended that socialism entered Europe in the sixth century B.C. and became the central problem of the Greek world from the fourth century on. Max Weber, on the other hand, has affirmed that the foundations for a socialistic movement were lacking in Greece. It is obvious that the ancient world could not produce a socialism of the modern type, because there were no capitalistic structures but only capitalists eager for gain; small industry prevailed and there was no progressive concentration of industry; there was no labor problem, as the system was based on slavery; and the class struggle was confined to the oligarchic parties. But it is equally true that from the fifth century the disintegration in the ancient state and the bankruptcy of traditional moral values had reached a point where there was widespread distrust of existing institutions. Dissatisfied intellectuals embraced the surviving traditions of the golden age; Sparta and Athens of the past were admired for their unified social structure. A comedy of Aristophanes, the *Ecclesiazusae*, was a satirical attack upon communist phantasmagorias and radical feminism. But far more important than these symptoms was Plato's *Republic*, in which he laid down a complete system of aristocratic communism. Although Plato's scheme is to be considered not as a utopia but as a genuine revolutionary effort, Platonic communism was essentially different from modern communism and according to Barker is more analogous to mediaeval monasticism. It maintained a rigid class rule based on slavery; its communism was confined to consumption; it repudiated equality; its outlook was not hedonistic but ascetic; it was militaristic and not international. The other products of ancient socialism, the series of utopias exemplified by the *Sun-State* of Iambulos, seem to be purely literary products rather than manifestations of revolutionary thought.

From the tenth century on, popular mass movements developed which were strange combinations of religious and social revolt. These movements, practically universal in the more developed countries of Europe, were the result partly of the dissatisfaction of peasants and partly of the discontent of industrial workers, especially weavers exploited by rising capitalism. As belief in the immediate approach of the Kingdom of God decreased, people became conscious of the antagonism between the equality of men preached by the gospel and cruel reality. A combination of religion and communism became the ideology of the Cathari, the Bogomiles, the Patarins, the Arnoldists, the Albigenses, the Lollards and many other sects. Some preached a moral asceticism, which makes them precursors of Tolstoy; others, like John Ball, expressed vehement class hatred. These movements increased greatly during the Reformation, when revolts broke out in some mining districts of Germany and agrarian discontent assumed a menacing form in other regions. The most stirring religious movements were associated with the Anabaptists, whose doctrine was a kind of anarchistic socialism looking toward equality in Christendom. Their condemnation of the whole fabric of society led to the mass uprising in Mühlhausen in 1525 led by Thomas

Münzer, who advocated what might be designated as a religious dictatorship of the proletariat. Another Anabaptist rising in the city of Münster in 1534–35 led to the establishment of the "New Zion." The Anabaptist communities established in Moravia in the sixteenth century were the largest communistic organizations on Christian foundations in Europe.

With the spirit of criticism aroused by the Renaissance and the Reformation and with the beginnings of capitalism a significant literature came into being, of which the *Utopia* of Thomas More (1516) has become the classic model. The new utopias are comparable to those of the Greeks, yet their tone is far more earnest; they are animated not by sensationalism but by a deep moral conviction. More, exasperated by the misery following the enclosure system, when "sheep ate men," described an ideal community on a strictly communistic basis. He was an ardent individualist, seeking a maximum of pleasure for everyone. The acumen of More's criticism has rarely been surpassed. The remarkable utopia of Campanella, *Civitas solis* (Frankfort 1623), is nearer the *Republic* of Plato than the work of More; it is distinctly of the aristocratic type, based on the absolutistic rule of a philosopher-priest-prince. Harrington's *Oceana* (1656) may be called a liberal-socialist utopia for it placed greatest stress on the equal distribution of landed property.

The movement of the Diggers, or True Levellers, which arose during the Cromwellian revolution, culminated in 1649 when Winstanley led a few men in Surrey to dig and manure land which did not belong to them. Leonard Woolf calls the Diggers the first fathers of modern democracy, but it was virtually their intention to establish communities as the Anabaptist colonists had tried to do a century earlier. Winstanley has been described as a communist by Max Beer; the main ardor of the Digger movement, however, was directed against monopoly in land.

In all these manifestations the reaction against the historical state was more sentimental and religious than political and rationalistic, and the movements had an individual or sectarian character. In the eighteenth century, when a world new in both its economic and its moral structure emerged, several traits of modern socialism appeared. Increasing importance was attributed to economic life. An entirely lay conception of the state was developed and the world view of the individual became more rationalistic. With the rise of large scale industry came a proletarian class and the social outlook became more and more international. All these tendencies reached their climax in the French Revolution. Significant changes in social views had occurred between the sixteenth century and the eighteenth. The spirit of the natural sciences, of Galileo, Kepler, Harvey and Newton, had undermined the preponderance of religious cosmogony. The movement of the Enlightenment had encouraged the individual to use his own reason. Economic life had been divorced from the interference of religion. The new morality of the puritan sects had overemphasized work, moderation and asceticism and had served to encourage the entrepreneur. The doctrines of the law of nature had been revived and in the hands of Hobbes, Locke, Rousseau and Kant had asserted the necessity of a rational political order. Modern economic science was born and the physiocrats and Adam Smith tried to emancipate economic life from the despotism of the mercantilistic state. Morality came to be separated ever more pronouncedly from religion and utilitarianism declared enlightened self-interest to be the foundation of the commonweal. The deistic metaphysics of Rousseau and the critical idealism of Kant showed the existence of a superindividual moral law. Finally, the fight against despotism by Locke, Montesquieu, Voltaire, Rousseau and the *encyclopédistes* had sought to transform the absolutistic state into a government controlled by the people.

More imminent were the economic changes, whose influence has been felt progressively since the second half of the eighteenth century. The beginnings of the industrial revolution had shaken the foundations of the guild system and the self-sufficiency of the local centers. Closely connected with these changes was the growing disintegration of the feudal agricultural world, which had prevailed almost unaltered for a thousand years. The ancient manorial system with its many collective regulations, its joint participation in common land, forest and pasture and its intimate connection with the handicraft system proved an obstacle to the new economic forces. Rationalistic and competitive individualism were far more remunerative. The resulting army of bankrupt artisans and peasants laid the foundation for the modern proletariat. This socio-political process was accelerated by the "political means" of violence and fraud. The new enclosure movement in England, from the eighteenth to the beginning of the nineteenth

century, the previous expropriation of the religious orders in various countries, whose charitable work was suddenly dissolved, the devastation following upon wars, the dissolution of the remnants of the clan system and the increasing pressure of taxation in the absolutistic states produced growing misery. In one of the most dramatic chapters of *Das Kapital* Marx describes what he calls "the secret of primary accumulation." He refutes the classic theory that capital was accumulated by the economic virtues of the capitalists and depicts in broad although often exaggerated lines "the violent expropriation of the masses from the last third of the fifteenth until the end of the eighteenth century." According to one estimate there were about 500,000 vagabonds in France on the eve of the revolution, and Beer states that no fewer than 5,700,000 acres were withdrawn from small cultivators in England in the second half of the eighteenth century and at the beginning of the nineteenth.

All these factors helped to replace religious universalism with a system of individualism. It has become a widely accepted thesis that it is this spirit of individualism against which modern socialism is in revolt. Such a formulation is erroneous. Socialism, to be sure, became more powerful in the ratio in which individualistic liberalism seemed to be unable to cure economic evils. But liberalism in its beginning was a doctrine in the interest of the peasants against the seigniors, of the journeymen against the privileges of the masters, of the wage earners against the capitalists, of the broad masses of the consumers against feudal monopolies (Dietzel.) With the victory of the rich bourgeoisie individualism became more and more a capitalistic doctrine and liberalism became Manchesterism. At the beginning socialism differed from liberalism not in its aims but in its method; both were offspring of the same spirit of individualism and free criticism. Generally speaking, the early socialists continued liberal doctrine even while combating it. With Locke, the physiocrats and Adam Smith they accepted the labor theory of value and their main attack was therefore leveled against the right of inheritance and land monopoly. They carried the liberal doctrine to its full conclusions. Albert Schäffle rightly said that "both Liberalism and Socialism are offspring of the same spirit of Individualism, a pair of Siamese twins." For this reason the ideology of the French Revolution is a mixture of individualistic and socialistic principles. Perhaps the most revolutionary idea of the new synthesis was that of the right to personal happiness; as Robespierre expressed it, *Le bonheur est une idée neuve en Europe*. From this perspective, as Lorenz von Stein has declared, "the equality of communism presented itself as the natural ultimate of the idea of equality upon which the revolution was built."

Not only liberal but strictly socialist ideas penetrated even conservative circles in France before the revolution. Turgot was one of the first to formulate the doctrine of surplus value. Necker in 1775 maintained that the misery of the people is caused by the exploitation of the workers. Linguet, an influential publicist, emphasized that liberty was illusory for the workers and that the liberation of the serfs made their situation even worse. Faiguet recommended the establishment of cooperative communities like those of the Moravians. Several decades before the revolution communist concepts were voiced in the works of Meslier and Morelly. Brissot in 1780 anticipated the dictum of Proudhon in the phrase, *La propriété exclusive est un délit contre la nature*. Mably attacked the laissez faire principle of the physiocrats.

Laski and others have contended that there was nothing distinctly socialistic in the French Revolution until Babeuf. From the point of view of Marxian socialism this diagnosis is correct; but in a broader sense the teachings of Rousseau were already markedly socialist in character. His philosophy is not distinctly communist, as some have declared it to be; but he did recognize the essential foundation of socialism when he stated, for example, "My thought is not to destroy absolutely private property, because this is impossible, but to restrict it to the closest limits, to give it . . . a bridle which reins it, which directs it, which subjects it, and keeps it always subordinate to the general will." Babeuf was unique in the period of the French Revolution not so much for his communism as for his application of organized revolutionary means, which foreshadowed those of the Bolsheviks in Russia, who regard themselves as continuing the direct revolutionary tradition of Babeuf, Marx and Rosa Luxemburg.

Even in Germany, which was far more backward socially and economically, the spirit of the *Aufklärung* led inevitably to socialistic conclusions; and Herman Cohen is not incorrect when he declares that Kant, the follower of Rousseau, in his political writings was "the true and real beginner of German socialism," for his moral

law was a radical condemnation of all historical society.

Analogous tendencies prevailed in the English socialism of the period with the difference that there was less moral tension than in France, although capitalism was more advanced and the agricultural revolution more complete. The two revolutions made possible the development of bourgeois forces. English aristocracy did not develop into a purely parasitical class as in France. The way toward socialism was already prepared by the founders of English liberal thought, by Locke in politics and Smith in economics. Both taught a labor theory of value, and Smith declared that "in the original state of things, which precedes both the appropriation of land and the accumulation of stock, the whole produce of labour belongs to the labourer." Archdeacon Paley in a parable showed the injustice of the present system. As in France the trend of this whole philosophy centered around the idea of equality; some acute observers foresaw that the contest for social and political equality must engender a struggle for economic equality. Likewise the first manifestations of socialism in England as in France were ultimately concerned with monopoly in land, which was regarded as a manifest infringement of natural law. The social gospels of Spence, Ogilvie and Paine emphasized the difference between landed property as a product of nature and industrial property as a product of work. At the same time there was a current of opinion which was not satisfied with this frontal attack against land monopolies and assumed a thoroughgoing communistic attitude. Godwin in his *Enquiry concerning Political Justice* (2 vols., London 1793) was more anarchist than socialist, for he did not believe in legislative action or in revolution; he preached an ethical communism. At the same time Wordsworth, Coleridge and Southey, influenced by the first humanitarian period of the French Revolution, became romantic admirers of communism.

From the beginning of the nineteenth century until the suppression of the Paris Commune the industrial and agrarian revolutions remolded radically the whole framework of society. There has recently been a tendency to dispense with the concept of the industrial revolution and to supplant it with the idea of a slow evolution; the very essence of revolution, however, is that quantitative changes suddenly become transmuted into qualitative changes. Robert Owen emphasized the fact that peace after the Napoleonic wars "found Great Britain in possession of a new power in constant action, which . . . far exceeded the labour of one hundred millions of the most industrious human beings. . . ." Describing the change from eighteenth to nineteenth century France, Henri Sée states that "in a period of fifty years a more far reaching transformation took place than had marked the entire three centuries since the end of the Middle Ages." With better hygiene and growing efficiency in production the population of Europe grew from the beginning of the nineteenth century until 1914 from about 180,000,000 to about 452,000,000. The masses congregated more and more in large cities and the proletariat slowly acquired a moral and mental outlook previously unknown in the history of mankind. The workers first began to revolt violently and to destroy the new machinery, as in the case of the English Luddites between the years 1811 and 1817. There set in a period of more intense exploitation of women and children, which lasted almost until the middle of the century. An inquiry in 1840 concerning the mining and other industries in England showed that women and children, some of the latter only six years old, were employed in mines, seldom less than eleven hours a day. Contemporary descriptions reveal that sanitary and dwelling conditions were appalling. The development of the slums long prevented the emergence of a feeling of community of interests. At the same time growing liberal democracy and technical efficiency brought about a state machinery whose power was greater than absolutism had ever been; this power was often used most ruthlessly, as in France, to tax the peasants almost to the subsistence level. Finally, the growing intensity of commercial crises (1817, 1825, 1836, 1847) made the wretched existence of the masses even more precarious.

Idealists were deeply stirred by the degrading poverty of the industrial centers. The misery which had prevailed through centuries of feudalism, formerly hidden in the back yards of the feudal estates, became visible in the show windows of the great cities (Oppenheimer). La Bruyère's description of the *animaux farouches*, scarcely distinguishable as men, who worked in the fields of France was still true even a century later. Intellectuals of the ruling classes, such as Michelet, Hugo, George Sand, Carlyle and Dickens, were moved by the sufferings of the new proletariat and Disraeli's parable of the "two nations" pictured the hopeless polarization

of society. Napoleon III in his *Extinction du paupérisme* (Paris 1844) warned society of the approaching danger, as did de Tocqueville, speaking in the Chamber of Deputies in January, 1848. The revolt was spreading against the philosophy of economic liberalism. Sismondi tried to show that the liberal doctrine of spontaneous readjustment was no longer valid. In an essay honored by the French Académie des Sciences Morales et Politiques (*De la misère des classes laborieuses en Angleterre et en France*, 2 vols., Paris 1840) Buret demonstrated that industrial civilization uncontrolled by the state must lead inevitably to destitution.

This setting was undoubtedly propitious for the maturation of the socialist doctrine. After the transitory calm of the post-Napoleonic period there came a rebirth of the revolutionary propaganda focused around Paris among the exiles of various countries. Secret societies multiplied; a new wave of Jacobinism flourished. The Carbonari, the Young Europe, the Amis de la Vérité, the Amis du Peuple, the Société des Droits de l'Homme and other secret conspiratorial organizations were formed. Under all these influences an extremely rich socialist and communist literature arose.

The socialism of the nineteenth century shows certain characteristics which differentiate it from both eighteenth century socialism and the later Marxian synthesis. It was undoubtedly more scientific than the previous socialism. General formulae of reason and the law of nature had a lesser appeal; economic problems were now stressed. It differed in several respects from Marxian socialism. In the first place, it was based on a desire for sympathy and better understanding between the classes. Most of its representatives therefore, far from teaching a recognition of class struggle, placed their emphasis upon cooperation. The appeal of Owen is typical: "It will therefore be the essence of wisdom in the privileged classes to cooperate sincerely and cordially with those who desire not to touch one iota of the supposed advantages which they *now* possess. . . ." Second, it was an isolated intellectual movement and often assumed the form of sects. Third, it favored socialist colonies as practical economic experiments. Fourth, it was bound to the traditional moral and religious values.

In France Saint-Simon gave new impetus to socialism. He was convinced that a central organ regulating economic life and a new humanitarian religion instead of a falsified Christianity were necessary if anarchy was to be avoided. He declared the new society to be preformed in the body of the old. The work of the French Revolution he regarded as incomplete because the world still remained feudal in essence, ruled by lawyers, soldiers and metaphysicians. As a form of organization for the new world of the industrialists Saint-Simon proposed a kind of socialization of economic forces, the subordination of private enterprise to regulation and directive councils of experts to maintain the harmony of the whole. His successors Bazard and Enfantin corrupted his teaching in many respects with materialistic mysticism or sexual libertinage. Nevertheless, certain popularizations of the Saint-Simon school had considerable influence upon contemporary and later thought. They emphasized the exploitation of man by man, the need for emancipation of the workers, the suppression of surplus value, and they expressed the fundamental principles of socialism more clearly than did the preceding schools. Present efforts toward a planned economy may be said to have a Saint-Simonian character.

Fourier, on the other hand, can best be described as a liberal cooperative socialist. The essential for him was not the establishment of a general plan and leadership from above, but rather the building of fundamental social units in which a healthy economic life might develop. Believing that an attraction exists between human desires and the various economic occupations, he proposed the remolding of society on the basis of spontaneous cooperative associations. He ridiculed the idea of a sovereign people dying of hunger and maintained that the proper satisfaction of individual desires would lead to the most efficient type of production. Fourier may be regarded as one of the chief predecessors of the antistate movement. At the same time he expressed clearly the law of capitalist concentration and of the growing misery of the masses. Victor Considérant, the most important member of the Fourier school, in his *Principes de socialisme* (Paris 1847) formulated the ideas of capitalistic concentration, proletarization, pauperism, the right to work, insurance for workers, the transformation of the wage system and the appearance of a new industrial feudalism with such vigor that the book may be regarded as an important step toward the *Communist Manifesto*, which appeared in 1848 (G. Sorel).

The liberal socialism of Proudhon urged not the suppression of capital, but only the elimination of its function of exploitation; it ad-

vocated the organization of a national cooperative bank which would be able to give gratuitous credit to all producers. Proudhon believed that the producers, liberated from the bondage of capital, would form spontaneous associations and would exchange their products on the basis of labor value; that government would thus be supplanted by the economic organism; and that this would lead to true industrial democracy (Proudhon was perhaps first to use this term), without which political democracy would always remain a farce. He proposed a system of political federalism which in his opinion would break down the centralized unity of France. Proudhon exerted a strong influence on the French masses, still *petit bourgeois* in character. It was doubtful for some years whether the First International would become Proudhonist or Marxist. At the end of the nineteenth century Proudhonism revived in the syndicalist movement.

The rebirth of religious feeling in large circles of French society gave impetus to several propagandists called Christian Socialists. Buchez tried to found a producers' cooperative movement; Lamennais in the second part of his career openly embraced the principles of communism; Cabet in his influential utopian work, *Voyage en Icarie* (Paris 1840), carried on the traditions of More, Campanella and to some extent of Fourier. Pecqueur, another religious socialist, had far greater theoretical importance; he described the process of growing capitalistic concentration and advocated the idea of nationalizing the means of production, with an admixture of cooperative socialist principles. He may be regarded as a precursor of the idea of occupational representation.

More important in its practical consequences was the work of Louis Blanc, a keen critic of capitalist society, who analyzed the process of concentration in detail and emphasized that a system of competition must lead to monopoly. He attacked the consequences of the liberal system and declared that the principle of *laissez aller* meant *laissez mourir*. He advocated productive associations of working men provided with necessary capital by the state, which should, however, not be the administrator or the proprietor of these workshops but only make the laws regulating them.

In England during this period socialism did not elaborate as many systems as it did in France and it showed more sobriety and greater realism, largely because of the higher development of the British labor movement. English socialism continued the natural rights theory and especially the labor theory of value as initiated by Locke and scientifically developed by Ricardo. The influence of the latter on English socialism cannot be overrated; his reduction of value to labor in practically all important cases, his prediction that wages could not fail to be pressed down to the level of subsistence, his theory of land rent, his construction of the *homo oeconomicus*, were factors fostering belief in the necessity of class struggle. Charles Hall's agrarian socialism advocated the nationalization of the land and its division among the proletariat. Hall is one of the founders of the theory of surplus value—he held that the poor are robbed of seven eights of their natural income—and of the theory of class struggle. Thomas Hodgskin was an individualistic socialist who made acute observations concerning the labor theory of value, class warfare and exploitation. He hoped that the coalition of workers would limit the unearned increment of lazy capitalists but insisted that working capitalists were entitled to an adequate wage. He was an anticommunist, declaring the right of property to be essential to the welfare of society. John Gray sought the solution of the social problem in the process of circulation; he asserted that barter and barter alone is the basis of society and urged that since the whole principle of exchange was falsified, national warehouses should be established to determine the price of all commodities on the basis of labor value. John Francis Bray gave a kind of synthesis of Owenite teachings and anticapitalistic criticism.

The two dominant figures among the founders of English socialism were William Thompson and Robert Owen. Thompson, whose original teachings Menger contends were appropriated by Rodbertus and Marx, was a follower of Bentham. He maintained that the first agent in the economic process was not the capitalist but the producer, and formulated what later became the *ehernes Lohngesetz*, iron law of wages, of Lassalle. In his hope for the transformation of capitalist society through cooperative-socialist communities composed of associations of producers he shared the plans of his contemporary Robert Owen, by far the greatest figure in British socialist history. Owen had little interest in political reforms but was convinced that the main task for the social reformer was the elimination of disorderly competition and faulty education. When he commenced his activity he was

scarcely more than an ardent social reformer; later, exacerbated by the resistance of the cotton lords, he became more and more a communist. He was convinced that the new economic system would create unlimited prosperity and therefore he never seriously contemplated the problem of distribution. His plans for education, for making work agreeable, dignified and pleasurable, are comparable to those of Fourier, while in his emphasis on the necessity of establishing free productive associations he can be regarded as a precursor of Blanc. In his views on the state he came closer to Proudhon than to the state socialists. He was the first to initiate labor defense legislation, trade unionism, cooperative organizations and all embracing educational reforms.

In Germany the socialism of this period was far more abstract and theoretical than was the French and English, because the German structure of society remained traditional, feudal and autocratic. German socialism was a moral protest and a religious hope rather than the battle cry of an organized class. What later became militant German socialism had its source in four ideologic currents. First, there was the tradition of the German idealist philosophy of Kant, especially as formulated by Fichte, who elaborated a system of socialism of an aristocratic and authoritative character in which elements of state socialism were combined with a kind of guild socialism in order to guarantee to the individual the right to a minimum subsistence. Fichte proposed that a meticulous system of planned economy be developed, that the frontiers of the state be closed to foreign commerce and that all the citizens be organized on an occupational basis. The second current was the type of socialism which Marx denounced as German, or "true," socialism, represented by such men as Hess, Weitling and Grün. This school, also called *Handwerksburschen-Sozialismus*, represented a humanitarian, optimistic tendency comparable with that of early French and English socialism. Feuerbach's philosophy also exerted a growing influence. A third strain was the reaction against the beginnings of capitalism among the ideologists of the old regime, which gave rise to a romantic and authoritative type of semisocialistic thought described by Marx as reactionary, or feudal, socialism. In fact, however, it was not entirely reactionary; occasionally it was a genuine protest against unbridled Manchesterism, calling for the reorganization of professional life along mediaeval lines, thus representing an early precursor of guild socialism. In particular Franz von Baader and Adam Müller sharply criticized the capitalist system and prophesied its collapse, and Winkelblech proposed a detailed plan of guild organization. Finally, there was the current of socialist thought which is generally characterized as scientific, with the implication that economic researches play a paramount part in its formulations. The term scientific is not a fortunate one, because previous types of socialism cannot simply be discarded as unscientific; an economic foundation does not necessarily go deeper than a psychological or a moral one. A leading figure among early scientific socialists was Karl Rodbertus, who vigorously criticized the capitalist system as creating pauperism and commercial crises, because five sixths of the nation by virtue of the meagerness of their incomes are in effect excluded from the benefits of civilization. As a remedy he recommended that the working class be given a greater share in the national income. Rodbertus was an anti-individualist and anti-egalitarian socialist of the type of Plato, Saint-Simon and Fichte. Another protagonist of scientific socialism was Lassalle, who from a practical point of view was post-Marxian but in his theoretical foundation was rather pre-Marxian, deeply influenced by Blanc and Lorenz von Stein. He popularized the wage theory of Ricardo under the slogan of the *ehernes Lohngesetz*, which makes the rise of the working class impossible. Following Malthus he argued that if wages should be above the point of minimum subsistence, more frequent marriages and more rapid reproduction would occur and the increase in the supply of workers would depress wages. But if wages should be below this point, emigration, celibacy and sexual abstinence would diminish the supply and wages would rise accordingly. He contended that neither the cooperative nor the trade union movement could offer a way out of this dilemma but that the only true road toward freedom was the intervention of the state, which, in opposition to Marx and in accordance with Hegel, Lassalle regarded as the supreme reality. In his opinion the state could emancipate the working class by giving them credit with which they could organize producers' associations. He regarded universal and equal suffrage as a means of conquering the state and as the royal road to socialism. Likewise in opposition to Marx and later socialism, Lassalle was a convinced nationalist and urged the proletariat to cooperate

with the state; in this regard he gave great impetus to post-Marxian socialism.

Certain practical experiments also influenced the next period of socialism, mostly in a negative way. In France the unfortunate venture with the *ateliers nationaux* in 1848 compromised the idea of productive associations, although the experiment had not had a fair trial. The codification of the principle of the right to work proved to be ineffective. The tragic battle in June with its consequent deportations crushed the revolutionary ardor of the proletariat by depriving it of 10,000 of its most revolutionary elements. The collapse of many communistic colonies inspired by the schemes of Fourier, Cabet and Owen or by religious groups was also discouraging. Lorenz von Stein had attributed the greatest importance to these endeavors, quite unhampered in the United States, because he saw in them a crucial test for socialist doctrine. As practically all these experiments were failures, he was convinced that they had demonstrated amply the impossibility of communism, for all these communities had succumbed not in competition with the capitalist system but because discipline and harmonious cooperation could not be maintained. Socialists argued, however, that the situation would be quite different if only one social and economic pattern, supported by an inclusive system of social education, were to be tolerated. The growing impatience of the proletariat with the political and experimental method gave new fervor to the tradition of Babeuf. Dézamy rejected bourgeois aid and summoned the proletariat to free itself. Blanqui was involved in a series of violent plots. He was one of the leaders of the demonstrators who in 1848 entered parliament and dispersed the Assembly. The culmination of the movement of unsuccessful armed upheavals was the Paris Commune in 1871. Although recent researches have proved that socialism was not the most important element of the revolution and that its general ideology was more Proudhonist than Marxian, coupled with national indignation against an inefficient government, yet the commune became a landmark in the history of communism, and Marx hailed it as the "glorious harbinger of a new society."

The first important experiment in England toward independent political action by class conscious workers and the first great movement in modern times directed and controlled by working men was the Chartist movement (1830–48). In addition to the efforts of the Chartists for constitutional change they were concerned with socialist issues. At the same time the first socialist international organization was established as the Society of Fraternal Democrats. A Christian Socialist movement was organized in 1848 under the leadership of the humanitarian clergymen Maurice and Kingsley and Ludlow, a lawyer; it resembled the French religious socialist movement, except that it did not preach a single principle or doctrine peculiar to socialism. About forty "associations for cooperative production" were founded, but all of these collapsed and in 1854 the movement disappeared. In Germany in 1863 Lassalle succeeded in founding the first independent labor party, the *Allgemeiner deutscher Arbeiterverein*. His sudden death, however, weakened the resistance of his ideology to the new synthesis of socialism, which had as its center the International Working Men's Association, of which Marx became the leading spirit.

Marxian Socialism. Although the most important aspects of modern socialism were preformed in a long course of historical development, nevertheless the synthesis associated with the names of Marx and Engels represents a new variety, some characteristics of which were determined by the further development of the structure of capitalism. The industrial proletariat became more independent of the other classes of society, and at the same time a new intellectual class developed which lost its connection with the upper classes and felt itself to be the exponent of the proletariat. The proletariat began to develop its own élite. The growing strength of the proletarian organizations rendered their press and ideology financially independent. The Marxian synthesis was not, however, a simple reflex of a new situation but was partly a result of previous currents of thought and partly the creation of the genius of Marx and Engels. It has often been emphasized, usually in a deprecatory way, that the founders of the new socialism did not add anything original to socialist thought; that the theory of surplus value was an inheritance from Turgot, Godwin, Hall and Thompson, the theory of capitalist concentration from Pecqueur, Fourier and Blanc; that the class struggle theory was already developed by Plato and Aristotle and modernized by Blanc, von Stein, Thierry and Guizot; that the theory of the growing misery of the proletariat originated with Rodbertus and the crisis theory with Owen, Sismondi, Fourier and Rodbertus; and that the technologic-eco-

nomic theory of history was completely developed at the end of the eighteenth century. Even granting these assertions, it cannot be denied that socialist theory received a synthesis and completeness through Marx and Engels and that because of such dynamic impetus socialism, which had formerly been confined to the speculation of isolated thinkers or of sectarians, became a mass movement embracing the entire world.

Marxian thought contained several elements which caused it to triumph over all former varieties. In the first place, Marxian socialism made a definite turn toward communism. As Engels declared: "In 1847 socialism was a bourgeois movement, whereas communism was working class. Socialism was, on the continent at least, quite respectable, whereas communism was the very opposite. Since, already at that date, we were wholly convinced that 'the emancipation of the workers must be the task of the working class itself,' we could have no hesitation as to which of the two words we should choose. Nor has there ever been any inclination on our part to repudiate our first choice." Second, it abandoned all the religious and moral claims of pre-Marxian socialism and became rigorously "scientific." The slogan "Religion is the opiate of the people" was a creation of Marx. Third, it did not concern itself with the economic institutions of the future society, which were the chief interest of pre-Marxian socialism; this attitude enhanced its fighting strength. Fourth, it ridiculed the experimental method of former socialism as utopianism and accepted an evolutionary interpretation of human history. Engels declared at Marx' funeral, "Just as Darwin discovered the law of evolution in organic nature, so Marx discovered the law of evolution of human history." The new doctrine, however, combined with this evolutionary interpretation a distinctly revolutionary philosophy. Fifth, the new ideology not only abandoned the principle of cooperation with other classes but glorified the class struggle as the source of all virtues for the proletariat. The working class was described as the class which alone had the historic role of bringing about a better social order. Sixth, Marxian socialism taught a kind of radical behaviorism, as expressed in Marx' phrase, "The whole of history is a continuous remolding [*Umwandlung*] of human nature."

It is easy to understand the extraordinary dynamic power of this synthesis. The checks and restraints of traditional religion and morality were released; the expectation of a transcendental millennium was replaced by hope for an ideal future society on earth based on materialistic principles. It not only developed the feeling of dignity in a class until then neglected, but exalted its self-consciousness. Finally, the element of Bakuninism in this synthesis, favoring the ruthless qualities of human nature, becomes justified because the destruction of capitalist society is regarded as absolutely necessary to insure the future of civilization.

The origins of the new synthesis are to be observed in the atmosphere of the English philosophy of the seventeenth and eighteenth centuries, especially in the spirit of Hobbes and Locke; its transformation is to be seen in the materialistic philosophy of the precursors of the French Revolution, in the daring optimism of the French and English socialists, in the devastating religious criticism of Feuerbach, in the humanitarian visions of the "true" German socialists and in the evolutionary spirit of the new natural science. Engels declared that the German socialists were proud of their descent not only from Saint-Simon, Fourier and Owen but also from Kant, Fichte and Hegel. In spite of the insistence of Sombart and others to the contrary, the works of the young Marx prove that he was deeply influenced by German idealism; that he was motivated by an ethical humanitarianism; that his system not only has as its purpose the improvement of the economic status of the masses but that its fundamental thought is to abolish the "fetishism of commodities," the malevolent power of human products over the free will of men. Spengler has contended that the Prussian concept of *Obrigkeitsstaat* had an important influence on Marxian socialism. Finally, the influence of "the Jewish spirit" in Marxian socialism has often been stressed; for example, by Bakunin, Dühring, Sombart, Plenge and the National Socialists. The idea of justice has always been strong in the Jewish race, and its hereditary prophetic chiliasm found an outlet in a materialistic quest for a new society. Furthermore because of their lack of a national homeland they have made a virtue of internationalism. Yet this racial factor should not be exaggerated; the role of the Jews has been disproportionate in all other intellectual activities as well, and public careers have been closed to them in many bourgeois parties.

The reconstruction of the main elements of Marxian thought is difficult because Marx and Engels adopted different points of view in

different periods and at times the system is obscured. Furthermore Marxian socialism as a driving force is an ideology and not a theory: it lives not only in the works of the founders but in the diverse interpretations of disciples. Its philosophical foundation, historical materialism, sometimes qualified as economic interpretation of history, transformed the static materialism of the eighteenth century and of Feuerbach into a dynamic materialism. This synthesis was achieved through the dialectic conception of Hegel; but whereas Hegel held reason, or the idea, to be the ultimate promoter of the whole process, Marx regarded the idea as nothing but the material process becoming conscious in the brain of man. This materialistic dialectic helped Marx to describe the movements of ideas, not as rigid categories but as manifestations of an ever changing reality. The doctrine was never fully developed; it was merely formulated in some brilliant passages, especially those in Marx' preface to the *Critique of Political Economy* and by Engels in *Anti-Dühring*. The fundamental idea is that "the mode of production in material life determines the general character of the social, political and spiritual processes of life. It is not the consciousness of men that determines their existence but, on the contrary, their social existence determines their consciousness." New forces of production, which cannot find sufficient activity in the existing jural and ideologic framework of society, are continuously developing. The result is a struggle between the class representing the old status of the forces of production and the class representing the new. Engels thus concludes that "the final causes of all social changes and political revolutions are to be sought, not in men's brains, not in man's better insight into eternal truth and justice, but in changes in the modes of production and exchange. They are to be sought, not in the *philosophy* but in the *economics* of each particular epoch."

This concept involves several propositions. The first is the *Überbau* theory, according to which all the spiritual forces of society, law, religion, art, philosophy, are only a superstructure developed by the material, productive forces of society. Second, the chief cause of movement in society which in its totality is considered progress is the antagonism between the productive forces and the existing relations of production. Third, this development of the productive forces is inevitable; either the new forces through their representative class will be victorious or society will perish in a blind and useless strife. Human reason cannot alter this inevitable evolution; it can merely alleviate the pain of creation of the new society which is already developed in the body of the old. Fourth, every phase of the historical process is inevitable and reasonable in its relative position. Fifth, the approaching revolution of the proletariat will be a final one, because it will mean the emancipation of the last class in society; no exploited class will remain. Therefore mankind's prehistoric period will end; man will make the final leap from the realm of necessity into the realm of freedom, because all the productive forces of society will be controlled by reason in a classless society of free and equal men. The strict materialistic determinism of the original formulation was later considerably mitigated not only by certain followers but by Engels himself. In a letter to Mehring in 1893 Engels acknowledged at least the relative independence of spiritual forces in history. The idea of the forces of production (*Produktivkräfte*) which determine the relations of production (*Produktionsverhältnisse*, the organization of the economic structure), upon which the spiritual and cultural superstructure is based, has remained vague and contradictory. Sometimes it is used, apparently quite correctly, to refer only to the "forces of production or what is the same . . . the stage of development (*Entwicklungsstufe*) of the technic," as by Bukharin; other writers, such as Bernstein, include climate, natural surroundings, law, religious traditions and the nature of man.

The central thesis of the economic teachings of Marx and Engels is that capitalist society is hopelessly torn by antagonistic forces which will ultimately destroy the whole social fabric, but in such a way that the communist embryo preformed in capitalist society will be set free. Marxian economic theory is based on the Ricardian theory of value, with the limitation that for Marx pure economics did not exist; economic laws, like all other so-called social laws, are to him only transitory categories. Marx made the Ricardian theory of value more rigid and exclusive, leaving no room for consideration of scarcity and utility. Value for Marx is an objective substance; it is congealed labor, not visible but measurable. The value of commodities is determined by the "average socially necessary labor" expended in their production. This definition is an apotheosis of physical labor, because highly qualified intellectual labor cannot be

measured under this category. Human labor is the sole factor in production of goods, for capital is only previous human labor not consumed but used in the process of production. It follows that the interest on capital, the entrepreneur's profit and the land rent are all paid out of the work of the laborers as surplus value. The creation of this surplus value is explained by the fact that the value of the labor force depends upon the amount of labor needed for the production of those things which are necessary to maintain the worker and his family on the minimum level of subsistence. But in a day's work under the capitalist system the worker produces more than the necessities of his minimum existence; the rest of his work constitutes the surplus value. In this way the essence of capital is not a sum of money or an agglomeration of productive implements but an instrument for the production of surplus value. Workers perform this surplus work for the capitalists, without physical or legal compulsion, because the land and the other means of production are in the hands of a few capitalists who have at their disposal free workers, free in the double sense that they are free to make contracts and that they are free of all possessions other than their working energy. The workers constitute an industrial reserve army, composed of a growing number of unemployed, whose competition keeps wages always at the lowest possible level and makes it necessary for the workers to do the surplus work. Without such an industrial reserve army capitalism could not exist, for if wages should increase above the subsistence level the working class could save enough capital to acquire the necessary means of production. The question as to how this reserve army of the capitalist system is continuously reproduced was not difficult for Malthusians like Ricardo or Lassalle, but Marx repudiated their explanations categorically. He described the reserve army as created purely by economic means; the small artisans were ruined by large scale industry, capitalists expanded the working hours, and the employment of cheap woman and child labor was made possible through the development of machinery. The whole trend of the industrial revolution is the replacement of the worker by the machine, which continuously increases the number of the unemployed. Therefore the chief cause of the reserve army is technological unemployment. On the other hand, Marx showed elsewhere that the capitalist system was created not by its economic superiority but by the violent and lawless expropriation of the rural masses, who became paupers and who thus afforded a cheap labor supply for the capitalist. Whether these two explanations can be reconciled and whether violence itself is an economic power, as Marx sometimes asserted, was never thoroughly treated.

The theory of value and surplus value leads inevitably to the law of concentration, according to which capitalist enterprises tend to grow continuously by the extermination of the smaller establishments. In the course of evolution all production will be concentrated in a few colossal enterprises. By reason of the bankruptcy of smaller producers and the growing exploitation of the workers, not only the technical implements but wealth itself tends to concentrate in a few hands according to the law of capitalist accumulation. This inevitable process, which will culminate in increasing misery of the masses, is thus described by Marx: "While there is thus a progressive diminution in the number of the capitalist magnates (who usurp and monopolize all the advantages of this transformative process), there occurs a corresponding increase in the mass of poverty, oppression, enslavement, degeneration, and exploitation" of the swelling masses of labor. The growing efficiency of production and the accumulating misery of the masses, combined with the anarchy of the capitalist system, under which every capitalist produces at random, lead to more and more devastating crises. This crisis theory, with the theory of concentration is the most important bulwark of the Marxian system, because Marx was convinced that soon the crises would destroy the entire capitalist structure. Marx and Engels in this connection laid the foundation for a theory of imperialism: "The conditions of bourgeois society are too narrow to comprise the wealth created by them. And how does the bourgeoisie get over these crises? On the one hand, by enforced destruction of a mass of productive forces; on the other, by the conquest of new markets, and by the more thorough exploitation of the old ones. That is to say, by paving the way for more extensive and more destructive crises. . . ." Marx and Engels were convinced that the world revolution was imminent, that one of these sharp crises would be the turning point at which "the knell of capitalist private property sounds. The expropriators are expropriated." This gloomy prophecy contains an element of hope for the theory of concentration and at the same time involves a theory of

socialization—for colossal private enterprises absorb great masses of workers who carry on socialized production. As Engels said: "The contradiction between socialized production and capitalistic appropriation manifested itself as the antagonism of proletariat and bourgeoisie," as "an antagonism between the organization of production in the individual workshop and the anarchy of production in society generally." This tension will continue to increase; the capitalist integument will burst asunder; the communist embryo will come to life with the birth pangs of the social revolution. Although the character of the new society is not described, certain statements indicate that Marx and Engels believed in an ultimate state of "free association of individuals" and in a classless society, wherein everyone would receive according to his needs.

The political conclusions of the system follow from its philosophic and economic theses. The doctrine as a whole is less developed than the other parts of the system. It consists of occasional remarks, historical fragments and propagandistic guides. According to Marx the state is a new institution not known in the feudal period; only after the dissolution of the political power of the church was the state established. Engels, influenced by the studies of Lewis H. Morgan, described with great admiration the tribal organization of the Iroquois as an example of a stateless society founded on equality and freedom. He contended that the agglomeration of wealth, the beginning of sharp class divisions, destroyed the stateless condition of mankind and established the historical state, which "having arisen amid these conflicts . . . is as a rule the state of the most powerful economic class. . . ." Only in exceptional cases do the "struggling classes balance each other so nearly that the public power gains a certain degree of independence by posing as the mediator between them. . . ." The modern state is "nothing more than a committee for the administration of the consolidated affairs of the bourgeois class as a whole." The state thus assumes simply the role of an instrument of class exploitation. This situation will not last for long; "We are now rapidly approaching a stage of evolution in production, in which the existence of classes has not only ceased to be a necessity, but becomes a positive fetter on production. Hence these classes must fall as inevitably as they once arose. The state must irrevocably fall with them. The society that is to reorganize production on the basis of a free and equal association of producers will transfer the machinery of state where it will then belong: into the Museum of Antiquities, by the side of the spinning wheel and the bronze axe.' This is the theory of the withering away of the state, in which Marx and Engels and practically all the founders of modern socialism agree with the ultimate consequences of the anarchist doctrine. The picture of the new political society, like that of the economic, has never been fully portrayed, although in many isolated passages its chief features have been described. Not only will the state and classes disappear but also the difference between manual and intellectual labor and the gulf between town and country. The parliamentary system will be replaced by the occupational representation of the workers. The main feature of the new society will be colossal abundance of production on the basis of an all embracing planned economy.

Tactical considerations play a very significant part in the Marxian system. This feature is so strong that Croce rightly asserts that it would be far more difficult to continue the political perspicacity than the theoretical work of Marx, the "most remarkable continuator of Machiavelli." The most important and immediate objective is the organization of the proletariat into a class conscious proletarian party. This party must be international in scope, for working men know no country; they must unite the world over. The emancipation of the proletariat will be brought about by a world revolution, which will be accompanied by warlike complications. Marxism is not pacifism; the concept of the brotherhood of man was characterized as "the most trivial stump oratory." The wars of the capitalist countries must be utilized in the interest of proletarian emancipation, the fight for which should be different in various countries. Although Marx and Engels made utterances which seem to indicate that in highly advanced democratic countries, such as the United States, England and Holland, a peaceful transformation would be possible, their fundamental teaching was that of revolutionary action and a complete destruction of other classes. Reformistic measures are only auxiliary means of overthrowing the bourgeois state. The proletariat is not to take compromises with the bourgeois class seriously, but to keep the revolution permanent is to disregard all agreements. In this continuous revolutionary struggle the working class should not be hindered by considerations of conventional justice and morality.

The final transition to a communist society can be made only by the dictatorship of the proletariat. It was not only in his youth that Marx entertained such an opinion; as late as 1875 in criticising the Gotha Program he announced that "between the capitalist and communist society lies a period of revolutionary transformation from one to the other. There corresponds also to this a political transition period during which the state can be nothing else than the revolutionary dictatorship of the proletariat." Engels made an analogous declaration a few years before his death. Marx and Engels therefore did not oppose the methods of armed violence advocated by Babeuf and Blanqui but only conspiracies not sufficiently prepared and organized. Violence is held to be "the midwife of every old society pregnant with a new one."

DEVELOPMENTS AFTER MARX. After the founding of the Second International in 1889 socialism became a world movement. Its internationalism, however, was rather decorative, and in various countries national differences came to the fore. German socialism was the leading force within the International; its power in Germany after the Erfurt program (1891) was very great and throughout central and eastern Europe it became a strong revolutionary force. But while the scientific and moral prestige of Marxian socialism grew in the great western democracies, it remained a minority opinion. This difference is due to some extent to the feudal, aristocratic and authoritarian character of central and eastern European countries where the working class had to fight not only for its economic emancipation but also for the political rights which had already been achieved by bourgeois revolutions in the west. At the same time religion remained in these countries largely an ally of the state, glossing over social exploitation. Whereas in the west democracy led inevitably toward cooperation between the working class and the advanced elements of the bourgeoisie, in central and eastern Europe the gulf remained unbridgeable. Central and eastern European socialism was as a consequence animated by a consciousness of social inferiority on the part of the working class, a feeling which did not exist in the west.

Differences in national character also are important. The system making, metaphysical outlook of the Germans and the sentimental mysticism of the Slavs were propitious for the acceptance of the rigid architecture of the Marxian synthesis with its prophecies for a future society; whereas the common sense philosophy of the English and the lucidity of the French, combined with the humanitarian religion of the French Revolution, revolted against a system in which the ideology of individual rights was discarded. These national differences resulted in a process of cross fertilization of orthodox Marxism with certain new tendencies.

In no country of the world, with the exception of Russia, has socialism encountered so much persecution, chicanery and contempt as in Germany. The *Socialistengesetz* of Bismarck from 1878 to 1890 made it an outcast, able to maintain its political existence only through underground organization. Later, however, with the growing forces of democracy and relative prosperity, as in France and England, the Social Democratic party became one of the strongest organizations in the country. The exclusively proletarian color of Marxian ideology became less intense; large masses of the petty bourgeoisie and of the intellectuals became socialists. At the same time the antimilitaristic efforts of socialism endowed the movement with a broad humanitarian appeal. In the years immediately preceding the World War socialism came to be regarded as a bulwark against all kinds of reaction; in 1912 at the congress of the Second International at Basel Jean Jaurès, the idealist leader of French socialism, reflected European labor opinion when he asserted that "the International represents all the moral forces in the world."

The change in the mentality of the socialist movement became so marked that Engels in 1895, the last year of his life, wrote a preface to the new edition of Marx' *Class Struggles in France* in which he modified considerably the revolutionary rigidity of Marxian philosophy. Although Ryazanov has proved that certain passages of the preface were falsified and some completely suppressed by the editor, the tone of the whole document was less revolutionary than Engels' earlier work; the importance of peaceful action was emphasized and the difficulties of revolutionary street fighting were stressed. The influence of the preface was great; Rosa Luxemburg attacked it as pernicious in its effect upon the labor movement. The growing participation of socialism in national life brought about a widening gulf between the practical needs of the movement and the formulae of Marxian socialism, which remained unchanged in the official ideology of the party. In 1899 Masaryk, who stood outside the socialist camp, saw the dangers of this antagonism and concluded that "hushing up and diplomatizing hurts the party more than

an open revision of the contested questions and the confession that the philosophical and to a large extent the sociological bases of Marxism are untenable."

The revisionist movement grew out of this awkward situation. In 1899 Eduard Bernstein published his *Die Voraussetzungen des Sozialismus und die Aufgaben der Sozialdemokratie* (Stuttgart; tr. by E. C. Harvey, London 1909), in which he challenged the fundamental theses of the Marxian system and restated many points of the anti-Marxian bourgeois criticism. He tried to show that a gulf existed between orthodox Marxian theory and the realities of life which made the development of an efficient proletarian movement impossible. He attacked the theoretical foundation of the system and emphasized the independence and importance of ideologic factors in history. He invoked the spirit of Kant and especially of F. A. Lange and asserted that a critical revision of the whole Marxian system had become inevitable. He held the interests of society as a whole to be above class considerations. In the economic field he made many concessions to professorial criticism and to the theory of marginal utility. He contended that the concentration of industrial enterprises did not mean a concentration of property, that the number of owners of capital grows both absolutely and relatively. He saw no sign of that collapse of capitalist economy which Marxism prognosticated and found no polarization of society among the immensely rich and the starving majority; on the contrary, the structure of capitalist society had become far more complicated and differentiated. He argued that agricultural evolution especially had categorically refuted Marxian prognostications in that the peasants not only remained as peasants but the rule of the large estates was shaken all over the world. The recent trend of capitalist evolution he interpreted as showing that crises instead of becoming more and more catastrophic have been attenuated by growing cartels, which serve as a more efficient check against overproduction. In the light of these conclusions Bernstein rejected the theory of the growing misery of the masses. When dealing with the political foundations of the Marxian system he sought to refute the violence theory and overestimation of the state, and he defined socialism as a movement toward a cooperative scheme of production. He believed that no state would be able to take over even the largest and the middle sized enterprises without a collapse. He emphasized the great importance of the peasants and their cooperative movement and the necessity of democratic agrarian reforms. His criticism culminated in the assertion that socialism must be purified of utopian elements which still remained in the Marxian system. Instead of the mechanical inevitability of communism he urged the radical democratization of the movement and cooperation with all progressive forces of society. He stressed the lasting values of liberalism and cautioned the proletariat not to overestimate its own importance and not to regard the bourgeoisie as a decadent and corrupt class.

Simultaneously a movement with the slogan *Zurück auf Kant* tried to reconcile Marxian fundamentals with the principles of critical idealism. But although both tendencies were expounded by able men and although the criticisms of Bernstein were adopted by a group of socialist leaders, the majority of the party congresses remained loyal to the rigid Marxian interpretation of the then revolutionary leader, Karl Kautsky. Although revisionism was crushed by the anathema of the official party, nevertheless the practical activity of the party was more and more determined by Bernstein's views. After the World War the Social Democratic party became the bulwark of the German Republic and assumed a revisionist role along the lines of Lassalle and Bernstein. The theoretical foundation of the party remained, however, purely Marxian.

Another movement which has also proved unable to cope with Marxian orthodoxy is liberal socialism, which originated in the Anglo-Saxon countries with the works of Spence, Ogilvie, Paine and to a lesser extent with those of James and John Stuart Mill. The doctrine was later developed with great force by Henry George, who in *Progress and Poverty* (San Francisco 1879) restated the argument against monopoly in land and urged the confiscation of land rent in the form of a single tax. The same ideas, but with different methods of solution, were advocated by Alfred Russel Wallace. The doctrine assumed its most systematic development, however, in Germany, where independently of his predecessors Eugen Dühring formulated a new system of socialism, called by him the *sozialitäres System*, in which in opposition to Marxian socialism he stressed the decisive influence of politics on economics. He declared that value is not only an economic category but is influenced fundamentally by political factors, the chief of which is *Gewalteigentum*, property created by

conquest, which leads to inequality and oppression. Dühring called for a system which would base all human relations on just reciprocity. The chief method of emancipation he believed would be the growing coalition of workers, through which the capitalist power would be met by an equal power, with justice the alternative of chaos.

Using many ideas of his predecessors and combining them with elements of the Marxian system, Franz Oppenheimer tried to reconcile liberal economic thought with an advocacy of the elimination of all unearned increment, interest, profit and rent. He set out to show that not capital in general but only the large landed estates are the disturbing factors of social equilibrium, that they are an "alien body" which breeds disease. Accepting the Marxian theory of value and vindicating all its accusations against the capitalist system, he asserts that Marx was unable to give a satisfactory explanation of the industrial reserve army. According to Oppenheimer this reserve army was created not by economic but by political means, by the violent or fraudulent expropriation of land, through which large numbers of people have been rendered landless, whose desperate competition keeps wages at a subsistence level. This situation described by Marx he regards as a consequence not of the capitalist system but of the fact that free competition, in itself a highly beneficent force, is hindered by the existence of feudal or semifeudal monopolies. The capitalist system presents itself as "a bastard of freedom and servitude," in which freedom is defined as the element of liberalism in its true sense, servitude as the existence of a class monopoly created by the theft of land and of the political institutions based on it. In this situation Oppenheimer maintains that the remedy is not communism but the division of a sufficiently large number of landed estates among workers; through this measure free competition would be restored in favor of the workers and against the capitalists and mounting salaries would liberate the former from the latter's domination. These systems of liberal socialism have exercised a comparatively small influence in the history of social movements. In Germany a modified form of the single tax doctrine, represented by Damaschke in his *Bodenreform* movement, which seeks an increase in taxation of urban land rent, has attracted a number of petty bourgeois followers.

In England Marxism never became a guiding principle—although its intellectual influence was continually growing—but it served largely as an inspiration. After the fall of Chartism the labor movement assumed a more opportunistic attitude. Under the hegemony of British trade and finance trade unionism was able to obtain many advantages for its members, and therefore its policy became one of cautious progress. In the atmosphere of an expanding democracy and of religious movements penetrated by social principles labor found important allies among liberals, conservatives and churchmen. The English working class felt itself not an outcast of society but a group advancing in social power with little need for independent political action. From the 1880's on, some acute critics realized the necessity of independent action, and Hyndman tried to introduce the ideas of Marxian socialism. Its abstract philosophic generalizations, however, did not appeal to the English workers. In 1884 a group of writers, scientists and propagandists founded the Fabian Society and elaborated an opportunist type of socialism which rejected the class struggle and set out to smuggle into all parties socialist ideas for carrying on socialization in various fields. They may be called the pragmatists of socialism; they built a bridge between socialists and trade unionists and were instrumental in the creation of a unified labor party in 1900.

This cautious work did not satisfy those who believed that purely reformist activity would never lead to the overthrow of the capitalist system. The same necessity that was felt in France at approximately the same time, and which resulted there in the creation of the syndicalist movement, led in England to a new variety of socialism called guild socialism. Its underlying idea was that it was not enough to engage in parliamentary struggles and to absorb the interest of the workers in the quest for higher wages and better working conditions, but that the main problem was how labor organizations can take over production and distribution. The guild socialists held that trade unions should cease to be exclusively organs of utilitarian reform and should reassume the importance of the mediaeval guilds, which were real organizations for production and distribution. In the constitutional field this type of socialism attacked the traditional conception of sovereignty; its state philosophy was pluralistic and emphasized the independent existence of other organizations besides the state.

In France the spread of Marxian socialism

was checked by the fact that the country remained largely agrarian, in the hands of an independent peasantry; big industry was counterbalanced by a strong handicraft system; there was an influential intellectual middle class; and the tradition of the French Revolution prevailed. The efforts of Guesde and Lafargue to introduce Marxian principles into France were therefore only partly successful; the teachings of Proudhon, Blanqui and Bakunin and the memory of the Commune were kept alive. Many socialist parties and sects developed, and French socialism came to be characterized by lack of organization. A group of *possibilistes* used parliamentary tactics to achieve advantages for the proletarian class and to put socialists into leading positions. When, however, the importance of the role of the parliamentary socialist increased and when in 1899 Millerand entered the cabinet of Waldeck-Rousseau with Galliffet, who had crushed the Commune, many trade union members and socialist intellectuals began to regard the reputed gains of socialism as setbacks from the point of view of ultimate aims. There was elaborated a new theory of revolutionary socialism, called syndicalism, which combines elements of Marx, Proudhon and Bakunin. From Marx it derived the emphasis on the economic basis of society and the necessity of a revolutionary consciousness; from Proudhon, the distrust of the state and the emphasis on freedom; from Bakunin, the belief in violence. Syndicalism fights against the expanding importance of the politicians and regards the trade unions as the real basis of the future society. It is a radical antimilitaristic and antipatriotic movement; the will to revolt is to be kept alive continuously by sabotage and antimilitaristic propaganda, which will ultimately prepare the working class for a general strike, by means of which capitalist society will be overthrown. Syndicalism was thus a protest against parliamentary tactics, against the petty bourgeois spirit and against the "putrefaction of democracy" which became manifest during the Dreyfus affair. It has had powerful repercussions in the Latin countries.

Marxism made its entrance into Russia in 1883 when Plekhanov founded the first social democratic group, but its progress was slow. The revolutionary movement had as its basis a Russian socialism (*Narodnichestvo*), whose chief ideologic leaders were Herzen and later Lavrov and Mikhaylovsky and which emphasized individual freedom, rejected state omnipotence, urged a cooperative rebuilding of society by the utilization of the mir and other forms of Russian collectivism and insisted that the peasants were the only group upon which a new social order could be built. The original nucleus of the movement soon became divided. One group ended with nihilism, repudiating all traditional values and favoring individual terroristic acts; the second, the Social Revolutionary party, which remained closest to its source, disagreed with the industrial formulae of Marxian communism; the third group, centering around Plekhanov, formed the Social Democratic party on a strict Marxian basis in 1898. The situation was propitious for revolutionary movements. Official Russia through its policy of repression had Europeanized legions of Russians and educated them to revolution. Terroristic pressure made Russia for decades a hotbed of anarchist revolts; artificial industrialization and the forcible Russification of the native population made the atmosphere even more tense. As the peasantry was easily crushed, the urban proletariat became the center of gravity of the revolution. The emotional religiosity of the people was a fertile ground for gospels of social reconstruction. In 1903 the Bolsheviks, who favored a radical, centralizing and dictatorial program, gained control within the Marxian party over the Mensheviks, who favored more caution and advocated cooperation with all the revolutionary elements of society. This schism became accentuated during the revolution of 1905, the rehearsal of the revolution of 1917, which was bourgeois and constitutional until the Bolsheviks came into power.

In the United States socialism made little headway; the possibility of social ascendancy, better living standards, free political institutions; the absence of feudalism, of an inferiority complex on the part of the workers and of hereditary haughtiness on the part of the bourgeoisie; and the existence of free land, all these factors made the idea of class struggle unpalatable. The influence of Fourier, Owen, Cabet and Proudhon was apparent in the establishment of a number of utopian colonies. The first mass movement following a socialist pattern was the Knights of Labor (1877–87), which in many respects was markedly analogous to the Chartist movement. After its collapse the American Federation of Labor became the promoter of a trade unionist policy of the orthodox type. A reaction against this spirit of compromise was the ideology of industrial unionism, whose most influential leader was Daniel DeLeon, a man whom, ac-

cording to Raisky, Lenin considered "the greatest of modern socialists, the only one who added anything to socialist thought since Marx." Industrial unionism fought against craft unionism and against reformism of the western parliamentarian type represented by Morris Hillquit. DeLeon campaigned against Kautsky when the latter was still the acknowledged revolutionary leader of European socialism, and he was treated as an anarchist. The ideology of the movement had much in common with French syndicalism, with the important difference that it stressed the necessity of a centralized and disciplined leadership. It was not unlike Bolshevism, except that it did not accept the idea of the dictatorship of the proletariat, maintaining that in highly industrialized countries like the United States such a political structure would be unnecessary.

The World War changed the status of Marxian socialism considerably and led to a crucial schism within the movement. The patriotic participation of the leading socialist parties put an end to the inspiring legend that the unity of the working class would maintain the peace of the world through the International. The proletariat instead faced governments which stressed national concentration, and the imperialistic war was supported by the socialist parties of the allied countries as a war of liberation against czarist oppression and by those of the Entente as a war for democracy and national self-determination. The resulting suffering of the masses provoked vehement criticism against the Second International and formidable moral conflicts among its leaders. In April, 1915, Rosa Luxemburg accused German Social Democracy of having betrayed "the fatherland in the hour of greatest danger. For the first duty in that hour . . . was to show the background of this imperialistic war, and to tear asunder the fabric of patriotic and diplomatic lies. . . ." Instead the leaders of the Social Democratic party collaborated with the imperialistic system and secured for it popular support. Friedrich Adler, as a symbolic protest against the manoeuvres of the Austrian Social Democratic party, killed the Austrian premier and at his trial vehemently attacked the party for abandoning the thought of social revolution. The feeling of rebellion became more embittered when in Germany the socialists in power, under the leadership of Ebert and Noske, participated in crushing the Spartacus movement and at least tolerated the counter-revolutionary organization of former officers which killed Karl Liebknecht and Rosa Luxemburg. The Second International was likewise discredited by the bureaucratization of the socialist parties, especially in Germany; the leaders tended increasingly to become comparatively well paid party officials entitled to pensions. Membership in the party became almost traditional—it was said that the proletarian worker was born into the Social Democratic party as was the Catholic German peasant into the Center party. There was also growing dissatisfaction with the fact that the victorious socialist parties of Germany and Austria did not try to realize their Marxian program; they fought for democracy and social reforms but did not take a single step toward real socialistic measures.

In 1917 this revolt of the masses found powerful leadership in the Russian Revolution, after which began a vast experiment toward the establishment of a communist state. Lenin, Trotsky and other professional revolutionists elaborated a new doctrine of Marxian socialism, conveniently called Leninism, which denounced the tactics of the Second International, its outlook and its theoretical background. The Communist Third International was founded in Moscow and a bitter campaign was organized against the "social patriots," the "social traitors" of the Second International who "falsified the principles of true Marxian socialism." Social Democracy of western and central Europe refused to participate in the preparation for the world revolution and in England, Germany, Austria and Czechoslovakia accepted cooperation in the government of bourgeois states. This meant defense of bourgeois democracy against the attacks of the communists and led to a further modification of the practises and ideologic formulae of the Second International. The abyss between the Second and the Third Internationals became unbridgeable, in spite of the endeavors of the Austrian Marxists, who tried to restore the original intransigency of the doctrine.

The rebirth of revolutionary Marxism was caused also by economic developments. Before the World War there was a marked tendency toward prosperity and a diminution of the crises; the gloomy economic laws of Marx were considered definitively repudiated by the facts. After the World War, however, unheard of misery afflicted many European countries; and following a short period of relief a world crisis of unprecedented magnitude commenced to strangle mankind. This crisis was interpreted by the

Bolsheviks as the full realization of the Marxian formulae, as a colossal *Verelendung* due to technical progress and imperialist expansion. The many other explanations of the crisis—the consequences of the World War, the growing trend of economic nationalism, the rebirth of mercantilism, the new system of pseudo-capitalism, new frontier barriers, reckless lending and borrowing, ruthless inflationist policies, the spendthrift expenses of military dictatorships, the race for armaments—did not temper the expectation of the final collapse of the capitalist system.

According to Stalin, "Leninism is Marxism in the epoch of imperialism and of the proletarian revolution," which means that the Bolshevik doctrine has reconstituted the original revolutionary purity of the Marxian doctrine and has developed according to the necessities of a new situation. The Bolshevik doctrine is an accentuation of all the revolutionary elements of Marxism with the omission of its later moderating elements. The Bolsheviks seek the complete destruction of the capitalist state; they advocate mass insurrection and class terrorism; they develop the Marxian idea of the dictatorship of the proletariat; they stress the necessity of a transitional period between capitalism and communism through state socialism. If this final aim should be realized, there will be no need for the state; its withering away will be achieved mainly by the radical simplification of state functions. However, until the ideal of a stateless society has been reached, the state will not diminish its power but will on the contrary intensify it. Only through vigorous dictatorial power can the enemies of the proletariat be crushed, the structures of communist production be established and the people become accustomed "to observing the elementary conditions of social existence without force and without subjection." There must be a system of compulsory and universal state education, and religion must be destroyed through mass propaganda and the removal of the social conditions which promote its influence upon the masses.

There are several aspects of the Bolshevik system which seem to be distinct additions to the former ideology. The "scientific" and mechanical materialism of the Marxian successors has been transformed into a dialectic materialism; that is, from a static, metaphysical theory into knowledge of historical reality, from an evolutionary into a revolutionary theory. The Bolsheviks follow the thesis of Marx that "the important matter is not to know but to change the world." There is no abstract theory; the movement, the carrier of which is the proletariat, must itself be understood. Economic propaganda alone is inadequate; a general world view must be implanted in the proletariat. Therefore whereas in earlier literature the intellectuals played an almost despised role, Lenin attributed capital importance to the work of revolutionary intellectuals. Lenin realized the central importance of the agricultural problem, that without the assistance of the peasant masses there cannot be a successful revolution and without the socialization of peasant property true communism cannot be achieved. This is a problem which western socialism has not dared to face. The fundamental importance of the national problem was already acknowledged from a theoretical point of view by the Austrian school of socialism, especially by Otto Bauer and Karl Renner; but through Bolshevism the nationalistic point of view became a world force, with its emphasis on the principle that only "internationalism can satisfy nationalism." In the communists' campaign for world revolution the propaganda for national and racial emancipation has played perhaps a more decisive role than the fight for communism. The extreme importance of imperialism had been recognized in Hilferding's *Das Finanzkapital* (Vienna 1910) and in Luxemburg's *Die Akkumulation des Kapitals* (Berlin 1913), which contain the main elements of a doctrine of imperialism. Socialists like Cunow, Lensch and Parvus, impressed by these ideas, tried to show during the World War that a German victory would mean German imperialism and that a higher economic organization, propitious to the further development of socialism, would result. There was no place for such reactionary opportunism in Lenin's theory of imperialism. Economic imperialism is for him the climax of capitalist development; it means the replacement of competition by monopoly through trusts, syndicates and gigantic banks. Free competition goes hand in hand with democracy, monopoly with political reaction. The entire earth has been divided among the wealthiest countries and the system of capitalist monopolies will inevitably produce a rise in the cost of living and intensify the class struggle. This tension will be aggravated by national and racial oppression. There is no possible transition from monopolistic capitalism to socialism. Although atheism was always the preponderant mental attitude of Marxian socialists, the parliamen-

tarian competition for mass support led to the acceptance of the slogan, *Religion ist eine Privatsache*. To Bolshevism, on the other hand, militant atheism is absolutely fundamental.

The capital difference between the old and the new ideology of socialism is that whereas before the World War the revolutionary doctrines of Marx were only theoretical, they have now been put into practise in a vast country possessing one of the strongest military and police organizations of the world. Instead of waiting for slow evolution in the Soviet Union under the leadership of the small Communist party a revolutionary effort is being made to establish the prerequisites of the communist state: to create the industrial equipment for socialization, to eliminate the remnants of the bourgeois class, to collectivize the peasants, to establish a strong proletarian army, to develop the communist pattern of human nature. The Bolsheviks have introduced military discipline wherever necessary; they use the system of deportation against the kulaks; they accept methods of piecework wages and the Taylor system; they impose tremendous sacrifices on the working class in the belief that the end, the transformation of the lives of the masses in terms of the communist ideal, justifies the means.

Kautsky, Diehl, Schmidt and others declare that such doctrines and practises have nothing to do with true Marxian thought, while the Bolsheviks and academicians, such as Sombart, Liefmann and Brutzkus, maintain that Bolshevism is the only logical outcome of Marxian doctrine and that the Bolshevists are "the legitimate executors of the Marxian heritage." The anti-Bolshevik thesis has been most clearly stated by Kautsky, who argues that "nowhere will the workers abdicate those liberties which they have hitherto acquired and which are dear to them." He contends moreover that according to Marx the new society must be preformed in the capitalist society before any serious revolution can be accomplished, whereas in Russia capitalism had only a rudimentary beginning. The communists, supported by many bourgeois thinkers, reply that the present stage of Russian communism is not real communism but is only a transitory stage. Furthermore Russia although very incompletely capitalized was the weakest link in the capitalist chain. The answer given to the preformation argument is that Marx already in 1848 and several times during the nineteenth century regarded the European situation as ripe for a communist revolution, and therefore Lenin could regard Russia in 1917 as ready for this transformation.

RETROSPECT AND PROSPECT. The controversies created by the Marxist school fill a library; only a very few can be mentioned here. In the philosophic field the Marxist system has an inner contradiction; it represents a fatalistic and mechanistic interpretation combined with an activistic and revolutionary practise. It asserts the economic origin of all change, but it does not explain how the change occurs in the economic structure itself. The "forces of production" assume almost a fatalistic role while the creative spirit is neglected; yet no new type of civilization is simply the result of economic forces but is more or less a conscious work of a new vital and moral type. Capitalist civilization was created by the new bourgeois, as opposed to the older seignior type. Now the bourgeois type is decaying both intellectually and morally; hostility and disgust are growing against sheer wealth (Scheler).

In connection with the *Überbau* theory it must be recognized that the cause and effect relationship between social phenomena is not one-sided but involves mutual interdependence. The investigations of Troeltsch and Max Weber have tended to prove that religious conceptions have an independent development and have reacted on the economic series. Similarly, economic relations are at the same time legal relations and economics is meaningless without a correlative system of law (Stammler). The history of science also shows the relative independence of great scientific discoveries.

In regard to human nature there is a marked trend toward a purely economic or environmental interpretation, whereas Sorel, De Man and others clearly recognize the enormous importance of an independent moral idealism and of a heroic attitude in the emancipation of the working class.

In the field of economic theory the main criticism of the Marxist system has been directed against the exclusive labor theory of value. Böhm-Bawerk, Loria and others have shown that Marx in the third volume of *Das Kapital* practically abandoned the labor theory of value set forth in the first volume. The importance of this controversy was, however, exaggerated. Even several adherents of Marxian thought have discarded the theory and it has been demonstrated that the Marxian edifice would remain intact without it, provided that the dynamic

tendencies of capitalist evolution described by Marx and attacked by the revisionists were correct. More important is the consideration that a perfect equality of remuneration and, even more, a remuneration according to need would mean a system of exploitation to the detriment of the abler, more diligent worker. Besides it might easily be possible for the present "surplus-value" to flow, in an even greater amount, into the pockets of soldiers and bureaucrats. Furthermore many capitalists cannot be qualified as simple parasites, since they accomplish the highly trained work of organization which is absolutely necessary for a progressive economy. Because of the elimination of competition the new system would find it difficult to determine which branches of the economic system are productive and which are not. But the gravest danger is overcentralization, the unlimited power of bureaucracy, which inevitably means also the danger of a growing militarism and police force. Communist economy must lead toward the totalitarian state, a leviathan state more enormous than mankind has ever known. The theory of the unlimited plenty of a communist society has been seriously attacked by Pohle, Cassel and Liefmann. Since Proudhon it has been correctly argued that the complete suppression of private property would mean slavery, and John Stuart Mill asserted that "the principle of private property never had a fair trial in history."

In the field of political theory the Marxist assertion that the state is simply an organ of economic exploitation is an exaggeration. The present dominance of the capitalist class is not due to a dictatorship but to the fact that the forces of democracy are not sufficiently organized, while popular culture is very low. The belief that the communist state will necessarily put an end to class struggle and establish a classless society may be questioned. The growth of social democracy has been followed by the emergence of a fifth estate; everywhere there has been a growing antagonism between intellectuals and non-intellectuals, between those who administer and those who are administered. The slogan that in a communist state the rule of men over men will be replaced by the administration of things by men may be answered in Kelsen's words: "There is no administration of things which would not be administration of men and there is no directing of production processes which would not be a government over persons." It may be argued further that no higher society can be developed on the ruthless revolutionary tactics of civil war and terrorism. As Bertrand Russell has remarked, "There is no alchemy by which a universal harmony can be produced out of hatred." No economic order can be maintained by purely economic and coercive means, because, as Durkheim has shown, "the individual abandoned only to the pressure of his needs will never admit that he has arrived at the extreme limit of his rights. . . . In order that it should be otherwise, the existence of a moral power is necessary, a power whose superiority he recognizes and which tells him, 'You cannot go farther.' " As to the realization of a totalitarian communist state, it would inevitably lead to a *bellum omnium contra omnes*, because not only the capitalists but also the entire middle class and the peasants would bitterly oppose a system which menaced them with the total extinction of private property and personal freedom. The collapse of socialism in Germany is evidently connected with this fear complex of vast masses.

Whatever the scientific residue of socialist ideology may be, it has made a significant contribution to civilization. It has exercised a beneficent influence on the social sciences; it has destroyed the complacency of bourgeois science and laid bare the sore spots of contemporary society. It has organized the working class, filled it with a sense of human dignity and made it a conscious cooperator in the historical process. It has fostered a growing feeling of internationalism which mankind has never witnessed before. It has denounced war and all kinds of exploitation. And although its attack against religion has sometimes been narrow, it has contributed vitally to the elaboration of a new moral synthesis to replace the decaying old religion of the masses. "If communism achieves a certain success," Keynes has said, "it will achieve it not as an imposed economic technique, but as a religion." Socialism is not therefore a concomitant of modern industrialism nor is it, as Nietzsche and some of his reactionary followers contend, simply the resentment of the hungry and oppressed, a kind of slave uprising against the natural privileges of the superman. There has been a remarkable continuity in the socialist movement, which is derived from a deep common stock of ideas and emotions. It is not bound to any form of social or economic organization, but arises everywhere and at all times when this common inheritance of human nature is offended. These fundamental moral values were the real source of the revolutionary law of nature,

later adopted and divinized by early Christianity. The fight for religious and political freedom in later centuries was a logical continuation of the same development. And when religious and political equality, and to some extent national equality, were achieved, socialism necessarily appeared as a drive to economic equality.

The present setback of socialism in western Europe and its collapse in Germany and Italy do not indicate the downfall of socialist thought; they simply mean that western socialism needs a new ideologic synthesis more in accordance with social and moral realities. The growing fear of Bolshevism, the ideologic rigidity and practical impotence of the Second International, which seems unable to give new life to western socialism, serve as pretexts for counter-revolutionary forces in the organization of fascist, essentially capitalist, dictatorships. Lacking a new socialism, communism will remain the only ideologic system with a sufficient fighting force against nationalistic and militaristic fascism, because, however great the difficulties and logical contradictions in Bolshevism may be, the colossal attraction of its ultimate vision, combined with a heroic activism, will continue for mankind with the growth of intelligence and moral freedom. As John Stuart Mill said more than eighty years ago: "If . . . the choice were to be made between Communism with all its chances and the present state of society with all its sufferings and injustices; if the institution of private property necessarily carried with it as a consequence, that the produce of labour should be apportioned as we now see it, almost in an inverse ratio to the labour—the largest portions to those who have never worked at all, the next largest to those whose work is almost nominal, and so in a descending scale, the remuneration dwindling as the work grows harder and more disagreeable, until the most fatiguing and exhausting bodily labour cannot count with certainty on being able to earn even the necessaries of life; if this or Communism were the alternative, all the difficulties, great or small, of Communism would be but as dust in the balance."

OSCAR JÁSZI

See: COLLECTIVISM; COMMUNISM; GUILD SOCIALISM; FABIANISM; SYNDICALISM; MATERIALISM; ANARCHISM; SOCIALIST PARTIES; COMMUNIST PARTIES; LABOR PARTIES; LABOR MOVEMENT; CLASS; CLASS STRUGGLE; MASSES; PROLETARIAT; REVOLUTION AND COUNTER-REVOLUTION; SOCIALIZATION; GOVERNMENT OWNERSHIP; COOPERATION; PRODUCERS' COOPERATION; PROPERTY; INHERITANCE; CAPITALISM; INDUSTRIALISM; INDIVIDUALISM. See also biographies of individual socialists.

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See also bibliographies appended to biographical articles on major socialist figures.

SOCIALIST PARTIES. The origin of socialist parties may be traced to the rise of the industrial proletariat, just as the more remote lineage of the European liberal and conservative parties goes back to the mediaeval estates. The peculiar ideology acquired by each of the older parties is paralleled by the position which Marxism has held since the nineteenth century in the class policy of the industrial workers. If Marxism be interpreted, in this context, as aiming to replace

the capitalistic system by the socialization of the means of production, socialist parties may be defined as those political parties of industrial workers which are striving to realize the transformation of the prevailing political and economic system in accordance with the teachings of Karl Marx. The parties formed after 1914 as a result of secessions from the older socialist parties and now united in the Communist International have been treated elsewhere (*see* COMMUNIST PARTIES), as have the labor parties (*q.v.*) of Anglo-Saxon countries. While the latter have never formally subscribed to Marxist tenets, from the beginning they have had significant relations with the professedly Marxist socialist parties and since the World War British Labour has evolved into the leading socialist party of the world.

As a result of the slower pace of their industrial development the continental countries, where socialist parties originated and have attained their greatest success, failed until 1848 to produce a labor movement remotely comparable with that of England. In the form of Chartism the first genuine labor party had appeared in England before the publication of the fundamental doctrines of scientific socialism. Upon their arrival in England Marx and Engels, realizing the significance of the Chartist movement, sought to establish connections with its leaders and were disposed to convert it into a Marxist party, until its decline in the 1850's disappointed their hopes.

During the period when Chartism was at its height the only continental parties which stood to the left of the liberals were composite groups representing the poorer and more radical elements of the population in general—petty bourgeoisie, peasants and intellectuals as well as workers; it was such democratic movements which constituted the force behind the revolutions of 1848–49 in Germany, France and elsewhere. In 1847, however, the Communist League had been founded under the leadership of Marx and Engels. Marx and Engels intended that the league should join in the revolutionary struggles as the left wing of the democratic movements and after the victorious consummation of this first stage carry the revolution beyond its bourgeois limits. But even in Germany, where most of its following was recruited, the Communist League never became a real political party. Weak both in numbers and in the techniques and agencies necessary for effective agitation, it was unable to exercise an independent influence on the masses and finally collapsed in 1852.

The first Marxist to win a few thousand workers from bourgeois liberalism and to weld them into a well knit and permanent organization carrying on an overt campaign of nation wide scope was Ferdinand Lassalle. In 1863 Lassalle founded in Germany the earliest real socialist labor party, the *Allgemeiner deutscher Arbeiterverein*. His organization, surviving his death in 1864, was to become the basis of the German Social Democratic party and the model for all other socialist parties. Parallel to the *Allgemeiner deutscher Arbeiterverein* there arose a second small German socialist party, created by August Bebel and Wilhelm Liebknecht and formally launched in 1869 at Eisenach as the *Socialdemokratische Arbeiterpartei*. The designation social democratic was also used by Lassalle's party: henceforth this term, which in the earlier period had been applied to all democrats with an interest in social problems, or socialist, which had formerly been a generic name for social reformers, was generally assumed by Marxist groups, while communist, the term used in 1848, fell into discard. Between the two German socialist labor parties an important difference existed. The group founded by Liebknecht and Bebel was strongly anti-Prussian and *gross deutsch*, whereas Lassalle's followers accepted as inevitable the unification of Germany under Prussian leadership. Marx and Engels, accusing the Lassalleans of excessive submissiveness in their attitude toward the Prussian government, became increasingly estranged from them, until finally an open break resulted. It is curiously ironical that the first real socialist labor party was disdained by Marx.

The First International, which was established in 1864 under the leadership of Marx and which dominated the international labor movement for the next decade, can scarcely be considered to have been a cartel of socialist parties. Its basic nucleus consisted of the English trade unions, which after the decline of Chartism began to take a growing interest in political questions. In addition it included certain labor groups from the Latin nations, America, Switzerland and other countries; these were more or less loosely organized and varied greatly in ideology and tendency. The only genuine labor parties in the International were the two German parties and of these the Lassallean group soon withdrew. In France no socialist or labor party was in existence even at the time of the great uprising

of the Parisian workers which culminated in the Commune of 1871, while the disastrous defeat of the commune prevented the emergence of a socialist or revolutionary organization of French workers for many years to come. After the English trade unions abandoned active politics the International broke up as a result of the fundamental unsoundness of its structure.

In 1875 at Gotha the two German parties merged as the *Sozialistische Arbeiterpartei Deutschlands*, a name soon changed to *Socialdemokratische Partei Deutschlands*. With the new united front German Social Democracy entered upon a period of steady numerical expansion. Even the laws promulgated by Bismarck in 1878 against the labor movement involved only a temporary setback. During the 1880's Marxist parties and groups arose also in France, Italy, Austria, Scandinavia, Holland and Belgium. In 1889 all these socialist parties combined in the Second International, which lasted until 1914.

During this era the socialist parties succeeded in enlisting the majority of the industrial workers in Germany, France, Italy, Austria-Hungary, Switzerland, Holland, Belgium, the Scandinavian countries, the Balkans and, despite enormous difficulties, in Russia. In England, on the other hand, notwithstanding numerous attempts to found socialist parties on the model of the continental parties, a socialist mass party failed to develop before 1914. The English trade unions increased in significance but confined themselves almost exclusively to their economic functions. The majority of the English workers continued to vote for the Liberals or even for the Conservatives and did not recognize the necessity of a separate socialist labor party. Even the Labour party, which appeared in the House of Commons in 1906, was nothing more than an appendage of the great Liberal party and in the years preceding the outbreak of the World War had only from about 30 to 40 representatives in the English Parliament out of a total membership of 670. In the United States also, although the present Socialist party was founded in 1901, the overwhelming majority of the workers continued to cast their ballots for the two great bourgeois parties. Nor did the Second International acquire any significant influence in Asia, Africa or South America. The strong Labour party of Australia, which achieved political power even before the World War, pursued its separate course. Thus to all intents and purposes the socialist parties of the Second International were confined to continental Europe.

By far the largest and best organized party of the Second International was that of Germany, especially after the laws restricting socialist activity in that country were revoked in 1890. At the outbreak of the World War the German Reichstag included 110 Social Democratic deputies out of a total membership of 397. By virtue of their revolutionary and theoretical activities the Russians also occupied a position of great significance in the International, while the Anglo-Saxons and the Latins played a subordinate role. The outstanding theorists of the socialist parties were the German Karl Kautsky and the Russian Plekhanov. The undisputed political leader of the International, after the death of Friedrich Engels, was August Bebel, the leader of the German socialists.

All the parties of the Second International were confronted by a basic dilemma. Owing their existence to the growth of industrial capitalism and to the rapidly expanding army of industrial proletarians, the parties were, on the one hand, the political representatives of working class interests. But since they had accepted as their ideological basis the revolutionary Marxism of 1848, it was also their avowed purpose to capture political power by revolutionary means and to abolish the private ownership of the instruments of production.

During the period between 1889 and 1914, both in the United States and in all the European nations except Russia, the position of the established governments and of the existing social order seemed too impregnable to offer any opportunity for serious revolution. The socialist parties were everywhere in a minority, and outside of Russia no revolutionary bourgeois groups existed with whom they could combine to overthrow the government. Hence none of them except the Russian carried on any real preparatory work for revolution, nor did any of them even visualize a socialist revolution with any degree of clarity. Had they been merely occupational parties of the working classes, their task of formulating a practical routine policy and program would have been comparatively simple. They would naturally have taken the same attitude toward state, nation, army and foreign policy as would, for instance, a peasants' party; they would merely have represented the interests of the workers within the framework of the existing political order and with legal means. Such a policy they might perhaps have pursued with resoluteness and clarity, had it not been for the complications resulting from their ad-

herence to Marxism. Yet they clung tenaciously to Marxist theory, despite the impossibility of realizing it in practise, because this theory provided the ideological force which distinguished them from the bourgeois parties and gave *élan* to the socialist organization.

It was natural that Marxism itself should undergo certain modifications in the course of these developments. What the socialist parties of the Second International took over was not the realistic and empirical revolutionary doctrines of 1848 but rather a system of dogmas which sought to supply a definitive answer to every question. The sum of these answers represented the party ideology. Friedrich Engels clearly recognized the ideological shortcomings of the Second International, although he was powerless to alter its course. While the Russian socialists took a revolutionary stand even during the period of the Second International, almost all the theoreticians among them were convinced that the imminent revolution in their country would be bourgeois rather than socialist. In Russia therefore Marxist doctrine was used to demonstrate the necessity of developing bourgeois capitalism and to work out the organization and technique fitted to the bourgeois revolution. The contradiction between the practical activity of the socialist parties and the ultimate Marxist goal is the basic explanation of all the vacillations, dissensions and difficulties with which the history of the parties down to 1914 is replete.

All socialists of the Second International were agreed on matters of practical social legislation, such as the eight-hour day, increased wages and improvement of working conditions. Likewise they all favored democracy, universal suffrage and the vesting of supreme authority in the decisions and assemblies which were based on universal suffrage. The Russian socialists were no exceptions in this respect, for they planned to convoke after the victorious revolution a Russian national assembly, which should establish a democratic and republican constitution. In principle the republican form of government was favored by all the socialist parties, but in practise they carried on an active struggle against monarchy only in lands, such as Germany and Russia, where monarchy was of a feudal and semi-absolutistic type.

The socialist parties experienced particular difficulty in defining their relations toward state and nation. In view of the impossibility of carrying out a revolution the only policy which they could adopt toward the existing system without repudiating Marxism was one of passive intransigence. The symbolic expression of this attitude was the opposition carried on by socialist parliamentary deputies toward the government budget. They criticized all measures proposed by the governments and voted against them. In particular the nationalistic, imperialistic and militaristic policies characteristic of the great powers in the generation before the World War came under the constant fire of the radical socialists, who made the support of international pacifism part of their daily routine. This involved a highly significant modification of Marxism, for Marx and Engels had always recognized war and force as decisive weapons and had moreover approved the existence at least of the great nations. Their only demand had been that the proletariat "must constitute itself *the* nation." The pacifism of the parties of the Second International was a specific result of their inability either to approve the existing order or to alter it by revolution.

This policy of unflinching obstructionism without real preparation for the revolution was characteristic of official socialism and until 1914 was the general direction followed by the German party executives, the majority of the Italian party and the international socialist congresses. But disagreement over the major political problems led to the development of internal cleavages both to the right and to the left.

To the right of the official radicals stood the revisionists. Refusing to allow their day to day policies to be determined by reference to what they regarded as a chimerical final goal, they strove to achieve practical gains for the working classes within the framework of the existing order. They saw no reason to shrink from compromise and would have welcomed any bourgeois allies who could be induced to support their routine policy. Minorities in the German and Italian parties belonged to the revisionist faction. In France an unusual opportunity was offered to the revisionists by the bitter clash, dramatized in the Dreyfus affair and the anti-clerical movement, between opposing factions of the bourgeoisie, the monarchistic and authoritarian right and the liberal and democratic left. Taking advantage of the situation the revisionist wing under the leadership of Jaurès joined the bourgeois liberals in a left bloc for the defense of the republic. In this way the French socialists became for a long time a government party. Despite vehement protest on the part of the

radical members of the Socialist International, they even contributed to coalition cabinets of the left individual ministers, such as Millerand and Briand, both of whom eventually went over to the bourgeois camp.

The left wing of the socialist parties consisted of those members who discountenanced the unsubstantial Marxism of the center because they were convinced of the imminence of a period of great wars and revolutions. They believed therefore that the workers should make ready for real revolutionary activity, study the doctrines of the Russian revolution of 1905–06 and equip themselves for a general strike. Numerically weak, the left wing of the Socialist International was confined chiefly to the Rosa Luxemburg group in Germany and a small Marxist coterie in Holland.

Within Russian Social Democracy official radicalism in general was represented by the Mensheviks and the left by the followers of Trotsky. There were also certain adherents of revisionism. The Bolshevik group under Lenin, taking a unique stand, denied the advisability of building a mass party of workers organized on democratic principles and made it their chief objective to develop a highly disciplined nucleus of professional revolutionaries, who would be able to assume the leadership of the workers and peasants in the uprising against czarism.

The factional antagonisms within the socialist parties led to several open schisms. The Russian Bolsheviks broke away in 1903. In French socialism various conflicting parties and groups existed from the very beginning and it was not until 1905 that they achieved even a formal unity. Schisms also occurred in Holland and Bulgaria in the period prior to 1914.

The international affiliations between the individual socialist parties were very loose. International congresses, such as those held at Amsterdam in 1904, at Stuttgart in 1907, at Copenhagen in 1910 and at Basel in 1912, were convened at intervals of several years but their decisions exerted no profound influence on the policies of the individual national parties. The function of coordinating the parties rested with the International Socialist Bureau, established in 1900 at Brussels, but this organization was devoid of executive power. Since a strong and active international organization would have been a prerequisite for any serious struggle against nationalism by the socialist parties, its absence is further indication that their profession of internationalism was merely formal.

Parallel with their own organizations the socialist parties in all countries endeavored to create trade unions. The latter were intended to direct the purely economic and industrial disputes between workers and employers and were to recruit as many workers as possible, even those still indifferent to political radicalism. Although nominally independent, in practise those unions which were under socialist leadership worked in cooperation with the party. In Belgium the Socialist Labor party was nothing more than a cartel of the political, the trade union and the cooperative organizations.

In order to attract the laboring classes the socialist parties were forced to wage war on two fronts. In the first place they were confronted by the problem of winning over workers who thus far had been satisfied with the bourgeois parties. This group included most of the workers in England and in the United States as well as those in Germany who belonged to the Catholic Center party. On the opposite front were arrayed the numerous workers who took the syndicalist view. These rejected the bourgeois parties but believed that no political party whatsoever could help them. Maintaining that the socialist party only became corrupted in the capitalistic parliament, they wished the working classes to abandon the parliamentary conflicts and to confine their attention to their occupational organizations, the trade unions, which should carry on the struggle for power through direct action and particularly through the general strike. Irreconcilable opponents of the socialist party, the syndicalists repudiated the trade unions dominated by socialist leaders and ideas and set up rival unions of their own. While they were comparatively weak in the Anglo-Saxon countries, the syndicalists controlled the majority of the workers in Spain and had considerable influence in France and Italy. In France, for instance, the socialist party could make little headway with the trade unions because of syndicalist resistance.

The great historical achievement of the Socialist International during the period between 1889 and 1914 consists in its having effectively raised the self-consciousness, the standard of living and the cultural level of the proletariat in all the countries where it held the leadership of the workers. At the same time, however, the Second International spread an abstract and unrealistic dogmatism that was neither clearly revolutionary nor outspokenly reformist. In times of peace such a formal radicalism was in-

nocuous enough, for the strong bourgeois political power protected it from its own consequences. But socialist parties so oriented could not withstand a serious crisis. This became apparent with the outbreak of the World War.

The collapse of the Second International in 1914 cannot be attributed to the inability of the socialists to prevent the war, since they were in a minority in all the belligerent nations and none of the war cabinets was under socialist influence. Nor can the socialist workers be condemned for participating in the defense of their country: Marx and Engels had never challenged the right of national defense. Nevertheless, when the socialist parties in Germany and France as well as in Austria and Belgium approved the war credits and established a truce with their governments and the bourgeois parties, the daydream of radical intransigence vanished into thin air. The party members were cut adrift from their historical moorings, and the party organizations themselves in this unaccustomed situation became inert and followed meekly the dictates of their governments. In Russia, on the other hand, where the socialists had always pursued a genuinely revolutionary goal, the majority of the party opposed the government's war policy. The Socialist party of Italy also remained in the opposition; here, however, the division of the bourgeois parties on the question of entry into the war eased the problem for the Socialists. But in any case, with the German and Austrian socialists ranged behind the Central Powers and the French, English and Belgian socialists supporting the Entente, the International was shattered.

As the war continued, however, certain groups among the socialists began to oppose the truce, and the desire to resume the class struggle reemerged. This was particularly true in Germany, where in 1915 the opponents of the truce withdrew from the majority socialists and in 1917 formed the Independent Social Democratic party. At conferences held at Zimmerwald and Kienthal in Switzerland the socialists of the neutral countries together with the Russians, the Italians and the independent elements in Germany, France and elsewhere sought to revive the International. But the Zimmerwald movement was itself lacking in unity. Whereas the majority wished to reestablish the old International on the basis of repudiation of the truce policy, Lenin, who as early as 1914 had pronounced the Second International dead, insisted upon the creation of a Third International of active revolutionaries fitted to carry on the world uprising which he confidently expected would follow upon the World War. The left Zimmerwaldians under Lenin's leadership attracted only a scattered following outside of the Bolsheviks, and the Zimmerwald movement left no permanent organization.

For the German and Austro-Hungarian bourgeois revolutions, which came in 1918 as a result of the complete exhaustion of the masses, the widespread yearning for peace and the discrediting of the reigning governments, the socialists had done nothing to pave the way. Hence they were hardly able to convert them into socialist revolutions. It was purely a result of historical circumstances that after the collapse of the monarchy the leadership of the German Republic as well as of the new states of Austria, Czechoslovakia and Hungary passed into their hands. In Russia after the bourgeois revolution of February, 1917, the Mensheviks, or democratic socialists of the western European type, joined the government of the short lived bourgeois republic. With the Bolshevik revolution of October, however, the Menshevik party was annihilated.

The Bolshevik victory, with the resulting party dictatorship and inauguration of state socialism, made a profound impression upon workers all over the world. Lenin's call to the workers of all nations to abandon the disintegrated Second International and join the revolutionary Third International was received with enthusiasm. During 1919 and 1920 all the socialist parties except British Labour experienced serious internal convulsions and disturbances. The majority of the workers in Germany, France, Italy and many smaller countries were ready to adhere to the Third International, which had discarded the compromised name of socialist and called itself communist in the spirit of 1848. That the apparently impossible task of reviving the socialist parties and reconstructing the Second International was successfully performed in these circumstances must be laid to the policy adopted by the Bolsheviks themselves. The Russian leaders had no desire to create a free community embracing all workers. They wished rather to enjoy complete control of parties in other lands and to make them serve the interests of the Russian state. For this reason the Bolsheviks repelled the majority of the socialist workers originally attracted to them and were able to organize into the Communist International only a minority of the international

proletariat. Many socialist parties and groups which had at first sympathized with the Third International united to form the Vienna International, and at the Hamburg Congress of 1923 they joined the other socialist parties in the Labor and Socialist International, with headquarters now located at Zurich. The International Federation of Trade Unions, which had been established before the war under socialist leadership, was reorganized in 1919 at Amsterdam, where its central office was located until 1931. Afterward it was transferred to Berlin, and now its seat is in Paris.

In the history of the socialist parties the decade 1923–33 was marked by struggle against the communists on the one hand and against the bourgeois counter-revolutionary movements, such as fascism and national socialism, on the other. The pre-war tradition of abstract radicalism had to be abandoned by the socialists, and its perpetuation fell rather to the lot of the communist parties. In taking up the task of building a new theoretical and tactical foundation the socialists turned to pre-war revisionism for their guiding principles. It was the English socialists, carrying on the tradition of the Fabians and the guild socialists, and the Austrians, the so-called Austro-Marxists, who made the most important contributions to these theoretical developments.

The socialist parties now emphatically proclaimed their intention to attain power only through democratic means rather than through the forcible dictatorship of a minority. The use of force was said to be permissible only when a reactionary minority wrested power by violence from the democratic-socialist majority of the nation. The socialists of all lands also openly announced that they were working for reforms within the framework of the capitalist society. Recognition of a constitutional monarchy, coalition with bourgeois parties, participation on the part of socialist ministers in bourgeois governments and approval of the budgets of capitalist states, all came to be regarded as consistent with socialist theory: the decision in each case was to be made from a practical point of view. Yet despite all these compromises the parties did not renounce the objective of carrying on a definitive struggle against the capitalist economic system and setting up a socialist society.

The difficulty which the socialist parties experienced in attempting to develop a realistic and activist policy from one based on abstract slogans is particularly well exemplified by the German Social Democrats. Their abstract repudiation of the old empire became transformed into an equally abstract support of the new republic, of which they assumed the leadership on November 9, 1918. They came to identify themselves with that republic and thus were swallowed up in its catastrophic overthrow in 1933. This was the more ironical because the Social Democrats had early lost their leadership of the republic. The division between majority socialists and the independents until their union in 1922 and subsequently the rivalry between communists and socialists dissipated the force of the socialist working classes. The bourgeoisie soon recouped its powers under the republic, and since 1923 except for brief intervals the German national government has been wholly bourgeois, although until 1933 the socialists continued to share in the local administrations of the states and municipalities. The Social Democrats, however, still looked upon the erection of the democratic republic as an enormous achievement, a view which in itself is entirely justified. At all times they remained ready to enter into coalitions with the bourgeois parties for the protection of the republic. As the bourgeois democratic republic, unable either to ease the economic distress or to achieve equality for Germany in foreign relations, progressively lost prestige among large masses of the population, especially within the middle classes, the mass hostility came to be directed also against the Social Democrats as the typical republican party. When the National Socialist cabinet succeeded the military government of General Schleicher in January, 1933, they were not seizing power from the socialists and republicans: one bourgeois government merely succeeded another. Hitler's government proceeded to suppress completely first the German Communist party and shortly thereafter the Social Democratic party. It is difficult at present to offer any definite judgment as to the future of German socialism.

During the post-war period the British Labour party developed from a virtually insignificant parliamentary group into a powerful organization backed by millions of supporters. British Labour had the great advantage of not having gone through the school of the Second International from 1889 to 1914. It therefore has remained free from all the peculiar contradictions springing from the official Marxist dogmas of the Second International. It suffered no embarrassment in formulating its attitude toward nation and state, the struggle for power and monarchy. At the same time it was in a better

position than most of the continental parties to offer the masses a clear and precise program of socialization with a view to the formation of a socialist society. As a result the Communist party in England is practically insignificant, while with the collapse of the Liberal party after the war Labour became and has remained the second strongest party in the land. Its amazing display of vigor in weathering its two great crises—the unfortunate general strike of 1926 and in 1931 the electoral defeat and the withdrawal of MacDonald—is added proof of its vitality.

In France the position of the socialists is virtually the same as before the war. In the struggle between the national bloc of the bourgeois right and the radicals or the bourgeois left they often hold the balance. On numerous occasions since the war the French socialists have made strategic alliances with the bourgeois left and have thus exerted an influence on the direction of national policy. Although during 1919 and 1920 most of the French workers were in the Communist camp, the socialists have since succeeded in winning back the great majority. In the course of the conflict between socialists and communists the French trade unions were split into two groups, the socialist and the communist-syndicalist.

In Italy the entire socialist party entered the Third International after the war, but as the result of a dispute with Moscow the majority of the party later withdrew. The Italian socialists had a tragic fate. While they appeared revolutionary enough to arouse the apprehensions of the bourgeoisie, they were not sufficiently so to carry through the actual seizure of power. This was but a recurrence of the old dilemma of the pre-war Second International. Hence both socialism and communism in Italy have been annihilated since 1920 by the Fascists. Only small groups of Italian socialist and communist émigrés remain.

In the United States the numerical influence of the socialists is no greater than before the World War. Socialistic ideas have undoubtedly become diffused to a certain extent among the intellectuals of the country; but at the presidential election of 1932, which came at the height of the economic crisis, only a small percentage of the voters supported the Socialist candidate. The Communist party is even weaker, while the Farmer-Labor party has also collapsed except within the state of Minnesota. Nevertheless, the ideas and achievements of the Roosevelt administration may open the way for a stronger socialist influence.

In Spain following the establishment of the republic in 1931 the socialists participated in the coalition government until the end of 1933. Their position, however, is difficult, since the majority of the Spanish proletariat still sympathize with the syndicalists. The socialist parties have a greater influence in the Scandinavian countries, in Belgium and Holland, in Switzerland and in Czechoslovakia. In Austria the socialists successfully controlled the administration of the city of Vienna from 1918 until 1934. They struggled hard to protect the democratic national constitution against the powerful bourgeois groups of Christian Socialists, National Socialists and the Heimwehr. But in February, 1934, after an armed uprising of workers, the Austrian Socialist party was suppressed.

In the industrialized countries where socialism has won over the majority of the industrial workers, the combined vote of socialists and communists during the last decade has ordinarily averaged about 30 or 40 percent of the total number of ballots cast. This was true in England, Austria, Czechoslovakia, Belgium, Denmark, Sweden and in Germany so long as there were free elections. The striking uniformity of this percentage reveals the fact that the socialists have failed to attract any sections of the population outside of the working classes. In the modern industrialized nations the majority of the population consists of employees but not of factory workers alone. Among other types of employee groups—clerks, civil servants, craftsmen and agricultural workers—socialism has had slight success. Judging by past experience it is virtually impossible for the socialists to grasp control of the state if they must rely solely on the industrial proletariat. The Bolshevik revolution in Russia was able to succeed only through an alliance of workers with peasants.

In Asia the leadership of the working class movement after the war fell into the hands of the communists, but in the last few years the Communist International has declined in Asia as well as elsewhere. Although it is still impossible to predict the future of the labor movement in the leading Asiatic countries, significant socialist tendencies are to be found in Japan, particularly among the intellectuals. In Australia the opposition to the bourgeoisie is the powerful Labour party, which belongs to no international. Similar smaller but also influential Labour parties are

found in New Zealand and South Africa as well in Ireland.

Argentina has long had a socialist party, and military and revolutionary leaders in the other South American countries have not infrequently professed adherence to socialism. It is, however, difficult to ascertain to what extent such declarations really emanate from a labor movement. Mexico is controlled by a powerful workers' and peasants' movement which is carrying out a revolutionary reconstruction of society but which does not belong to any international.

The communism of the Moscow variety is today politically powerful only in Russia. The only other country where the Communist party still has some influence is Czechoslovakia. Socialism is at present suppressed in Russia, Italy, Germany and Austria, but the parties in France, England and the smaller European countries and the prospects in Asia and America make it still a significant international power. Present day socialism represents a continuation of the prewar Second International only in a formal sense. Actually the International under English and French direction is quite different from the old International controlled by Russians and Germans. A socialist international of the English and French type may be expected to depart further and further from the stereotyped Marxist dogmas, which never gained a foothold in England and exerted very slight influence in France. This does not imply that it will renounce true Marxism, which is thoroughly undogmatic and realistic. The socialist parties will in fact become more truly Marxist as they abandon the traditional dogmas of the official Marxists. In Russia the dynamic Marxism of the revolutionary period has long since been reduced to an inflexible grammar of authoritarian politics. The future of socialism thus rests with the democratic and intellectually independent parties of the West.

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See: SOCIALISM; COMMUNIST PARTIES; LABOR PARTIES; LABOR MOVEMENT; TRADE UNIONS; BOLSHEVISM; SYNDICALISM; CLASS STRUGGLE; PROLETARIAT; MASSES; INTELLECTUALS; REVOLUTION AND COUNTER-REVOLUTION; GENERAL STRIKE; SOCIALIZATION; GOVERNMENT OWNERSHIP; LABOR LEGISLATION AND LAW; RUSSIAN REVOLUTION; COMMUNE OF PARIS; CONFÉDÉRATION GÉNÉRALE DU TRAVAIL; PARTIES, POLITICAL.

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SOCIALIZATION. The term socialization has been employed in its first and widest sense in Marxist sociology. In his account of the historical evolution of society Marx defined the characteristic of the modern development of the productive powers as the progressive socialization of the processes of industry and manufacture. As industrialism advances, it involves a rapidly growing degree of cooperation among the individuals engaged in production. The division of labor is the first form of this cooperation, which proceeds to a second stage with the subdivision of labor in "manufacture," that is, capitalist organization of handwork before the days of machinery, and to a still further stage in the "machinofacture," which begins with the industrial revolution. The workman under both manufacture and machinofacture is increasingly converted from a complete producer with a product of his own into a "detail laborer," whose work has significance only in relation to a cooperative group; while even the separate factories and industries built up on a basis of this productive cooperation come to possess significance only in relation to the wider interchange of products in the economic system as a whole. In the last resort Marx holds that the capitalist system in its final and absolute phase can best be regarded as producing only one congealed mass of commodities possessing a single unified value derived from the combined labor of a single mass of workers whose activity has been completely socialized. This growth of socialization in the productive processes is forced upon capitalism by the inherent necessities of its own internal processes of development and is at the same time the means of carrying capitalism to its ultimate point and of bringing about its supersession by a socialist system; in the latter the class divisions characteristic of capitalist society will disappear in a classless society corresponding to the completely socialized character of the productive system.

The word socialization, however, is more commonly employed not in this wider sociological connotation, but with certain narrower meanings relating to the actual forms of industrial ownership and control. In this connection it is used in at least three distinct senses, which are nevertheless often confused. In the first place it is employed loosely as equivalent to nationalization; that is, the assumption by the state of the ownership of industry, whether this assumption comes about by direct expropriation of the capitalists or is accompanied by some form of compensation. In another sense the word socialization is sometimes contrasted with nationalization, as it often was among British Marxists before the World War, who used it to mean nationalization without compensation, whereas they regarded the word nationalization as identified with the piecemeal methods of nationalization with compensation associated with the British Labour party. In yet another sense the word socialization has been used to mean something wider than nationalization, as including forms of public or quasi-public ownership other than direct ownership by the state. Thus before the war it was often used to include municipalization as well as nationalization, and sometimes it was broadened to include cooperative ownership regarded as a form of social ownership complying with the requirements of a socialized economic system. Since the war it has been applied also to forms of ownership of industry not directly by the state, but by public boards or corporations established under the authority of the state and amenable to public control and regulation.

With the growing controversies concerning the forms of socialist ownership and control of industry, this last application of the word has become particularly important. Its German equivalent, *Sozialisierung*, was widely used in connection with the discussions of the post-war socialization commissions in Germany and Austria. Both the German Social Democratic group headed by Karl Kautsky and the Austrians led

by Otto Bauer were opposed to direct state management of industries and advocated the placing of socialized industries and services under some form of representative council or commission, including side by side with state nominees representatives of the consumers and producers and sometimes also of the technical and managerial personnel. This question was debated extensively by the first German Socialization Commission in 1919, which worked out a form of organization for the mining industry based on tripartite control by representatives of the workers, the management and the community. The second German Socialization Commission under Rathenau's influence proposed a commission of four parties, including representatives of the managers of local mines, the workers and officials, the consumers and the state. Meanwhile other German writers, notably Rudolf Wissell and Otto Neurath, worked out a plan known as the "economic scheme" for the social control of all industries in accordance with a planned arrangement of production and distribution but without actual public ownership. Kautsky, advocating public ownership although not direct state control, criticized this plan vigorously in his book *Die proletarische Revolution.*

Meanwhile in France the Confédération Générale du Travail had worked out its scheme of *nationalisation industrialisée*, whereby it proposed to exclude the state from an actual share in the control of industry and to hand over its conduct to representative organizations of the producers, technicians and managers, under a form of public control. The guild socialists in Great Britain had developed even more far reaching schemes for the completely functional control of socialized industries and services, and some echo of these proposals was heard in the United States in such projects as the Plumb Plan for the management of the railroads. In Great Britain the miners also elaborated and placed before the Coal Commission of 1919 a detailed project for the socialization of their industry on a basis of public ownership and administration by a council of which the Miners' Federation of Great Britain was to appoint half the members, the other half to be appointed by the state to represent the technical and administrative grades. Under this scheme there was also to be a coal consumers' council, but this body was to be advisory and was to have no actual managerial or administrative functions. The National Union of Railwaymen likewise presented a plan in less detail for the nationalization of the railways on a basis which would have given the railway trade unions at least half the seats on the proposed managing body; and in the scheme for the coordination of the railways put forward on behalf of the government by Sir Eric Geddes in 1920 it was proposed to give the workers representation on the directorates of the grouped main line railways, which were, however, to remain under private ownership. This offer was rejected by the railway trade unions, which were not prepared to participate in management under private ownership and preferred the scheme for negotiating Whitley councils and for a statutory wages board that was subsequently embodied in the Railways Act of 1921.

It was in connection with the railways that the first sharp difference of opinion on the subject of socialization appeared within the trade union movement in Great Britain. While the National Union of Railwaymen, by far the largest union in the service, advocated a representative council on which the trade unions would have at least half the seats, the Railway Clerks' Association, which enrols the clerical and supervisory grades, advocated the socialization of the railways in respect of ownership but also supervision by a full time expert board of a non-representative character. This controversy again came to the fore during the tenure of office of the second British Labour government between 1929 and 1931, in connection with Herbert Morrison's bill (which has since become an act as modified by the subsequent National government) for the socialization of London passenger transport. Morrison proposed to place the coordinated passenger transport service, which was to pass into public ownership with compensation to the previous owners, under a salaried expert board and rejected the demands of the trade unions concerned for representation on this body, on the ground inter alia that if the trade union claim were admitted, it would be impossible to exclude claims for representation from other groups, such as the municipalities, and even perhaps from the former shareholders. Over this issue an active conflict arose within the British trade union movement, and at the Labour party conference of 1932 further proposals for the socialization of the electricity and transport services were referred back for reconsideration in the light of the trade union demand for representation upon the administrative boards.

It is clear, however, that this controversy applies only to the question of direct workers' representation on the managing bodies and not to the proposed form of socialized undertakings in itself. It is now generally accepted among socialists alike in Great Britain, Germany and France that the actual conduct of socialized industries and services should in most cases be entrusted not to government departments, but to special ad hoc boards or commissions set up under the authority of the state. It is a moot point how far these boards or commissions should be representative of the actual workers engaged in the various services or of the consumers or of any other special groups, and further how far they should be amenable to political control. On the first point British opinion has commonly rejected the plan favored by the German socialists immediately after the war, of giving representation to consumers' groups on the managing boards, on the ground that boards consisting partly of producers' and partly of consumers' representatives would be likely to take an unduly sectional point of view and to prove inefficient in the business of day to day management. The trade unions continue to press hard for direct producers' representation on the boards, but in some quarters a distinction is drawn between two bodies—a small, full time managing board of experts formed on a non-representative basis and a wider council or commission of part time members, with power to override the smaller board in matters of policy, on which the workers would be strongly represented. These two bodies would correspond to some extent to the board of directors and the "council of oversight" of a German joint stock company.

On the question of political control there have been strong differences of opinion. The socialists are for the most part in favor of the appointment of managing bodies by the state, even if the state acts to some extent only as a ratifying body for nominations made by outside groups. The state, it is held, should have the right of ultimate appointment and dismissal. Most socialists also hold that the boards or commissions of socialized industries ought to be responsible to a minister and to the cabinet, and that this is especially necessary if socialized services are to be brought together as parts of any comprehensive national economic plan. Non-socialists, on the other hand, even where they admit the necessity of some measure of socialization of any particular industry or service, generally wish to go as far as possible toward excluding all forms of political interference and to retain as many of the features of private enterprise and business management as they can. Thus in Great Britain the British Broadcasting Corporation and the Central Electricity Board, both statutory bodies set up for the control of services under public authority, are kept as far as possible outside parliamentary or governmental interference. Both these bodies, it should be noted, although they are definitely forms of socialization, were established by Conservative governments. In the case of the London Passenger Transport Act the Labour government's proposal that the managing board should be appointed by the minister of transport was altered when the bill was taken over by the national government into a scheme whereby the members of the board are appointed by a non-political body of trustees so as to exclude all forms of political interference. Thus the dividing line between socialist and capitalist schemes of socialization seems to depend mainly on the degree to which political intervention in the affairs of the socialized industries is admitted.

The illustrations given above are of course instances in which certain particular industries have been more or less completely socialized within a system under which the great mass of industries continues to be conducted under conditions of private ownership and control. In many countries there has been since 1928 a considerable advance of state control over industry and even of positive socialization of particular industries or services. Apart from Soviet Russia this process has gone furthest in Germany, where even before the depression the state had already become a partner in a large number of industrial and similar enterprises and where during the depression state participation in private industry advanced much further. This was especially true as the financial difficulties of the banks, the steel industry and various other industries and services compelled the state to step in and provide them with fresh capital, while assuming a large share in their actual control. The German railways were indeed in form denationalized under the Dawes plan of 1924, as the Italian railways were denationalized by Mussolini. But even denationalized railways remain necessarily under a large measure of state control, so that the change is in the form of a transfer from direct state management to management through a public utility corporation rather than from socialization back to private

enterprise. It is even said that the British railways under the Railways Act of 1921 are already more than half nationalized, as the Bank of England and most other central banks are more than half nationalized, although their ownership remains in private hands. In Great Britain even the coal industry, while remaining privately owned, has been brought under a form of state control in the shape of a compulsory cartel, largely on the German model.

There is, however, a wide difference between the extensions of state control in these forms or even the complete socialization of certain particular enterprises and the complete change of economic system which the socialist idea of socialization envisages. Thus in Soviet Russia, where alone socialization has assumed a definitely socialist form, although all industries were not taken over at once, all basic industries passed speedily into the hands of the state; small scale enterprise has been progressively reduced in scope under the two Five-Year plans and is in process of gradual elimination. Moreover a real progress has been made with the socialization of Russian agriculture, partly through actual state farming but mainly through collective farming under state control. Communists regard this policy of socializing small scale industry and peasant agriculture as vital to the completion of socialism in Russia, because they hold that the socialist attitude of mind can be developed only under conditions of socialized economic living. The socialization of a country in their view is far more than the socialization of its industries; it involves the radical socialization of the entire way of life of its people.

In other countries where peasant systems are strong socialists, in their endeavor to secure an adequate following among the masses, have been far readier to promise the peasant immunity from interference with his holding. The French socialists, for example, have repudiated all idea of bringing the land under any actual form of collective cultivation. The German socialists have been divided on this issue but have regarded the collectivization of agriculture as coming, if at all, only late in the process of socialist evolution. To whatever school of thought they belong, however, socialists think at least in terms of the progressive socialization of all major industries and services as productive agencies and contemplate the state control of such industries as are not directly socialized through the socialization of the processes of marketing and purchase of materials. This form of socialization, whether achieved directly under state auspices or through the recognition of the cooperative movement as an agency of socialization, is regarded as indispensable in order that the socialist state may be able to undertake and carry through a comprehensive economic plan upon a national scale as a foundation for collective arrangements with other countries for the interchange of goods and services. Until recently socialist thought, except in Russia, was concentrated mainly upon the problem of socializing particular industries, with the idea of making a beginning with certain of the basic industries and services, such as coal, electricity and the main forms of transport. But of late two factors have combined to widen the socialist conception of the immediate requirements of the policy of socialization. In the first place, a growing number of capitalist industries have fallen into difficulties which seem to demand some form of collective reorganization; and in face of the reluctance of these industries to reorganize themselves or because of their lack of the necessary powers there has been an increasing tendency among socialists to insist that the state ought to assume control rather than leave them in private hands after reorganization. This applies to such industries as iron and steel, shipbuilding, engineering and textiles. Secondly, the adoption and partially successful execution in Soviet Russia of the first Five-Year Plan have had a notable influence on all phases of economic opinion in other countries. They have induced non-socialists to set to work on schemes whereby national planning can be introduced on a basis of continued private ownership of industry; and they have led socialists to think less in terms of the socialization of certain particular industries and services and far more in terms of the assumption by an incoming socialist government of powers wide enough to enable it to embark simultaneously on measures of socialization over a very wide field, and to apply drastic forms of state control to those industries left for the time being in private ownership. Above all, a growing body of socialist opinion has held that the first step toward a constructive introduction of socialism by other than revolutionary means must be the complete socialization of the banking and financial system, including not only the central bank but also the deposit banks and the other leading financial agencies concerned with the provision both of short term credit and of long term capital for investment. This socialized control of the financial machine has been increasingly re-

garded as the key to the entire process of socialization in industry as a whole.

The core of meaning common to all these senses in which the term socialization has been used goes back to the wider Marxian use; for basic to all the plans and ideas is the conception of a social system developing steadily toward a higher degree of integration, which brings with it a growing socialization of the processes of production and therewith of the services of the actual workers, manual, technical and administrative. The socialization of any particular industry or indeed of industry as a whole is thus regarded not as a deliberate and artificial creation, but as the realization in the field of economic policy of the inherent necessities of the general course of historical evolution in the modern world.

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See: COLLECTIVISM; INDUSTRIALISM; SOCIALISM; GUILD SOCIALISM; SYNDICALISM; FABIANISM; GOVERNMENT OWNERSHIP; GOVERNMENT OWNED CORPORATIONS; MONOPOLIES, PUBLIC; NATIONAL ECONOMIC PLANNING; STABILIZATION, ECONOMIC.

Consult: Ströbel, Heinrich, *Die Sozialisierung, ihre Wege und Voraussetzungen* (2nd ed. Berlin 1922), tr. by H. J. Stenning as *Socialisation in Theory and Practice* (London 1922); Kautsky, Karl, *Die proletarische Revolution und ihr Programm* (3rd ed. Berlin 1932), tr. from the 2nd German ed. by H. J. Stenning as *The Labour Revolution* (London 1925); Bauer, Otto, *Der Weg zum Sozialismus* (Berlin 1919); Wissell, Rudolf, *Kritik und Aufbau* (Berlin 1921); Germany, Sozialisierungskommission, *Bericht . . . über die Frage der Sozialisierung des Kohlenbergbaues vom 31. Juli 1920* (Berlin 1920), tr. as *The Socialisation of the Coal Mines in Germany*, International Labour Office, Studies and Reports, ser. B, no. 4 (Geneva 1921); Cole, G. D. H., *The Next Ten Years in British Social and Economic Policy* (London 1929) chs. vii–viii; Morrison, H., *Socialisation and Transport* (London 1933); Confédération Générale du Travail, *La nationalisation industrialisée* (Paris 1919); Webb, Sidney and Beatrice, *A Constitution for the Socialist Commonwealth of Great Britain* (London 1920); Laidler, H. W., *A History of Socialist Thought* (New York 1927) ch. xxix; Neurath, Otto, *Wesen und Weg der Sozialisierung* (Munich 1919); Cripps, Stafford, and others, *Problems of a Socialist Government* (London 1933); Cole, G. D. H., "The Essentials of Socialisation" in his *Economic Tracts for the Times* (London 1932) ch. xiii.

SOCIETY may be regarded as the most general term referring to the whole complex of the relations of man to his fellows. In an attempt to arrive at a more precise definition the present article will discuss the main trends of social thought in the West as they bear on the concept.

In the Greek language there is no actual equivalent of the English word society. In so far as man was thought of as anything more than a biological organism he was, in Aristotle's phrase, a "political" animal, that is, he was thought of as participating in the life of a *polis*; essentially his membership in the *polis* constituted his humanity. There is no modern institution corresponding exactly to the *polis*. Like the modern state it was a territorial unit and as such it held jurisdiction over all residents within its borders; but its scope was far broader, for it combined state, church and society. Only the family and the individualistic aspect of economic acquisition were to a certain extent outside its domain. They were regarded by the Greeks as of secondary importance largely because the individual did not in the modern sense constitute a being with his own independent aims and values, apart from and even potentially in opposition to the consensus in which he participated in the *polis*. Plato carried these principles to their fullest logical development.

Later Greek thought, concurrent with the actual breakdown of the *polis*, developed a far more individualistic conception of social life. The individual, especially in the stoic doctrine, had an independent position of his own. On the other hand, the objective law to which he was obliged to conform was no longer that peculiar to his native *polis* but expressed the natural order of the whole universe. With this cosmopolitan conception there became fused the developing doctrines of the Roman law, which, while possessing essentially the same objective and superindividual conception of the *polis* as the Greek theories, from a very early date left room for a jealously guarded sphere of private interest, untouched by public authority, on the part of the individual paterfamilias. The fusion of the two made possible the later Roman stoic conception of the civilized world as constituting a single world empire, the expanded Roman *polis*, comprising a rigid legal framework of order within the limitations of which individuals were free to pursue their private interests without let or hindrance. The final extension of Roman citizenship to all freemen of the empire completed the institutional development corresponding to the theory. The whole conception rested on a rigid dualism of the sphere of public concern, which was conceived as a unit as in the original *polis*, and the private sphere of individuals, in which they were thought of as essentially independent, entering only into contractual relations with one another. Local and functional groups had only

secondary place in the Roman conception and were considered strictly subordinate to the state.

Christianity brought into this absolutist-individualistic world of late antiquity a new element. In its social aspect it was at once transcendental, universalistic and individualistic. Its universalism fitted in admirably with the cosmopolitanism of stoicism and Roman private law. Its transcendentalism, on the other hand, gave men a set of values entirely outside of and, from the Christian point of view, superior to everything in this life. While the predominant early Christian development accepted the existing social order as necessary and enjoined men to "render unto Caesar the things which are Caesar's," it insisted even more strongly that the inner religious life of the individual was to be kept apart from and above all worldly things. It thus gave the individualistic aspect of the social thought of late antiquity a deeper transcendental foundation than had any of the pagan theories. Especially in its more ascetic leanings it could under certain circumstances radically undermine secular authority.

At the same time the fact that the predominant development of Christianity was toward the organization of a sacramental church added a further complication. Not only were individuals religiously independent of the politico-legal order of the Roman state, but that religious independence was organized in and supervised by a highly integrated group structure which could in no case accede to the doctrine of Roman law that corporations derived their right of existence solely from the sanction of the state. Henceforward it was scarcely any longer possible, at least on a Catholic Christian basis, to think in terms of the simple dichotomy of pagan antiquity, between individual and state. The raising of the problem of church and state, which was to dominate social thought for nearly a thousand years, was the first major break in the old identification of man's total social relations with the political unit to which he owed allegiance.

In two fundamental respects mediaeval social thought differed from that of antiquity, even in its latest Christian phase. The latter remained in its peculiar sense strictly dualistic. Society belonged in the realm of the flesh, with the sole exceptions of the Christian church and the extent to which on a private level the individual utilized his social relations as an opportunity for the practise of Christian charity. But the emphasis was on the non-Christian, sinful aspects, especially coercion in the institutions of slavery, property and the state. Mediaeval thought first worked out the conception of human society as essentially an expression of Christian principles. At the same time this was possible, given the original Christian dualism of the worlds of the spirit and of the flesh, only on the basis of a hierarchy of groups, orders and estates which formed a gradual transition from the purely carnal to the purely spiritual.

With regard to the first aspect it was common ground for all mediaeval thinkers that the eternal law, both revealed and natural, was the measure of all things, that all authority and all principles of justice came from God. Human society was a single organized unit under these principles, the *respublica christiana*. The controversies were over the question whether there were one or two channels by which that authority was transmitted to human hands. According to the extreme papalists the pope was the sole immediate representative of God on earth, while the secular authorities were in effect merely branches of the church. The most extreme expression of this view was put forward by some of the canon lawyers who, having transferred to the church the unitary conception of authority derived from the Roman law, could think of other authorities only as delegated by this one supreme authority. The imperialist view, on the other hand, was that the emperor and through him all secular authorities were sanctioned directly by God without the church as an intermediary. In neither case was pope or emperor thought of as sovereign in the modern sense, but both were subject to the eternal law, however independent of earthly superiors they might be. The idea of any human authority as empowered to legislate, that is, to lay down the fundamentals of social organization, was not mediaeval.

In the other main aspect of mediaeval society and thought, that of its hierarchical group structure, the principal influence appears to have come from Germanic conceptions of group relations. The rigid dualism of individual and unitary single group was foreign to feudal law, which dealt rather in terms of a hierarchy of independent units, each with real personality, extending from the individual at one end, through a whole series of corporate groups—village community, guild, commune, estate, monastic order, ecclesiastical chapter and kingdom—to the supreme groups of church and empire at the summit. Just as in mediaeval property law the *dominium* of one person did not exclude that of

others in the same thing, so the real personality of the individual human being, an indispensable axiom of Christianity, did not exclude the simultaneous attribution of personality to a plurality of group relations in which he participated.

Moreover the rigid dualism of antiquity was further repudiated in that not only were the individual and the Christian church given positive religious sanction, but this was extended in greater or less degree to all the main groupings of mediaeval society. To be sure, the principle of its extension was not that of equal merit but of a hierarchical order extending from the mere village community of peasants at the bottom to the rigorous monastic communities at the top, on a religious scale. Furthermore it was extended in such a way as to confirm the general traditionalism of mediaeval life. But even this relative sanction was possible only because of a great change in actual social relations. The "great society" of Roman imperial times, which had largely broken down, was replaced by a society based in the main on relationships of personal loyalty, even though socially sanctioned, which opened a far wider opportunity for the exercise of the Christian virtues than had hitherto been available. And anything which, like much of feudal warfare, did not exactly fit this religious schema was often attributed to the ever present element of carnal sin.

The mediaeval synthesis, which reached its highest degree of rationalization in the thought of Thomas Aquinas, contained, however, significant elements of instability. The most important lay in the extent to which from a very early time mediaeval thinkers had been dependent on the conceptual tools inherited from antiquity, above all in the Roman law and in Aristotle. This was evident first in the conception of the church built up by the canon lawyers. Not only was the church conceived as a power at least independent of if not sovereign over the state, but it came to be regarded as having a structure radically different from that of the secular mediaeval hierarchy of groups. There was only one source of authority which flowed from the papacy down through the various ranks of the organization, ultimately reaching the parish priest. No other element had independence in its own right. And even when the papal absolutism was challenged, it was generally in Roman fashion in the name of the united body of the church as a whole, as in the conciliar movement, and not of the several organs. Thus there was a genuine structural disharmony between the bureaucratic hierarchy of the church and the feudal hierarchy of the secular sphere, both in fact and in theory. This was the more evident the more strenuously the papal claims were pushed.

At the same time the growth of nationalism at the expense of feudalism gradually eliminated the relativity of the true mediaeval hierarchy and brought early modern theories more and more into line with those of antiquity. This movement was accelerated by the extent to which monarchs made use of the revived learning in the Roman law to justify their continual attacks on the powers of the great feudal estates and corporations. The result was an increasing tendency toward the conception of an absolute state on the one hand and a society of independent individuals on the other. Christianity, however, had become far too deeply embedded in European thought for the development ever to revert completely to the Greek idea of absorption of the individual in the state. On the contrary, an increasingly important place was given to a theory of the natural rights of individuals. The main trend was thus against the kind of absolutism which left no room for the independent rights of individuals and on the whole more and more against any absolutism at all.

The irreducible independence of the Catholic church remained the principal obstacle in the way of the completion of this process of the elimination of the quasi-independent groups between the individual and the state. The Reformation brought a change in the situation in this respect both in fact and in thought by its repudiation of the sacramental church. Protestantism did not cast aside the conception of an organized church as such, but it radically altered its sociological status. Nor did it reject the essentially mediaeval ideal of a Christian society; in some respects it carried it even farther. The various branches of the Protestant movement came to essentially different results in these respects. Once the independent sacramental church was eliminated, the organized aspect of religion began to fall into line with one or the other of the two elements into which contemporary thought was dividing secular society, the state or the plurality of independent individuals. The Lutheran branch, which laid emphasis on the purely subjective and emotional state of penitence, had little place for a direct Christian influence on daily life even in matters close to religion and tended to place all organization in

the hands of the secular prince ruling by divine right. This trend was accentuated by the Lutheran tendency to renew the radical dualism of early Christianity without the complication of the sacramental church. All organization even though divinely sanctioned belongs to the world of sin. The individual's attitude toward it is one of passive acceptance of authority and tradition, since these are ordained of God, but he reserves his inner religious life in a world apart. Only in a modified sense could Lutheranism be said to hold that society could or should be radically Christianized.

At the other extreme stand the radical Protestant sects, Baptists, Quakers and others, which stem from a long history of sect movements prior to the Reformation. These hold that there is no objective institutional church structure at all, and that such religious organization as exists is entirely in the form of voluntary associations of true believers without coercive authority of any kind. In the literal interpretation of the evangelical ethics this hostility to ecclesiastical authority tended in some cases to be extended to all authority whatever. Thus the radical sects carried the implications of the individualistic side of Christianity to the extreme and were among the most important forerunners of modern anarchism.

Calvinism was in most respects midway between these two wings. Sharing with the sects the attempt to remodel the sinful world into the kingdom of God on earth, it could not subscribe to the Lutherans' passive acceptance of things as they were. Nor could it accept their turning of authority, religious or moral, over to a secular government. In so far as Calvinism was dominant it therefore tended toward a theocratic system of discipline, as in Geneva in Calvin's time, where the secular government was thought of as merely an instrument in the hands of the church in its attempt to realize the kingdom. But when the Calvinistic churches could not control the secular authorities, they tried above all to avoid being controlled by them and were pushed more and more in the direction of the radical sects and of the separation of church and state. The ascetic branches of Protestantism, especially Calvinism, have thus thrown the main weight of their ethical sanction into the activities of the individual in the sphere of his private relations. In particular the concept of the "calling" as a field for proving one's state of grace has served to promote individualism and to emphasize the ethical value of economic activities.

Thus Calvinism and the Protestant sects may be said substantially to have completed a process which had been going on since classical antiquity, the transfer of the locus of religious values in this world, and with them the bulk of culture, from the state to the individual. This process may be divided into three main stages. The later Greco-Roman cosmopolitanism created a sphere for the individual outside the state without giving it a religious content. Early Christianity then removed religious values from the state but largely to embody them in the sacramental church, in which, to be sure, the individual retained a highly important position. Finally, the Protestant repudiation of the church passed these values on to the individual. This accentuated the tendency to look upon the state and every other social grouping as essentially instrumental in the realization of individual values, culminating in the radical individualism of the eighteenth and nineteenth centuries.

After the close of the religious struggles following the Reformation there came a pronounced secularization of social thought. Man in relation to his fellows was no longer thought of in terms of his relations to an eternal law, transcendently ordained by a personal God. The first phase of secularized thought did not, however, depart radically from this fundamental thought form. In place of the law of God was put a law of nature, a conception which had been taken over from later antiquity and incorporated into Christian thought, where it performed the highly important function of supplementing the revealed law. Now it became again an independent standard of human institutions. It still retained the character of changelessness and eternity which it had held from the beginning; there was one law of nature for all times and places.

As it emerged into independence in the seventeenth and eighteenth centuries, however, the conception of an order of nature had a strongly individualistic cast because of the peculiar character of the later phases of Christian thought from which it had emerged. It focused on a doctrine of natural rights, of the liberties of man which should not be interfered with by human institutions or authorities. The standard by which institutions were measured was largely negative; they were criticized in so far as they were held to violate these natural rights.

With the shift of emphasis in the interpretation of the idea of natural order from the normative to the explanatory, which was already strong

in the physical science of the seventeenth century and was making itself felt in the social realm in the work of such thinkers as Hobbes, it was easy for this individualism of natural rights to pass over into utilitarianism and thus to introduce a relativism in the realm of individual wants essentially unknown to previous social thought.

From this point of view society became the mechanism whereby individual wants, conceived to vary at random with no common standard, could be satisfied in the greatest possible degree under the existing conditions of human life. Social relations were thus reduced to the level of means to individual satisfactions. All idea of essentially normative control was abandoned; but on the other hand an element of determinism of a different sort was introduced by the analysis of the nature and extent of the limitations imposed on action by the conditions, the external environment and man's inherited nature under which it took place. Pushed to its final logical conclusion this determinism in terms of conditions ended up in the positivism of the later nineteenth century, completely eliminating the relativism of the earlier utilitarianism. This view of society as simply a phase of deterministic nature has, down to quite recent times at least, grown progressively in importance among theorists.

On this secularized, individualistic basis there have been two great phases of social thought. The one, on the whole earlier in time, was concerned primarily with the individual's relation to the organized state, the problem of political obligation. This has tended to end up at two poles. The one tendency, first in terms of natural rights, then of individual utility, has looked upon the state merely as a contracted instrument for the protection or promotion of individual rights or interests. The other, in terms of the modern doctrine of sovereignty in particular, has reaffirmed the Greco-Roman qualitative supremacy of the state over the individual and, especially in its later utilitarian form, has conceived of a state absolved from obedience to any eternal law whatever. While in Hobbes this doctrine was in its relativity narrowly limited by the difficulty of maintaining the conditions of mere order and security, in Rousseau the positive aspect became much more prominent. Each state has its own general will, and whatever it wills is right.

On the other hand, thought was turned more and more to the relations of individual to individual within civil society. The same theorists, like Hobbes and Locke, who were concerned primarily with the relation of the individual to the state, at the same time laid the foundations of the individualistic theory of social relationships. Since previous developments had tended to rob all organized groups and finally even the state of any but an instrumental value, the predominant conception of society came to be that of a plurality of individuals entering into relations of contract for the promotion of their own personal interests.

The most prominent relationship is that of exchange, which results from the division of labor and is entered into for mutual advantage. The earlier laissez faire individualists pictured a society consisting solely of these independent individual units. Since conditions of peace and substantial equality in exchange were assumed, the center of this society came to lie in economic relations. The peak of influence of this view lay in the classical economics of the first half of the nineteenth century. A further element was the voluntary association entered into by contract. The more radical contract theorists conceived of the state in these terms, and voluntary cooperation on the level of means was besides exchange the other principal mode of carrying out individual aims through the medium of relations to others. On the whole, however, the exchange relationship has predominated in this type of thought.

The most modern development of social thought and with it of the concept of society has been largely in reaction to this individualistic utilitarian tradition. One main alternative has lain in the emphasis on the determining influence of the limiting conditions of individual action. In this direction under the influence of the Darwinian movement and of psychological antiintellectualism society has come to be thought of as simply the human phase of the organic evolutionary process. In particular, human conflict, especially economic competition, has been interpreted as a special case of the biological struggle for existence. This movement accounts for a large part of the social thought of the later nineteenth and the earlier twentieth century.

This positivistic and in some ways also individualistic trend of thought has, however, been only one of the two important modern movements in reaction against utilitarianism. Men have never ceased to think that in some sense social groupings constitute more than a mere sum of individuals and must be thought of as possessing in some sense independent reality,

There have, however, been many different interpretations of the nature of this reality and of its relation to individuals.

Attention was originally concentrated on the state, and the first important version of modern social realism is to be found in the modern doctrine of sovereignty. The aspect on which emphasis is placed here is the phenomenon of coercive authority, which no individual can legitimately exercise over another in ordinary contractual relations. Even the most extreme modern adherents of this line of thought do not necessarily exclude the essentially Christian idea of an inviolable sphere of individual personality. Bodin, generally regarded as the founder of the doctrine, still considered the sovereign as bound by an eternal law of nature in the normative sense. When that limitation was dropped, there was introduced a fundamental element of relativism, which played a very important part in subsequent social thought. Each sovereign unit represented a specific synthesis which did not have to coincide with that of any other. This is the essential type of relativism which, although not necessarily bound to the state, has been maintained down to the present by the anti-individualists.

The next great step may be considered to have been Rousseau's doctrine of the general will. This went behind the question of the fact of sovereign authority over the individual to find its origin in a common will, in values shared by the members of the community. But in harmony with the traditional dualism of state and plurality of individuals Rousseau saw his general will as expressed entirely in the state. There was no place for internal social differentiation on the superindividual level. This view, with some modification, was passed on to Hegel as well as to the more recent philosophical theory of the state.

Later social theory, while retaining the element of common will or values as the essential basis of social reality, has tended to divorce it more and more from the state alone and to find a plurality of manifestations for it. Thus in a sense there has been a movement back toward the more instrumental conception of the role of the state, but this time not on an individualistic basis. The state then becomes not so much a contractual instrument for promoting individual interests as an organ of the entire community for the promotion of certain of its common ends.

At the same time the tendency has been to find that the basis of social reality lies deeper than in the state itself in something like a consensus, explicit or implicit, of the members of the community. With Rousseau's conception of will as a point of departure, the coercion of a sovereign authority has come to be seen as only one means of enforcing on the individual the supremacy of common ideals and attitudes. In fact it is moral authority which is held to be fundamental, since without its general backing among the majority the coercion of the state cannot in the long run be effective and interests cannot be made to conform. The secondary importance of state coercion has been illuminated further by the recognition of the relatively effective functioning of social norms in primitive communities which are entirely without any organized state machinery.

The immediate historical background of the development of the most modern conception of society and the main elements in the thought of the late nineteenth and early twentieth century lies in positivism and idealism. The former is of much greater importance for the English speaking world, and the main process of development of thought there may be said to have been one of emancipation from positivistic conceptions. The first step in this process is the distinction between a scientific theory and a practical art, which is implicitly at issue between utilitarianism and the radical positivistic position that attempts a purely scientific interpretation of human life and action. A scientific theory involves only the coordination of elements in the experience of the scientist, all of them of things "external" to himself. A practical art, on the other hand, involves the adaptation of means, on the basis of scientific knowledge of course, to an end which is not, to the actor, an element of the external world in the same sense. It involves in some sense the admission of the role of ideas in action. The second step is the realization that the ideas involved at least in the ultimate ends of action cannot be scientific theories in the positivistic sense, simply because in so far as they are true ends they cannot be mere reflections of external empirical reality. They are hence in some sense non-scientific or even metaphysical.

It has been observed that these ultimate ends of action cannot be thought of as merely existing at random but must, both in the individual and in any significantly coherent group, be regarded as integrated into a harmonious system of ends, governing in various ways all the actions of the members of the group. Without a system common to the members of a community social

order itself cannot be accounted for, as Hobbes' analysis of the state of nature so clearly showed. The recognition of such a common system is a return to Rousseau's general will, but in the more strictly sociological thought growing out of positivism it has been most prominent implicitly in the thought of Pareto and much more explicitly in that of Durkheim.

These considerations apply to the ultimate ends of action, which cannot be considered as means to further specific and tangible ends. But subsidiary to them is an important element of action in the pursuit of ends which are not ultimate. This intermediate element may be said to fall into the three sections: the technological, the economic and the political. All action of course takes place also under certain ultimate conditions of external environment and human nature which must always be considered as present; they are not, however, properly speaking elements of human action or of society itself. At the same time the intermediate elements of action can never be thought of as taking place in the absence of a system of ultimate ends, an error implicit in a great deal of individualistic thought.

The system of ultimate ends of the community determines what is specifically sought after as wealth and power but also affects action in other fundamental ways. In the first place, ultimate ends may form the immediate ends of specific actions, as in the case of a religious war. Secondly, they may form the basis of a framework of regulatory norms which guide and control action in the pursuit of immediate ends, maintaining orderly processes and relationships and keeping the vast complex of such utilitarian actions in some kind of harmony with the ultimate value system of the community. This system of regulatory norms, which exists in every community, may be called its institutions. In mode of embodiment, whether in custom or the law of the state, in the type of enforcement and in their structure they may vary enormously from one community to another. They form the backbone of the social structure. Durkheim may perhaps be regarded as the most eminent theorist of institutions in terms of their relation to the individual, and Max Weber in terms of the comparative analysis of their structure. Thirdly, where action becomes a direct expression of ultimate value attitudes outside the sphere of practical techniques, the means is no longer intrinsically related to a tangible end but becomes a symbol. This is illustrated particularly in the case of religious ritual, which is another fundamental constituent of the life of every community.

In this scheme of analysis the state has a triple role. First, it is the principal organ of common action of the community. Secondly, it is the main guardian of its institutions, especially in so far as their automatic and informal functioning through custom breaks down and the need of deliberate and sometimes coercive enforcement arises. This is brought out particularly in the case of a change in the type of institutional relationship from the communal to the rational-legal or, as Tönnies put it, from *Gemeinschaft* to *Gesellschaft*. Thirdly, the state constitutes one but only one of the principal focuses of the common sentiment and thus plays an important symbolic role.

While it is true that to a greater or less degree the common value attitudes of a community must be regarded as integrated into a single system, there is room for wide variation both in the degree of integration and in the kind of system. In the latter relation there is no reason for excluding a type of social organization involving many different kinds of complex structure of real groups and social classes. Hence modern social theory rejects as far too simple the rigid alternatives of the view that there is on the one hand the state and on the other the unintegrated plurality of separate individuals. It is true, however, that some social structures, as notably the Roman Republic in its earlier stages, may approximate this simple type.

In the light of the analysis presented here society may be defined as the total complex of human relationships in so far as they grow out of action in terms of the means-end relationship, intrinsic or symbolic. According to such a definition society is but an element in the concrete whole of human social life, which is also affected by the factors of heredity and environment as well as by the element of culture—scientific knowledge and techniques, religious, metaphysical and ethical systems of ideas and forms of artistic expression. Society cannot exist apart from these things; they play a part in all its concrete manifestations, but they are not society, which comprises only the complex of social relationships as such.

TALCOTT PARSONS

See: SOCIOLOGY; SOCIAL PSYCHOLOGY; POLITICAL SCIENCE; SOCIAL ORGANIZATION; ORGANIZATION, ECONOMIC; INSTITUTION; COMMUNITY; ASSOCIATION; STATE; CLASS; GROUP; SECTS; ANIMAL SOCIETIES;

SOCIAL ORGANISM; SOCIAL PROCESS; COLLECTIVE BEHAVIOR; CULTURE.

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SOCIETY OF JESUS. *See* JESUITS.

SOCIOLOGY. The history of sociology can be circumscribed within a century or two or it can be extended to cover the whole range of human reflection on society from the remote past, according to the degree to which the scientific desideratum implicit in the term is emphasized. Sociology, as a more or less definite body of systematic knowledge with a distinctive place and name among the family of sciences, must be dated by decades rather than by centuries. The reasons for this late emergence are significant of far reaching changes in the conception of society itself, without which a science of society could not have been born.

The nearest approach to a genuine sociology before the present age was made by the Greek philosophers. The distinction which the sophists drew between nature (*physis*) and convention (*nomos*) was of signal importance, for, distinguishing laws of nature from those of society, it made the social order itself a social product and thereby stripped it of the last attributes of sanctity which precluded its scientific study. Their main objective was not scientific study but a revolutionary ethic; the challenge which they offered could, however, be met only in the spirit of free investigation. It was in this spirit that the challenge was taken up by Plato and Aristotle, who sought in epoch making formulations to show that society was the inherent condition of human fulfilment; that in this sense it was prior to the individual; that its essential structure, apart from the particular historical variations and degenerations to which it is subject, arose out of the inborn impulses of man; and that its essential bond, the justice which achieves the ordered functioning of a social system, is not merely an imposition of the strong subjugating the weak or of the weak seeking to fetter the strong but a principle of union expressive of the organic community of social animals. It is significant that in Plato, especially in the earlier dialogues, these tenets are generally developed in express antithesis to the doctrines of the sophists and that Plato's most realistic contribution to sociology—the most definite piece of sociological writing to be found in classical antiquity, the account of the emergent *polis* in the second book of the *Republic*—is presented with something of the condescension of the philosopher who returns to the cave. Plato never returned to the study of the attitudes of the ordinary man and the way they operate in the creation or maintenance of a social system. When he concerns himself again with the details of social life, as he does finally in the *Laws*, it is purely in the interests of prescription.

Aristotle, in spite of his greater realism and his indefatigable interest in systematizing available knowledge, cannot be said to have gone much further than his master in advancing sociology. He is reputed to have examined the

constitutions of 158 *poleis*, but this very activity revealed the impediment to the development of sociology which existed not only in Greece but in the whole Greco-Roman world. The Greeks lacked the concept of community as distinct from state. The state community synthesis of the *polis* prevented any focal study of the community itself or generally of social relationships apart from their political aspects. The political factor under the dominance of a purely ethical interest, the interest in the good life, which the liberation of Greek thinkers from theological prepossessions fostered, was given priority over the social factor. The regulative aspect, the means and ends of political control, obscured the study of the inherent processes of society or of those social relationships which are not centrally controlled. These processes and non-political elements were not thought of as having any coherence, any pattern. This point is illustrated, for example, in the *Crito* of Plato, where the whole social heritage—the whole set of cultural and economic conditions as well as the definite social regulations under which Socrates grew to manhood—is personified under the forms of "the Laws" of the mother city, demanding obedience to their decrees as if they formed a unity of prescription.

Hence Greek thought on society never takes specific sociological form but is limited to scattered reflections on such subjects as custom and convention, sex relations, family life, friendship, social harmony and strife, the division of labor, slavery, the lot of women, class distinctions and the primitive condition of mankind. These reflections and observations, strewn freely through the works of the dramatists and the historians, are never gathered up into a coherent system. In the last resort the obstacle was the inability of the Greeks to distinguish the concept of community from that of state, the same inability which in another manifestation was responsible for the fact that the Greek political ideal never transcended the bounds set by the walls of a small city.

The city-state community synthesis failed to yield to the expansion of the Roman *imperium*. Although formally the concept of community came to be distinct from that of state and the *socius* could no longer be identified with the *civis*, nevertheless the *orbis* was conceived under the form of a magnified *urbs*. Moreover the Roman preoccupation with law obscured the view of the non-legalistic aspects of society. In so far as the latter required interpretation, there came to hand, in Cicero for example, the convenient principle of natural law, which, however, remained normative, not descriptive or constitutive. The transition from natural law to natural social process, which would have prepared the way for a science of society, was nowhere made explicit. While it was generally admitted that man was not only, in the older language of the city-state, a *zoon politikon* but also a being whose nature demanded the universal conditions of society ('*natura hominum . . . communionis ac societatis ac appetens*'; Lactantius, *Divinarium institutionum*, bk. vi, ch. x), the actual processes of social relationship were taken for granted, save in respect to their conformity to or deviation from an ethical or a legal norm.

A survey of the social philosophies of antiquity reveals that the birth of sociology required a naturalistic as opposed to a theological conception of human society; a clear distinction between the state and society; and a scientific, or positive, interest in the forms and processes of social relationships, as contrasted with a legalistic or normative interest in the right ordering of these relationships, or the general well being of society. It is not here assumed that the interest of the ethical thinker and that of the social scientist are irreconcilable; a mind devoid of any sense of social values would not be fitted to study social institutions and activities, which themselves are thoroughly impregnated with the valuations of social beings. The normative, or ethical, interest is, however, no substitute for the scientific; and unless controlled by the latter, it either prevents or biases the attempt to understand society.

This point is illustrated particularly by the oriental theories of society. A vast amount of the classic literature both of China and of India is concerned with political and ethical philosophies. The social teaching of the sages is devoted to the right conduct of the individual in his various relationships and to the proper function and good order of social categories. But there is practically no social philosophy and still less a sociology which offers a non-moralistic interpretation of the trends of social life, of the dependence of institutions on environmental and cultural factors, of the processes by which individuals become socialized or even of the social problems which beset the patriarchal family system. Both in Hindu and in Chinese thought the controversy between the Machiavellian and the anti-Machiavellian doctrine of the state is present; but the former is realistic in

the political and not in the scientific sense, advocating the abrogation of the code of ordinary morals in the conduct of state affairs, which means only the substitution of another type of code more in harmony with nationalistic, imperialistic or dynastic ambitions.

Except for the conventional theory of the four Varnas, interpreting and justifying the castes by function and degree of purity, there is a conspicuous lack of theory in the Hindu classics. In the stress laid on the individual's suprasocial sanctions to conformity as the condition of a higher status in a future life some writers have seen the explanation of the non-sociological character of Hindu thought. In Chinese social philosophy there is a preliminary analysis and classification of the various types of social relationship, expressed in the *wu-lun*, or five relations, of Confucianism: those of governor and governed, parents and children, husband and wife, older and younger brothers, friend and friend. But once the classification is posited, the treatment reverts to the ethical. To say, as some Chinese scholars do, that *wu-lun* constitutes a general term denoting social phenomena as contrasted with natural phenomena and that the distinction between state and society is made in the enumeration of the five relations is to read later abstract thought into the descriptions of simple social categories in which these distinctions have from the first been implicit.

The treatment of society in the writings of Confucius and the other sages of ancient China clearly illustrates the way in which the dominance of an ethical attitude may inhibit the development of sociology. The thought of Confucius is almost entirely devoted to social relationships. He posits the Aristotelian principle that man is both a rational and a social animal and suggests that personal and social equilibrium are intimately interdependent. But his preoccupation with right personal relations overpowers his consideration of the social structure itself. While, for example, he emphasizes the basic role of the family in the social structure and makes the state simply the family writ large, he deals nowhere with the principle of social organization thus implied and attempts no description of the manner in which a society built of family units is actually constituted. So little is he concerned with sociological structures that when he turns to his ideal society, even "the bonds of marriage and parenthood no longer exist; everybody will be motivated by altruism and look after others' affairs as though they were his own. Hence the only relation that will exist is that of friendship" (Wu, Y. C. L., "The Social Thought of Confucius" in *Chinese Social and Political Science Review*, vol. xii, 1928, p. 309). For this ethical attitude social structure is of minor significance and social change is envisaged only in terms of moral advance or decline.

In the mediaeval period in Europe the soil was still less favorable for the growth of sociology, for not one of the conditions on which its growth depended was present. The distinction between society and state was obscured and rendered ineffective by the overruling distinction between the secular and the ecclesiastical order, typically viewed as two systems of institutions hierarchically related to each other. If all theories are called sociological which are concerned with the relation of man to man, the conditions of social solidarity, the basis of class distinctions or the general nature of human association, then sociological theories were rife in the Middle Ages, culminating in the architectonic system of the *Summa*. Yet if science is distinguished by method rather than by content, there was no sociology. The reasons for the general barrenness of science in the Middle Ages have a peculiar validity for the social sciences. They lie not so much in the appeal to authority as in the grounds of competence which assured authority in scientific matters. The impediment was not the abstract speculative trend of the age, whose real defect was the limit set to the premises of speculation. Nor can it be stated as simply the intense preoccupation of the age with a priori judgments of value, which might still have admitted scientific investigation of the social conditions under which the posited values could be realized. The major impediment lay in the conception of law as something revealed, imposed and uniform, with the corresponding view of nature as the material which passively or reluctantly takes the imprint of law. In the human sphere that reluctance was identified with natural depravity and sin, a viewpoint which effectively precluded any objective observation of the patterns and interactions of the social order and any sustained research into the conditions under which in their manifold and changeful varieties they emerge.

Throughout the Middle Ages the social theories and social prescriptions, produced first in the Catholic and later in the Protestant scheme of things, passed through various stages and exhibit definite historic trends. These

changing theories no doubt reflect changing social conditions and social attitudes, but they do not consciously interpret them, for the conditions as well as the attitudes remain merely implicit in the variations of avowedly theological constructions. Throughout the whole range of mediaeval speculation an independent or positive sociology is not approached. The social philosophy remains a priori, derived from a higher source, never the free speculative exercise in system making which follows the discoveries of science and provides an impetus to newer discoveries. Divergent schools disputed the Thomist theory of the *perfecta societas* but they argued from the same premises. If some made much of the analogy between society and the natural organism, it was only in a superficial taxonomic representation of the order of relationship and subordination which should exist between the elements of the social body. If they spoke of natural relationships, it was in the sense of relationships accordant with a natural law of an ethical or idealist construction.

In this period society is not yet thought of as an independent focus of theoretic interest and of scientific study. This standpoint, the precondition of sociology, is not possible so long as any one form of association, state or church or economic organization, is conceived of as including or controlling or even, as later in Marxist theory, as determining all other types of human relationship. For in so far as these other relationships are thus made derivative, they fall within the ambit either of ethical and religious philosophies or else of the hypothetically master sciences of politics and economics. It is questionable whether a genuine sociology can be established even on the premises of Troeltsch, who, while according an independent existence to religious associations, yet defines society in Marxist fashion as "primarily the social relationships which result from the economic phenomena" (*Die Soziallehren der christlichen Kirchen und Gruppen;* tr. by O. Wyon, 2 vols., London 1931, vol. i, p. 30). The rise of sociology comes with the perception that no one order of social phenomena is adequate to comprehend, directly or indirectly, the manifold activities, processes and trends of society, a perception which itself was advanced by the increasing range and complexity of social relationships which began with the era of modern civilization.

With the break up of mediaeval thought forms the same conditions which liberated the physical sciences gave impetus to the quest for sciences which should interpret the life of mankind. As the time honored subjects of law and politics took new directions, men came to examine afresh the social and psychological conditions which gave both sanction and specific form to codes and constitutions. From this point of view the work of Montesquieu was of signal importance. With broad insight he showed that laws were an expression of national character and that the spirit which they exhibited was to be explained in the light of the conditions, social and geographical, under which men live. Social theory was thus developed as prolegomena to politics.

The penetration of sociological into political thought is well illustrated in the history of the social contract school. The grounds of political obligation, no longer assured by authority, were sought in a theory of the harmony of ends attained through the simple reciprocity of interests. But the legally conceived contract of Hobbes proved wholly inadequate and the movement advanced to its consummation in the doctrine of Rousseau, which under the cover of contract sought to penetrate to the bonds that hold men together, not simply in the state but—although he failed to realize the significance of the distinction—in society itself. The legal individualistic idea of contract was thus in effect transformed into a sociological idea. Burke with his traditionalist bias sought to retain and ennoble the old idea of society as contract, but at the very period when his concept of the indissoluble union between a society and its political institutions was shaken to pieces by the French Revolution. From that time the old contract theory of society became a dead letter, although echoes of it are heard in the writings of Spencer, Durkheim, Fouillée and others.

The supersession of social contract individualism meant a return to the concept of man as *zoon politikon*, but now with the essential clarification that *politikon* was translated social as distinct from political. The theory of society was not to be identified with the theory of the state. This distinction played an important part in the thought of the German philosophers from the close of the eighteenth century. In the contributions of men like Fichte and Novalis the old philosophy of history was reoriented as *Gesellschaftsphilosophie* and *Gesellschaftslehre*. For Fichte society meant the relation of reasoning beings to one another and the state was only a specific, empirically limited form of society. The positive character of society he found in

reciprocity through freedom (*Einige Vorlesungen über die Bestimmung des Gelehrten*, Jena 1794). From then on an essential problem was that of the relation of society to the state and consequently of *Gesellschaftslehre* to *Staatslehre*. While some of the German romantic school, like Schlegel and Adam Müller, continued to use the two terms almost interchangeably, the trend was in the opposite direction; and even Hegel, for all his idealization of the state, made his own somewhat curious distinction between bourgeois society and the state. It remained only to bring this distinction from the realm of philosophy to that of science. In this process sociology as a definite subject was born.

There were also in the late eighteenth century and early nineteenth certain broad movements which turned the attention of men to the study of the non-political aspects of society and thus almost insensibly gave rise to a distinctive if rudimentary science of sociology. The rapid changes of constitutions which the post-revolutionary period exhibited apparently made relatively little imprint on the currents of social life. On the other hand, the new industrialization seemed to penetrate into the social order, deeper than did any scheme of government. The slower economic revolution was more enduring, more resistless, than the political. If these manifestations aided in the distinction of economics from politics, they were no less influential in generating the demand for a science of the social life, on which economic and political changes alike impinged. Some of the economists of this period might accordingly with equal title be classed as sociologists. Thus Saint-Simon, who proclaimed the oft reiterated principle that the social sciences should follow the methods of the physical, was fundamentally concerned with the class structure of society. Malthus, although duly celebrated in the history of economic doctrine, has scarcely been given the credit he deserves as a sociologist, for he pointed to a law governing the progress of society which depended, as he saw its operation, on drives antagonistic to those of the economic man; and he sought, appealing to the best inductive evidences he could muster, to discover a biological rather than an ethical or political basis for the essential conditions under which human groups live and struggle.

There was also manifest in this period a new direction of interest in the study of society. Revolutionary changes affected in different degrees and with different tempos the various aspects of the social order. There came thus into prominence the question of the relationship of one set of social factors and forces to the others, the question of causal relationships in the social field. One answer to this question was given in effect by the economic laissez faire school. From their different viewpoints the utilitarian school of Bentham and the anarchist school of Godwin gave not dissimilar answers. The same premises of the causal superiority of economic and technological factors led the socialists of the school of Saint-Simon to very different conclusions regarding the role of the state in society. The opposite point of view from that of all these groups, giving the crown to the cultural and ideal forces active in society and therefore to the state as the conscious embodiment of these forces—not as the mere registrar or executor of materialistically determined laws of economic production—found its fullest expression in Hegel. When his left wing disciple Marx drastically reversed the Hegelian causality, a challenge was issued which has since been a spur to sociology, especially to European sociology.

The earlier nineteenth century thinkers who took up the study of these relationships cannot be classified distinctively as economists, political scientists or sociologists. They were all these at the same time. Le Play for example made the family the main focus of his social studies and analyzed family budgets as a quantitative inductive basis for his conclusions. But he was also intensely interested in economic organization and social and political reform, and at the same time sought the determinants of social phenomena mainly in geographical conditions and the economic activities to which they give rise. He may therefore be called a sociologist in the same broad and unspecific sense in which the term is applicable to Montesquieu. The specialization of interest, of the focus rather than of the field of investigation, which led to the express development of sociology, not as social science in general but as a specific social science, was not yet attained.

This development received a peculiar impetus from the work of Comte, as contained in his *Cours de philosophie positive* (6 vols., Paris 1830–42; tr. by H. Martineau, 2 vols., 3rd ed., London 1893). Comte sought to establish a science which should embrace the totality of human life and activity, a goal not in itself new but at least as old as Plato. What distinguished Comte, apart from his advocacy rather than application of modern scientific methods in this

quest, was the manner in which he envisaged this synthetic science. It was not merely that for him society was an inclusive concept containing the categories of the cultural as well as of the economic and political life, an architectonic form which both implied and transcended the laws of all the sciences from mathematics to biology. More than that he conceived this social unity as dynamic, fulfilling itself through a series of evolutionary stages which revealed in myriad concrete phenomena an order of spiritual, essentially human advance. These stages—the theological, metaphysical and positive—were integrated, each in itself, under a prevailing thought form. It was this thought form, not merely the type of economic or political organization, which expressed the fundamental principle of social solidarity in each epoch.

Comte's system heralded rather than achieved the advance of sociology to a place among the sciences. His positive philosophy never became the positive science which he desiderated; his religion of positivism set limits to his science of sociology. His classification of the sciences was an admirable starting point, but he left sociology itself too vaguely comprehensive. His three stages are not explicitly social stages at all, but stages in the evolution of human reason—or at least of human attitudes toward the world; and while he finds them revealed in history, his basis of induction is too narrow and too eclectic. Nor are they properly correlated with types of social organization. His positive stage, which should correspond with the existing types of civilized society, is as much prophetic as actual. He further makes the assumption, which was to cause considerable trouble in later nineteenth century sociology, that social evolution is ipso facto social progress. But Comte none the less not only gave sociology its name but also inspired the first definite schools of sociology.

The concept of society received no adequate analysis from Comte. It was a totality of human experience, a solidarity of all living, in which individuals found their meaning, within which all they did and thought somehow belonged. Thus culture became simply an aspect of social life. Sociology could not maintain its claim as a specific science until this position was reversed, until the social factor was itself seen as an aspect of all human experience. But the more inclusive formulation, although it lent itself too easily in Comte and some of his successors to a mystical interpretation, was yet consistent with the simple evolutionary doctrine that Comte advanced. It allowed him to think of society as organism, an evolving whole, manifesting in all its activities a principle of life, the biological rising in it to the higher level of the rational-spiritual, the sociological. This evolutionary organic concept received new vitality when Darwin stirred the age with *The Origin of Species* (1859). To conceive of society as organism was one of the oldest refuges of human reflection; to explain it as an evolving organism became now the goal of the biological school of sociologists.

Spencer took the foremost place in this group. Like Comte but in a vastly more concrete exposition, he accepted a principle of evolution which was the key to the universe and was most fully realized in civilized society, the simple law of differentiation. He showed its working in his elaborate studies of early social institutions, which enabled him to draw evolutionary contrasts between primitive and civilized society. In doing so he was led to various conclusions regarding the social role of religion, custom, fashion, war, the industrial arts and so forth, which, while often superficial, were at least sociological in interest and method of treatment to a degree which Comte never attained. At the same time his system contained an essential contradiction that pointed to the shallowness of his thought. There was a curious incongruity about a social organism which possessed an alimentary system but no common sensorium. He could never reconcile his biological conception of social unity with the psychological factors which social unity implies. Nor could he deal effectively with the cultural conditions of social change, for adaptation as a biological category is not itself a principle of change. Consequently his treatment of social stages is external and unsatisfying. But the root of Spencer's difficulty went deeper, for his social philosophy rested on a belated laissez faire individualism, which in effect denied the implications of his own doctrine of the organic nature of society.

Most of the other members of the biological school avoided this contradiction by insisting on the principle of social solidarity. Some, like Fouillée, thought the problem solved when they defined society as a moral organism or a contractual organism, a fusion of concepts which destroyed the significance of the organic analogy. Others, like Worms, were content to minimize the apparent differences between organism and society, while admitting their existence. But all alike, by construing the social bond

in biological terms, were led into analogical reasoning which became the more illusory or even fantastic the further it was pursued. Thus Lilienfeld-Toailles in "Die menschliche Gesellschaft als realer Organismus" (in his *Gedanken über die Socialwissenschaft der Zukunft*, 5 vols., Mitau 1873–81, vol. i) expounded the process of social metabolism and compared the mobility of social individuals to the movement of free cells in the body and the migration of individuals to the transmission of spermatozoa. A. E. F. Schäffle in *Bau und Leben des socialen Körpers* (4 vols., Tübingen 1875–78), although more guarded and ready to admit important distinctions between society and organism, is reduced to treating the cultural life of a community as its nervous system. Bluntschli in his book on the state distinguishes it as a male organism from the church, which is a female organism. These attributions impeded the direct study of society by diverting the energy of the student to the discovery of dubious analogies. They involved moreover the initial false hypothesis that a composite unity must be integrated by the same principle which its units exhibit; that, as Novikov claimed, society must be a living organic being because it is composed of such.

The full blooded organic school had great vogue in the last quarter of the nineteenth century, but its influence was on the whole short lived; for, like all schools with doctrines based on analogy, the further it advanced, the more barren were its results. The influence of Spencer was particularly meteoric. The spirit of his elaborate construction, at once so optimistic and so helpless, was soon outmoded. A system which seemed to many of his contemporaries once for all to establish sociology fell suddenly into neglect and even into a derision which was as undeserved as its preceding fame.

Attention meantime was turning from the presumptive biological nature of society to the biological basis of society. Here too the first applications of biologically derived ideas were narrow and one-sided. The attempt was made to apply the Darwinian theory to the interpretation of social evolution, involving the rejection, as anti-evolutionary, of the socializing principles of cooperation and mutual aid. Although T. H. Huxley protested against such conclusions in his Romanes lecture, *Evolution and Ethics* (London 1893), they found many supporters; and they seemed to receive new confirmation when the teaching of Weismann on the non-inheritance of acquired characters won scientific favor over the views of Lamarck. The issue resolved itself into a conflict between such natural selectionists as Schallmayer and Karl Pearson and the sociologists, such as Novikov, Tönnies and Kropotkin, who denied the validity, as applied to the life of socialized man, of the principles which these biologists deduced primarily from the study of lower organic life and then sought to erect into social imperatives.

Another form of sociological Darwinism was put forward by a school of theorists who, reacting from the Comtian notion of solidarity, found in the struggle of groups the key to social evolution. Gumplowicz and Ratzenhofer were the chief representatives of the school which laid stress on racial and other supposedly biological groups. For them the focus of interest was not society but the group viewed as a coherent aggressive unit within a civilization. Gumplowicz, for example, did not deal with social relationships as such but only, and in a somewhat naïve fashion, with group relationships, and, like the majority of writers who have limited their range in this way, he showed a lack of psychological grasp. Ratzenhofer was less one-sided, and his doctrine of interests although superficial proved not unfruitful. But on the whole the criticism passed on this school by von Wiese is well founded, that not one of these writers has succeeded in surmounting the difficulties presented by his own sympathies and prejudices. This criticism is even more applicable to the proponents of doctrines of race superiority and race purity. In this respect J. A. de Gobineau's *Essai sur l'inégalité des races humaines* (4 vols., Paris 1853–55; bk. i, tr. by A. Collins, London 1915) set an example of pretentious exegesis, which was followed by Chamberlain and the popular votaries of race. Lapouge and Ammon, with their classification of mankind by head types, achieved a greater semblance of scholarly exposition; but their conclusions, such as the association of dolichocephalic and brachycephalic types with cultural differences, were rash generalizations in which complacent belief made up for faulty evidence.

Whereas Comte had fused in one great cloudy synthesis a biological and a cultural conception of social evolution, these writers laid stress on biological consideration, seeking in effect to reach sociology by a biological approach. Another school, concerned with the social mind rather than the social organism, strove to discover the relationship between the mentality of

the individual exponents of society and the system of beliefs, traditions, ideas and ideals which were embodied in social institutions. Comte had found no specific place for psychology in his hierarchy of the sciences. While he insisted that the dominating factor in the history of society was the human mind, he thought of it as itself socially determined and thus made the psychological element a derivative from the sociological. This position was emphasized by his disciples de Roberty and de Greef and found its complete expression in the work of Lévy-Bruhl and Durkheim. De Roberty insisted on the evolutionary role of ideas; de Greef brought out the importance of environment as giving cohesion to the group mind. To the latter the stages of social advance are those by which, as domination gives place to free contractual reciprocity, the mind of the group finds freer expression. Fouillée followed similar principles and in particular evolved a doctrine of what he named idea forces. These ideas, themselves social, are incarnated in the members of a society so as to lead them in a different direction, even an opposite direction, from that which their native heredity would determine.

The most distinguished member of this school was Émile Durkheim, whose earlier studies, however, were along a rather different line. In his work on *Le suicide* (Paris 1897; new ed. by M. Mauss, 1930) he developed an interpretation associating the frequency of suicide with conditions which led to the social isolation of individuals and the loss of the sense of solidarity, a work recently competently redone by Halbwachs. In his *De la division du travail social* (Paris 1893, 6th ed. 1932) Durkheim contrasted the mechanical unity of the simpler societies, in which division of labor is undeveloped and the social bond is one of coercive uniformity based on the sense of likeness, with the complex organic unity of an advanced society in which myriad differences of personal aptitude, disposition and habituation are incorporated in the social organization. Although the argument is developed with Durkheim's usual felicity, the individualist Spencerian attitude which allowed him to regard primitive societies as segmentary is curiously out of accord with his later doctrine of collective representations as formulated in *Les formes élémentaires de la vie religieuse* (Paris 1912; tr. by J. W. Swain, London 1915). In the latter work the evidences of primitive society on which he drew before—language, codes, usages—are seen in the light of the doctrine of the social mind. They do not arise from the reflections of individuals but awake into being among them out of their togetherness in a situation. They are impressed upon all individuals, as it were, from without themselves; society itself is a consciousness above individual consciousness.

In so far as the purport of this doctrine is to show the profound social conditioning of the attitudes and beliefs current among men, it can be and has been employed most effectively, as in Halbwachs' sociological interpretation of memory, in studies of religion and tradition made by Hubert and Mauss and by Lévy-Bruhl and in various other contributions to the review founded by Durkheim, the *Année sociologique*. But the overpowering thesis of the collective consciousness retains too much of the mystic solidarity expounded by Comte. Its supporters appealed to the phenomena of primitive society or to the emotional mass manifestations which tend to deindividualize those subjected to them. This resort to the less differentiated types of social group suggests a caution; it is contrary to the principle that the nature of anything is revealed more fully in its more developed forms. Above all, the school has never come to grips with the objection that the phenomena it thus interprets can be explained without the aid of this additional entity, in terms of the interactions of individuals subjected not to the dominion of a social mind but simply to the influence of common environment and common social heritage. The studies, for example, which Wundt made of folk psychology would have been no less complete as scientific studies if he had discarded the hypothesis of the collective consciousness.

Closely allied to the sociologists concerned with the collective mind is another group, of which Hauriou, Bourgeois and Bouglé are representatives, which seeks to investigate the nature of the feeling of solidarity as the subjective basis of all social manifestations. Hauriou distinguishes various types and expressions of solidarity, somewhat on Comtian lines and with the aid of physical analogies which are perhaps more imaginative than helpful.

Over against both these groups may be set the writers who interpret social phenomena from the standpoint of individual psychology. An example is Tarde, who defines society itself in terms of imitation, using the word in a very broad sense; thus custom is the imitation of ancestors and fashion the imitation of contemporaries. In keeping with this principle he

finds the origins of social change not in broad movements generated by groups but in the individual inventive mind. Tarde, like the other members of his school, minimizes the significance of the common conditions of environment and the common elements of experience, which evoke in men not only similarities of behavior but also the deeper sense of their community. His influence is evident in the treatment of group phenomena by the Italian writers Sighele and Pasquale Rossi.

The impact on sociology of the young and vigorous science of psychology tended to increase as the biological schools declined in influence. Thus in England, when the influence of Spencer waned, the new impulse came largely from psychology. This is manifest in the work of Graham Wallas, who sought to give in *The Great Society* (London 1914) a picture of the psychical adjustments and maladjustments of modern social life and who followed lines similar to those developed in the social psychology of McDougall. It appears also in the wider canvas of Hobhouse, who sought to reveal the evolution of society as the correlate of the evolution of mind.

The psychological influence became still more powerful in the United States, where sociology achieved its most rapid extension. The earlier leaders, in particular Ward and Giddings, had Spencerian affiliations but, like Hobhouse, although without his philosophical grasp, they came to interpret social evolution in psychological terms. Ward put forward a doctrine of social forces, characteristically naming them sociogenetic. Giddings abjured biological analogues and, proclaiming the consciousness of kind as the basis of society, proceeded in rather broad fashion to categorize social stages as expressions of dominant mental processes. Patten developed a theory of social forces in which the evolution of society is represented as a transition from a pain economy to a pleasure economy. The nature of the fundamental processes of society was attacked by the more philosophical exponents, such as Baldwin, Cooley, Mead, Balz and Dewey. The analysis of society into its psychological elements was undertaken from new standpoints and with richer materials by Thomas and Znaniecki. Classifications and descriptions of particular social processes, such as assimilation, accommodation, adjustment, were elaborated by Ross, Ellwood, Park, Burgess and others. In fact society seemed in the pages of the last mentioned writers to resolve itself into a welter of processes which were hard to distinguish from one another or to limit for purposes of more precise study. The German sociologist von Wiese has lately attempted in his *Allgemeine Soziologie als Lehre von den Beziehungen und Beziehungsbilden der Menschen* (2 vols., Munich 1924–29) to give precision and thoroughness to this mode of analysis.

A further influence came into sociology from psychological sources with the appearance of behaviorism, as developed by Pavlov. In the United States particularly, while relatively few sociologists accepted the extremist claims of Watson, a not inconsiderable number found the behaviorist method congenial. It seemed to satisfy the demand for objectivity and mechanical certainty in the business of research. It was in keeping with the pragmatic and empirical tendencies hitherto fed by the psychology of James and the philosophy of Dewey. It promised the translation of sociology into an exact and natural science. Unfortunately for these pretensions, scarcely any sociological contributions really based on this principle have followed, possibly because in the nature of the case it is not possible to interpret social facts solely in terms of overt behavior that dismisses from the record the subjective factor in virtue of which they are defined as social. The positive significance of the movement is to be found not in its interpretations but in the stimulation it has given to a more rigorous scrutiny of the objective indices of subjective phenomena. A newer development in the same direction is the social behaviorism of the Viennese sociologist Neurath, who along with Carnap has devoted himself to a philosophical justification of the principle. While the behaviorists generally refuse to recognize any scientifically important distinction between the realm of society and the realm of nature, Neurath admits the importance of the subjective level but maintains that from the standpoint of the unity of science social phenomena must be recast into the forms of space-time. This physicalistic monism is not exclusive with the behaviorists, having been attempted by a number of earlier writers, such as the social philosopher Carey.

Among the psychological sociologists mention must be made of Pareto, who founded his sociology on a type of psychological analysis peculiarly his own. Pareto put forward a vigorous and clear cut argument for an objective social science, denuded of all evaluative elements and resting solely on the logico-experimental meth-

ods of the natural sciences. It is significant, however, that the relation between his concept of method and his own lengthy treatment of illustrative social situations in *Trattato di sociologia generale* (2 vols., Florence 1916; 2nd ed., 3 vols., 1923) is by no means obvious. His deep scorn of ideologies is turned particularly against those which have a humanistic bent and suggests the disguised presence—less disguised in his doctrine of the circulation of élites—of a counter ideology, such as in fact has grown up among his followers. His elaborate distinction between the residues, the variant forms assumed by deep seated human drives or instincts, and the derivations, the inconsequent ideological, socially created masks of the former, rests on a hypothesis concerning the genuine or basic motivations of human nature, as contrasted with their fictitious appearances or moralizations or rationalizations, which Pareto accepts with too little scrutiny. Pareto here reveals his affinity to the Freudian school, to the behaviorists, to the Marxists and to the writers of the new history and the new biography, who search for the real motives underlying the overt actions, especially the speech reactions, of historical figures. The quest is a significant one, but the danger of an oversimplification, the obverse of the sentimental or romantic oversimplification which these schools effectively attack, is ever present.

The dependence of social phenomena on specific geographical factors, on the presence and degree of exploitation of specific natural resources, on climate, on the distribution of rural and urban areas, on natural conditions favorable or unfavorable to free communications, and so forth, has from ancient times been a subject of reflection. It impressed mediaeval commentators such as ibn-Khaldūn and Bodin. It was enlarged upon by Montesquieu and toward the end of the eighteenth century it played an important part in Herder's philosophy of history. Ritter followed in the same strain, but added the important caution that geographical conditions grow less determinative as civilization advances. Le Play began a more scientific study of the social effects of locality. Buckle in his *History of Civilization in England* (2 vols., London 1857–61) emphasized the dependence of race on environment and introduced considerations regarding the influence of the food supply. From Le Play there developed the observational descriptive methods of Demolins and the contributors to *Science sociale*, who sought to bring out the cultural and social differences characteristic of various areas. In Germany there arose the somewhat similar geopolitical school, stimulated by Ratzel's comprehensive *Anthropogeographie* (2 vols., Stuttgart 1882–91; 3rd–4th ed. 1921–22). Most of the writers of these schools take the general position that geographical factors set conditions and limits within which the hereditary characters of the group, the nation or the race take form and particular expression. Some, however, like Mougeolle and Huntington, have leaned toward an extreme determinist position without adequate analysis of the difficult problem of causality involved. These last mentioned writers stand in contrast to such recent moderate exponents of the geographical basis of society as Brunhes.

One form of the geographical approach to sociology is the regional survey made familiar in England by Geddes. Semple has applied the method of Ratzel to the New World, and Turner has shown the role of the frontier in the formation of American mores. The ecological school, centered primarily at the University of Chicago, has developed somewhat elaborate observational and statistical techniques for the study of urban districts, on the principle that objectively marked boundaries within the city delimit the natural areas of group solidarity and group attributes. These locality patterns have been described with much wealth of detail by Park, Burgess, Shaw, McKenzie, Wirth, Zorbaugh and others. Their tendency to define these patterns in physical terms (for example, gradients, zones, interstitial areas), their use of such concepts as accommodation, invasion and dominance and their acceptance of the distinguishing title ecological suggest a hypothesis of the determination of social differences by environmental factors. But this hypothesis is qualified or even rejected by some members of the school, and on the whole the group has been much more interested in descriptive studies than in the theory of environmental determinism. Their work has thus fallen broadly into the field of urban sociology, corresponding in this respect to the studies of rural sociology advanced in the United States by Sims, Kolb, Zimmerman, Sorokin, Brunner and others. Both urban and rural sociology, with their predominantly descriptive character and their large employment of statistical methods, belong to what the Germans call sociography, the mapping out of the concrete social facts relative to determinate areas or groups.

Closely related are demographical studies, which owe their modern development to the range of statistical data collected by the state and by other agencies. Malthus, writing at the time when census taking was in its infancy, could deal only in rough estimates of the relation between land and population. Nevertheless, even if he had possessed accurate figures for populations and class groups, his conclusions would have been rendered obsolete by the vast changes in the trends of birth rate and death rate throughout modern civilization. These changes have inspired numerous studies of the relation between population and living standards, cultural attitudes, class differences, social mobility and urban and rural conditions.

The schools thus far discussed are distinguished by the fact that they applied to social phenomena the specific concepts or the specific methods characteristic of some other science or group of sciences. The gradual rise of sociology to an autonomous or at least a distinctive science has been fostered by the experience gained through these various approaches, as they proved inadequate—however useful they might be—to compass the subject matter of society. Sociology came to claim its own approach, one not merely biological or psychological but sociological. In seeking to create a sociology from a point of departure in other sciences these thinkers imparted influences derived from sociological reflection into these sciences in turn. The reciprocal influence is evident not so much in respect to biological or natural science, although Darwin did find his clue in Malthus, as in respect to jurisprudence, politics, economics, history, the study of religion and other cultural factors and general anthropology.

In political science, for example, the conception of the state was enriched as well as more adequately defined when it came to be seen as a social creation or as a social organ responsive to social demands. This was in contrast to the legalistic attitude which saw the state in terms of a traditional doctrine of sovereignty, as itself the disposer and creator of rights. The relation of the state, no longer merely of the government, to society became a leading problem of political thought. Thus von Stein made the distinction of state and society the basis of his theory of the state. The rise of sociological schools in politics and jurisprudence not only in France and in England but also in Germany led to fresh legal and political ideas. Of particular moment among these developments was the corporation theory of Gierke, based on the principle of the corporate personality of associations—a lead followed by various other writers, among them Preuss and Maitland. Another important contribution was that of Stammler, who helped to give a new orientation to jurisprudence by insisting that law is only one type of social regulation, must be seen in relation to other social rules and must be understood as an aspect of a still larger system, the solidarity of social life. In fact the results of sociological reflection and investigation appeared in the development of legal as well as political theory, exemplified by such works as those of Maine and Bagehot; in the reformulation of the concrete problems of legal jurisdiction, as advanced, for example, by Holmes and Pound; in new directions given to the studies of criminology and of penology; and in the actual reorganization of the administration of justice through the courts.

These developments constituted one aspect of the interfertilization of the social sciences which accompanied their attainment of a new degree of maturity in the late nineteenth and the early twentieth century. Another aspect is seen in the relation of sociology and economics. While some economic schools, from the classical to the marginal utility, assumed for theoretical simplicity the hypothesis of the economic man and the purity of the economic motive, others, including various non-socialist as well as socialist schools, found it necessary to modify this hypothesis. In particular economic historians were led to interpret economic change as an aspect of social change, for the isolation of economics led only to errors when applied to the historical treatment. Economic historians, from Roscher and Schmoller to Sombart, came increasingly to be sociologists. Several sociologists who have made effective use of historical methods, like Max Weber and Oppenheimer, have entered sociology by way of economics.

The two authors just mentioned illustrate, however, two different avenues of approach from economics to sociology. Weber, seeking to discern the character and the basis of the mores that sustain an economic system, the *Wirtschaftsethik* behind the *Wirtschaft*, was led by theoretical considerations into the field of sociology. Franz Oppenheimer was impelled by his urgent sense of the need for social reconstruction to seek in sociological studies for the grounds of economic maladjustment (*Allgemeine Soziologie*, his System der Soziologie, vol. i–2, 2 pts., Jena 1922–23). The interest in social

reconstruction helped to inspire the studies of social stratification which have been an important contribution of German sociology. The interest in social reform played a particularly prominent part in the history of sociology in the United States. It appeared in a more limited sense in the contrast between Ward's concept of telic evolution and the automatic progress of the Spencerian formula. It was reenforced by the professional connection between sociology and schools of social work. It helped to give the practical bent to sociological studies in the United States, which, as new schools came to attack the normative attitude in the name of science, turned to the meticulous organization of research in very many delimited areas of social behavior.

In Germany particularly the question of the sphere of sociology and more especially of the relation of sociology to economics took new significance from the repercussions of the challenge of Marx. If what Engels had named the materialistic interpretation of history was valid, then social phenomena are primarily reflective of economic phenomena. For Marx and Engels the causal order was essentially one that led from changing techniques of production to changing economic relationships and thence to changing social relationships. The question at issue was not whether economic factors had an important impact on the whole social fabric but whether the latter, together with the totality of the cultural life, should be construed as derivative from the former. This position can be tested only by the difficult analysis of the causal nexus involved in the whole complicated pattern of interrelationships between technological, cultural and social factors. It implies in the last resort a psychological analysis of the system of human motivations, as manifested in responses to changing environmental conditions.

The historical rather than the scientific importance of Marx gave impetus to such studies. The various single factor theories of social causation, whether geographical, technological, economic or cultural, can all be supported by certain evidences but they tend to refute one another. Thus Marx regarded the technological factor as working indirectly on society through its economic consequences, while Thorstein Veblen based a deterministic theory on its direct operation through a process of "work-a-day habituations" (*The Theory of the Leisure Class*, New York 1899; new ed. 1918). One group of historians and historical sociologists, like Lamprecht and Spengler, constructed schemes of social evolution on some idealistic hypothesis; while another group, like Goldscheid, Loria and Max Adler, constructed others on a naturalistic basis. Fundamental questions of methodology were here raised, one of the central issues being the causal nexus between religious and economic factors. Of those who have addressed themselves to this problem of methodology perhaps no one has posed the question with more breadth of comprehension than Max Weber. It is a task which has also engaged the attention of the sociological epistemologists, such as Scheler. The problem, although it is becoming sufficiently clarified to negate the more extreme deterministic claims, by its nature demands the continuous and combined assault of the theoretical analyst and the practical investigator into the causation of specific social situations.

An apparent way out of the perplexing problem of social causation is that of the cultural approach. In the manner of cultural anthropology it envisaged as an inclusive system of the superorganic all the manifestations of conduct, achievement and institution which characterize a social group. This method serves no doubt for the broad distinction of cultural or social stages, like that advanced by L. H. Morgan in his *Ancient Society* (New York 1877) or by Müller-Lyer in his *Phasen der Kultur und Richtungslinien des Fortschritts* (Munich 1908; tr. by E. C. and H. A. Lake, London 1920). But it leaves sociology without a focus, and it evades altogether the real question of social causation as distinct from the quite different question of independent origin and the diffusion of culture traits. Sociology on this principle can be little more than a general science of classification and description, in no way properly differentiated from anthropology. The interpretation of social phenomena involves the relation of the specific social factor not only to the cultural order conceived in this broad sense but also to the different elements within it. As Alfred Weber has shown, the three primary systems within which all human constructions fall—the system of civilization in the sense of the utilitarian technological order, the system of culture understood as the complex of the arts, creeds, philosophies, manners, morals and enjoyments in which human nature finds its freer expression and the system of social relationships—have to be regarded as exhibiting distinctive characters and different tempos of change in the historical

process which weaves them all together ("Prinzipielles zur Kultursoziologie" in *Archiv für Sozialwissenschaft und Sozialpolitik*, vol. xlvii, 1920–21, p. 1–49).

Society thus came to be seen as a system distinct from the state; a system revealing internal principles of coherence and change of a different order from the prescriptive rules of morality; a system not to be identified with the economic, the cultural or any scheme of human behavior other than that which expresses itself in the interaction of man with man, or, in Max Weber's language, in the orientation of a person or persons toward the behavior of others. Once sociology emerged as the study of this subject matter, it continued to borrow the particularist principles or methods of other sciences, as distinct from the universal logic or methodology which is inherent in the nature of science. Sociology then attempted to attain the maturity which involves not only a particular subject matter but also its own particular approach, derived from experience gained within and not without its own field. Some of the sociologists previously considered, notably Durkheim, have striven to this end, but they have revealed some uncertainty or limitation in its pursuit. Durkheim, for example, showed a tendency to interpret cultural phenomena rather exclusively in terms of the social factor, although his aim was to treat the social factor as a reality *sui generis* and to develop methods of investigation which were appropriate to this distinctive subject matter.

One of the first clear attempts to base a sociological system on principles derived from the study of the social element itself was made by F. Tönnies, in his *Gemeinschaft und Gesellschaft* (Leipsic 1887, 7th ed. Berlin 1926). By *Gemeinschaft* Tönnies meant a social unity of a deep rooted organic character, arising out of the essential social nature of man and expressive of a collective will; such formations, for example, as the tribe or the clan. *Gesellschaft*, by contrast, is a deliberate social construction, in which individual aims are conjoined contractually for their better fulfilment. *Gemeinschaft* is the matrix, the source of social development; whereas *Gesellschaft* is prominent in the more complex civilization—in the life of the city but not of the village. The distinction has proved a fruitful one, although perhaps the stress laid by Tönnies on the relatively artificial character of *Gesellschaft* introduces a dubious element of valuation, especially if one considers the use made of these conceptions by romantic writers like Spengler.

Tönnies was followed by a group of German sociologists who sought to lay the foundations of an autonomous sociology, all of whom centered their interest on social relationships as the primary subject matter of sociology. Georg Simmel gave his chief work, his elaborate, discursive and suggestive *Soziologie* (Leipsic 1908), the subtitle *Untersuchungen über die Formen der Vergesellschaftung*. His emphasis on forms, the characteristic general modes of relationship, arising from his desire to delimit the field of sociology, has led to misapprehensions as to the nature of his contribution. In his studies of social differentiation, of the persistence of social groups, of the various relationships, such as superordination and subordination, with which he dealt in the *Soziologie*, Simmel revealed himself as a discerning analyst of social phenomena, in no way as a formalist in any narrow sense. Von Wiese has on the whole followed the lead of Simmel, although he prefers to use the term social process instead of social form and shows his kinship to recent trends in sociology in the United States by his use of extensive classifications and his insistence on empirical methods. Vierkandt was a more eclectic thinker, who besides his studies in cultural history and his contributions to the analysis of types of social relationship proclaimed the value of the phenomenological method, the discernment of the essential psychical factors of a situation or process by direct apprehension of its nature, which may be regarded as the precise opposite of the behavioristic method. In the same vein, while the behaviorists draw a sharp line between sociology and social philosophy, Vierkandt maintained that sociology is productive only when it has a philosophical basis.

Vierkandt's position approached in some respects that of the outstanding exponent of method, Max Weber. Weber held that sociology, directed as it is to social behavior, which is by definition intentional or meaningful, must not seek mechanically to measure phenomena but is directed to understanding them. In this he followed the maxim of Dilthey: *Die Natur erklären wir, das Seelenleben verstehen wir.* Pursuing this distinction, Weber developed his principle of ideal types or constructs. In the complex vicissitudes of historical change social factors, attitudes, movements, are aspects of a concrete reality which does not conform purely to the type forms by which it must be under-

stood. Hence the ideal type (the idea, in the Platonic sense, or specific essence of the phenomena) is a construct framed by experience and employed thereafter as an instrument of discovery and as a hypothesis to be refined by further experience. It differs, if at all, from the abstractions of other sciences only by its reference to the peculiarly sociological method of understanding. It was in keeping with his methodology that Max Weber rejected the deterministic interpretation of history and in his studies in the sociology of religion showed the role of religious factors in the maintenance and change of social systems.

These sociologists formed part of a larger group of German writers who contributed from various angles to the development of sociology; among them may be included Troeltsch, Alfred Weber, Barth, Scheler, Mises, Gothein, Spann and Oppenheimer as well as those whose sociological contributions were formulated mainly in their economic or political studies, such as Sombart, Kelsen, Kantorowicz and Lederer. In Germany particular interest was taken in the theoretical foundations of sociology, and hence controversies over fundamentals have been rife. Thus the discussion between Max Weber and Sombart concerning *Wertfreiheit* gave prominence to one of the most significant and most unsettled issues of the social sciences; nor was the position taken by Rickert and Sombart wholly turned by the strong assaults directed against it by Weber, von Wiese and others. Closely related was the endless controversy over the distinction, in respect of subject matter, concepts and methods, between the natural sciences and the social or cultural sciences. A third much debated question was whether sociology should be considered an inclusive (general) or a delimited (special) social science; and while the trend has been to the latter view, away from the position of Comte, it is still opposed by the cultural sociologists and by the universalists, like Spann, Baxa and Landheer, who are willing to define society as a spiritual totality made manifest in action (Spann, Othmar, *Kategorienlehre*, Jena 1924).

While the Germans were seeking to establish an autonomous sociology, activity toward the same end, although of a highly contrasted nature, was also being displayed by American sociologists. In European countries generally the temperamental antithesis showed itself in the conflict of the synthetic-speculative and the analytic-historical school, whereas in the United States the main issue lay rather between the normative-speculative and the inductive-research school. A few writers, most notably Cooley, sought to build up systems of sociology on the analysis of types of social relationship, although even Cooley treated as much on ethical as on scientific lines his pregnant distinction between the face to face group and the impersonal organization. A few others followed the anthropological style developed preeminently by Sumner in *Folkways* (Boston 1906) and with A. G. Keller in *The Science of Society* (4 vols., New Haven 1927–28). Others, such as L. L. Bernard, made psychological analysis the basis of sociological contributions. The dominance of the research schools with their ideal of meticulous research pursued by the case study and statistical methods has brought out a rich array of sociological data, although, as more attention was devoted to techniques of discovery than to principles of interpretation, the data have often remained as the raw materials of science. One of the leading exponents of the statistical method has been W. F. Ogburn, who nevertheless essayed a considerable task of interpretation in his *Social Change* (New York 1922). Sociology in the United States has been chiefly concerned with an extensive and intensive mapping of the contemporary social scene. It is noteworthy that although, and possibly because, American society is itself characterized by rapid transitions, its students have been little concerned with the historical perspective. In the field of historical sociology little more has been done than to record, as in the massive cooperative volumes of *Recent Social Trends in the United States* (2 vols., New York 1933) and the accompanying monographs, quite recent developments. The earlier evolutionary sociologists, such as Ward and Giddings, scarcely dealt with historical factors in their sweeping classifications; while the newer schools of ecologists, behaviorists, statistical and applied sociologists have followed methods more adapted to the survey of contemporary conditions than to the investigation of historical processes.

The practical problems of a society subject to rapid and drastic change, the conflicts of mores and social practises within the complex life of a modern civilization and the growth of a positivist as contrasted with a normative attitude toward society itself have led to a widespread development of sociological modes of thought. This is attested not only by the rise of sociological schools and systems, by the impact of sociology

on the study of politics, law, economics and history, by the extensive application of sociological principles to educational practise, to the treatment of crime and the like but also by the permeation of sociological interest into general literature. While such literature at all times affords rich materials for the sociologist, modern popular literature has consciously and in abundant measure dealt in sociological terms with social situations and problems. There is in this respect a marked difference between the novels, plays and periodicals of the present time and those of a century ago.

In another respect sociology has been advancing its frontiers. It has been necessary in this survey to focus attention on the countries which have exhibited the main trends of modern sociological thought. But in many other countries sociological studies have begun. It is in the nature of the social sciences that the phenomena they deal with are in part not universal but uniquely determined within the boundaries of political social areas and social unities. Hence every country or distinctive community has its own effective contribution to make to the broad science of society. This point is today finding illustration in various parts of the world. Thus in China there are at present two groups of sociologists, those, like Y. C. L. Wu and Lin Yu-T'ang, who assess the teachings of the ancient sages in modern sociological terms and those who are applying to studies of contemporary Chinese society the techniques of investigation they have learned from the West. In Japan western sociology has been adapted and applied by Toyama, Yoneta, Endö, Takebe and Takata. In India an attack has been begun, notably by Ketkar, Ghurye and N. K. Dutt on the rich social materials to be found in the historical and changing order of caste. In South America, while a number of sociologists have been dependent on European or North American inspiration, others have developed a vein of their own. Preeminent among these are D. F. Sarmiento, in his brilliant study entitled *Facundo* (Santiago, Chile 1845; new ed. Madrid 1916; tr. as *Life in the Argentine* . . . , New York 1868), and A. E. Álvarez Suárez, in his comprehensive treatise entitled *Sud América* (Buenos Aires 1894; new ed. by E. Nelson, 1918), which depicts and seeks to explain the Latin American attitudes toward institutions and particularly toward forms of government. In the works of more recent writers, such as Ernesto Quesada, in his *La sociología* (Buenos Aires 1905), José Oliva, in *Sociología general* (vol. i– , Santa Fé 1924–), and Raúl A. Orgaz in *La sinergia social argentina* (vol. i– , Buenos Aires 1924–), concepts of sociological theory have won a larger place. While the sociologists of North America have tended to neglect historical materials, these have been perhaps the main interest of the sociologists of South America.

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See: Method, Scientific; Philosophy; Political Science; Biology; Psychology; Social Psychology; Geography; Demography; Anthropology; Culture; Man; Society; Community; State; Social Contract; Natural Law; Social Process; Race; Heredity; Environmentalism; Evolution; Rationalism; Positivism; Materialism; Institution; Humanitarianism; Socialism.

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SOCRATES (*c.* 470–399 B.C.), Greek philosopher. Socrates was the real founder of Greek philosophical ethics, bringing into moral inquiry a spirit of intellectual criticism and personal sincerity which it had lacked and without which it would have been futile and even mischievous. The sophists before him had indeed made questions of conduct the philosophical order of the day, but they were far more interested in teaching accepted moral usage than in inquiring into principles or evoking a spiritual enthusiasm for right conduct. Socrates, who had no system to propose and whose professions of ignorance were received with incredulity, was dogmatic merely in his insistence that there was a science to be learned and that a start could be made only by inquiring into the assumptions behind man's actions and framing definitions of specific and universal goods until they formed a system. Although he maintained that virtue was knowl-

edge and that no man did wrong knowingly, he guarded against giving the impression that intellectual knowledge or analysis by itself was equivalent to virtuous action. He himself, after preliminary analysis, always acted on the basis of a practical sign from within—his famous "divine sign"—and the implication of his doctrine is that while analysis should discover the universal principle or major premise of the moral syllogism, the conclusion or the incorporation of the principle into the concrete situation should be the work of a practical act. In politics or social theory Socrates' doctrine was even more undeveloped than his ethics; the only definite pronouncement which can justifiably be attributed to him is that wherein he objects to the methods of democracy as unscientific. In shipcraft a pilot is selected for his expert knowledge, but in government everyone is regarded as fit to be a statesman even though he possesses no mastery of the science of statesmanship.

The influence of Socrates, which was enormous during his lifetime, was greatly increased through his dramatic trial and condemnation to death by the Athenians on the charge of impiety. The circumstances of the accusation, which contained the double charge, first, that he denied the gods recognized by the state and introduced strange divinities and, second, that he corrupted the young, are still obscure. Socrates surprised everyone by not running away, as his opponents had hoped, and by making the trial a platform for the proclamation of his principles. When he was found guilty by a small majority and it was his turn to propose a sentence, he declined to entertain the idea of banishment and insisted that his career merited not punishment but maintenance at public expense for the rest of his life. Strangest of all, however, was his refusal, after his condemnation to death, to accept his friends' arrangement for escape from jail. "I am and always have been one of those natures who must be guided by reason," he told Crito, "and now that this fortune has come upon me, I cannot put away the reasons which I have before given." These words, or rather the action which they express, strike the highest note in Greek philosophy. It is not difficult to appreciate the impression they made on Plato and the others who were then turning to problems of ethics. They symbolize the new seriousness of tone in Greek moral thought of rival and divergent schools in the period after Socrates.

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SODEN, GRAF FRIEDRICH JULIUS HEINRICH VON (1754-1831), German economist and miscellaneous writer. Soden, in earlier life a bureaucrat in the service of Brandenburg-Ansbach and of Prussia and a prolific writer in many branches of the social sciences and literature, is permanently significant only for his nine-volume treatise on economics and the science of administration (*Die Nationalökonomie*, 9 vols., Leipsic, Aarau and Nuremberg 1805–24). The work owed its inception to Soden's study of Adam Smith at a time when the latter's fundamental ideas were being propagated in Germany chiefly by such academicians as Christian J. Kraus, Georg F. Sartorius and L. H. von Jakob. Unlike the manuals of these professors, which amounted to little more than selections from or paraphrases of Smith's writings, Soden's work constituted an ambitious attempt to reconcile Smithian economics with German cameralism. His political conceptions were, however, too deeply rooted in the cameralist soil for him to appreciate fully the implications of Smith's system. Consequently in discussing the legal foundations and distribution of landed property, the grain trade, the export trade, the guild system, state property, taxation and the like he immediately discarded the fundamental principles of economic freedom whenever they came into direct collision with ethical and natural law tenets or threatened the stability of the existing corporative structure of society. The apparent inconsistency was made more plausible by the fact that, like Sartorius before him, he drew a sharp distinction between the science of universal economic laws and their application to the various branches of state administration, to which the last five volumes of his work are devoted. It was perhaps precisely

because of its compromise position that Soden's economics, despite its rambling character and lack of any clear theoretical basis, had a stimulating effect upon the discussion of Smith's ideas in Germany. The orthodox followers of Smith have, however, always judged Soden's work with a certain reserve, although they have recognized the comprehensiveness and the high intellectual level of his discussion.

KARL PRIBRAM

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SOETBEER, ADOLF GEORG (1814–92), German economist and statistician. Although his university training was in the field of philosophy, Soetbeer's active life was devoted to dealing with empirical economic problems. From 1843 to 1872 he was secretary of the Hamburg Commerzdeputation, a semi-official body representing mercantile and shipping interests, and thereafter honorary professor of the University of Göttingen, his alma mater. At first Soetbeer's interest centered on the history and current development of commerce in Hamburg; he produced a number of independent studies and organized a bureau whose *Tabellarische Uebersichten des hamburgischen Handels* constitutes one of the earliest German publications of the statistics of trade and prices.

The complexity of the currency situation in Hamburg—where silver money was used for circulation while accounts were kept in an uncoined mark banko, the city being surrounded by small territorial units with independent currencies—as contrasted with the efficiency of the English monetary system based on gold drew Soetbeer's attention to problems of currency policy and history. He became an early and effective exponent of a unified gold standard currency for Germany and thereby of the gold standard in general; indeed he incorporated in the memorial of 1856 a complete draft of currency legislation, which is of great historical interest. In historical monographs published in the 1860's he endeavored to prove that the transition from gold to silver money had already occurred in the late Merovingian epoch and that it was the outcome not so much of a decrease in gold production as of the withdrawal of gold from circulation combined with a general decline of prices. His international reputation, however, rests upon the statistical investigations of the production and utilization of precious metals after the discovery of America. For the early period these are based in part upon the researches of Alexander von Humboldt. It is a tribute to Soetbeer's genius that to this day the world gold production figures for 1493 to 1885 published by the United States Mint are derived from his compilations.

In the last years of his life Soetbeer was occupied chiefly with the statistics of the value of money. He compiled an index number of wholesale prices in Hamburg in 1851–85, later extended to 1890. This is an unweighted index including as many as 114 quotations, an unusual number for the time, divided into eight groups; the value of the index was calculated by years as well as by five-year periods.

HERO MOELLER

Important works: *Denkschrift betreffend die Einführung der Goldwährung in Deutschland* (Hamburg 1856); "Beiträge zur Geschichte des Geld- und Münzwesens in Deutschland" in K. Bayerische Akademie der Wissenschaften, Historische Kommission, *Forschungen zur deutschen Geschichte*, vol. i (1862) 205–300, vol. ii (1862) 293–383, vol. iv (1864) 241–354, and vol. vi (1866) 1–112; *Edelmetall-Produktion und Werthverhältnis zwischen Gold und Silber seit der Entdeckung Amerikas*, Petermanns Mitteilungen, Ergänzungsheft, no. 57 (Gotha 1879); *Materialien zur Erläuterung und Beurteilung der wirtschaftlichen Edelmetallverhältnisse und der Währungsfrage* (Berlin 1885, 2nd ed. 1886), English translation of 2nd ed. by F. W. Taussig in United States, Congress, 50th Cong., 1st sess., Senate Executive Document, no. 34 (1887) 57–280; "Edelmetallgewinnung und Verwendung in den Jahren 1881 bis 1890" in *Jahrbücher für Nationalökonomie und Statistik*, vol. lvi (1891) 518–71; *Litteraturnachweis über Geld- und Münzwesen* (Berlin 1892).

SOHM, RUDOLF (1841–1917), German jurist. Sohm studied under Wetzell, Böhlau and Paul Roth and taught successively at Freiburg i. Br., Strasbourg and Leipsic. He was perhaps the most brilliant dogmatic jurist of his time; but although he was an adherent of conceptual jurisprudence, there was nothing narrow in his approach. He was a constructive thinker with a penchant for provocative ideas, highly endowed with historical insight and imagination. Working in a period in which the conflict between Romanists and Germanists had abated somewhat, Sohm was attracted toward Roman as well as Germanic law and later in life toward the canon law. He achieved almost equal fame in

the fields of Roman, Germanic and canon law.

Sohm's *Institutionen des römischen Rechts* (Leipsic 1883, 17th ed. by L. Mitteis and L. Wenger, Munich 1923; tr. by J. C. Ledlie, 3rd ed. Oxford 1907), although almost casually written, became the most important legal textbook in Germany in his time. He achieved renown as a Germanist with the publication of his *Der Prozess der Lex salica* (Weimar 1867). While this was a work of small compass, it established the view in opposition to Siegel that it was not the acceptance of Christianity but changes in public relations which exerted the greatest influence upon the old Germanic law of procedure. In his ambitious *Fränkisches Reichs- und Gerichtsverfassung* (Weimar 1871) Sohm sought to prove that the Frankish empire was a true state, and in opposition to Gierke he worked out a series of famous antitheses—between *Staat* and *Genossenschaft*, *Amtsrecht* and *Volksrecht* and the like. Sohm was preoccupied particularly with Frankish law. In a challenging essay, "Frankisches Recht und römisches Recht" (in *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Germanistische Abteilung*, vol. i, 1880, p. 1–84), he sought to show that the Frankish law had had almost as wide a reception as the Roman law, largely displacing other bodies of Germanic law. He regarded even the common law as hardly more than another Frankish conquest.

Sohm's *Das Recht der Eheschliessung* (Weimar 1875), occasioned by contemporary disputes as to the effect of civil marriage, marks the transfer of his interest to the canon law. This work, which was also Germanistic and comparative, was epochal in that it advanced the doctrine that "formal" contract and "real" contract were the two ultimate forms of liability. Sohm's fundamental position with regard to the canon law was that such a body of law was in contradiction to the nature of the church. This view, which he developed in his *Kirchenrecht* (vol. i., Leipsic 1892; vol. ii, ed. by E. Jacobi and O. Mayer, Munich 1923), arose not from a straining for paradox but from his own profoundly religious nature. At the same time, however, he recognized that despite the inherent contradiction the canon law represented a historical necessity.

Sohm was a master of the art of drawing upon all the resources of style and language in the service of his ideas, and for this reason his works must be read critically. Not all his doctrines have remained uncontested; this is particularly true of his canon law theory, which has aroused a tremendous amount of controversy. Gierke questioned Sohm's conclusions as to the ultimate forms of liability; and he has been reproached also for introducing modern ideas into his exposition of Frankish judicial organization.

FRANZ SOMMER

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SOILS. The soil cover of the earth is a continuous body of unconsolidated mineral and organic material without natural variations, but man on the basis of differences of characteristics has divided it into units. The unvarying association throughout the world of any given soil unit with a particular geographic environment has convinced investigators that soils constitute that feature of man's geographic environment which expresses more clearly than any other the combined result of the action of all the other environmental factors. Man is one of the dynamic factors of this environment. When occupied by him the soil is subjected to certain transformations, partly through the removal of some of its constituents, partly through the mechanical effects of the instruments of tillage, but mainly through the change effected by him in the other natural soil developing factors. He is unable to effect any important change in climate, in relief or in the geological character of the parent rocks; but he may carry out profound changes in the character of the natural vegetation and therefore in its influence upon soil development. Since the latter is the strongest of the forces which have produced soils, important changes in its character must bring about changes in the soil.

While the action of climate on soils is in general destructive, the direct action of vegetation is constructive. Of the two great groups of vegetation, however, grass is more effective than forest vegetation. Since the most important of man's crops, the grains and grasses, belong botanically to the grass group, it follows that the changes of vegetation made by man are less de-

structive than would have been the case had most of his crop plants been selected from arboreal plants. In changing a forest vegetation to crop vegetation man may actually improve the character of the soil, if nothing more is involved than change in the character of vegetation. This relation of soil character to that of the vegetation under which soils have developed or are developing may be generalized into the statement that natural grassland soils are productive and natural forest land soils are relatively unproductive.

Since soil degradation, or the progressive decrease in soil productivity by both chemical and physical changes, is brought about mainly through leaching, soils may be differentiated into unleached soils, partially leached soils and leached soils. The term leached refers to that characteristic brought about by the removal from the soil of an important part of its original supply of alkalies, alkaline earths and silica. This differentiation is based on changes brought about by the destructive effect of climate, mainly rainfall. The same groups of soils may also be designated as desert soils, semi-arid to subhumid soils and humid soils. In terms of productivity the groups comprise soils which under irrigation are highly productive, soils moderately productive without irrigation and soils of low natural productivity.

In discussing the influence of the different types of soils on the economic, social and political conditions of countries dominated by one or the other type Ramann has shown that countries located mainly on desert soils have tended predominantly, if not universally, to an extreme differentiation of the population into classes; this has involved political control by a very small class and the degradation of the masses of the population to the lowest economic and social level, without social or political influence. These conditions arise because of the impossibility of utilizing desert soils except through community action. The individual without assistance and without capital is unable to bring water on to such land and to control its distribution. Whoever controls the distribution of water has absolute command over the conditions of life of the population concerned. Ancient civilizations, like those of Egypt, Babylon and the countries of the Turkestan basin, were characterized by a small ruling or wealthy class and a subject population whose economic condition was barely above that of slavery.

The most important of the desert soil areas occupies a broad strip across Asia and Africa from Mongolia to the Atlantic coast of the Sahara; another large area comprises the western intermountain regions of North America. By far the larger areas have always been sparsely inhabited by a nomadic population, for only in the valleys of great rivers, where water is abundant and available for irrigation, has man been able to develop a complex civilization on desert soils.

The second group of soils, those developed under grass cover, have high potential capacity for production and do not require irrigation. On the basis of soil character alone there seems to be no reason why these soils should not have been highly important throughout history. Until recent times, however, regions consisting largely of such soils have been of relatively little importance in the development of civilization. They have constituted the historic home of the spectacular nomadic kingdoms of central and western Asia. The social, economic and political effects of such soils on the population are almost the reverse of those of the desert soils. Because of the large areas required for the support of the animals essential to the subsistence of the population fixed habitation has not been possible, since there must be an almost incessant search for pasture. This contingency has made stability of land occupation impossible. On the one hand, it has encouraged the assertion of freedom by the individual and the development of a warlike attitude, a necessity in the defense of pastures; on the other, it has led to disorganization and to almost complete absence of most of the institutions which are associated with civilization.

The great grasslands of the world lie mainly in the interiors of the continents; the largest is the Eurasian, extending from Lake Baikal southwest to the Carpathians and in isolated areas and narrow strips to the southwest and northeast of each end of this belt. The second in size is to be found in the interior of the North American continent from the Canadian northwest to Texas. There are smaller belts in South America, including a considerable part of Argentina, in Australia and in Africa. Up to the thirteenth century the Eurasian grasslands constituted the homeland of hordes of warring nomads, who repeatedly invaded the outlying lands of western Europe; invasions during the Middle Ages reached westward as far as France. The successive great migrations have been attributed to a change of climate within the interior of the Asiatic continent. When, however, full con-

sideration is given to the characteristics of the soils and their distribution and to the other factors of the natural environment affecting their development, it becomes apparent that it is not necessary to explain the waves of invasion by a change in climate.

Within restricted areas, however, grassland soils have been historically important as the basis of stable agriculture and civilizations. This was the case in the borderlands of the Mediterranean, a region which was the seat of the second of the great civilizations of antiquity. The importance of these soils in the development and maintenance of the civilization of ancient Rome has not received deserved attention. The ancient civilizations of the irrigated valleys did not present conditions favorable to an extensive development of commerce, partly because of the difficulty of communication (they were separated by long stretches of desert sand) and partly because of similarity of conditions and products of each. In both these respects the Mediterranean basin presented entirely different conditions, especially because it was a region also surrounded by or within reach of important areas of grassland soils.

The economic and social foundations of the Roman Empire rested on slave labor, which natural conditions, especially the soil, tended to favor. Slave labor made commercial farming not only a possibility but almost a necessity. One of its social consequences was the development of a body of unemployed Roman citizens supported by doles. This in turn required the production of grain in large quantities and within easy access. The grassland soils are the most productive grain producing soils of the world, in which production can be carried on without irrigation; the conquest of Carthage placed Rome in possession of rich grain lands of this character in Sicily and north Africa. The extension of Rome's conquests over Egypt, where grain was produced by irrigation, and around the east end of the Mediterranean and along the north coast of the Black Sea added other areas of natural wheat producing soils. Free distribution of grain or bread to a large population in Rome could never have been maintained for almost half a millennium had it not been possible to produce wheat cheaply on productive grasslands by slave labor.

There has been prolonged discussion among historians of the possible effects of declining soil productivity on man's institutions. In particular there has been extensive consideration of the causes of the decline and fall of Rome, which many scholars have attributed to outworn soil in the Mediterranean region. The chief basis for such a conclusion is the historical fact that the Italian peninsula in early Roman history was a region of wheat production and that during the later stages of the republic grain production declined and livestock, oil and wine production took its place. This shift in crops, it is maintained, occurred because of the declining productivity of the soil, which had been exhausted through grain production in the early years of the republic and under the preceding kingdom. But historical evidence of depleted soil has not been brought forward. The simplest explanation of the change from grain growing to wine, oil and livestock production applies also to the case of shift in production in the New England states, New York and Pennsylvania after 1870. Although the shift is still charged to a worn out soil, this was not the real cause, as studies made in the region within the last quarter century clearly show. In the United States it was brought about by destructive competition of grain growing in the western states. It seems probable that in Italy the same kind of competition from Sicily and north Africa after the Punic Wars and the influx of grain from other parts of the Mediterranean region, which because of their soils were natural wheat producing regions, effected a similar result. These regions contained large areas of highly productive soils, many portions of which were natural grassland soils. The more humid and poorer soils of the mountainous peninsula of Italy could not compete in grain production with the fertile plains of Sicily and north Africa. Spain and Egypt both contributed their wheat at the same time and with the same effect. The soils of these regions were not only adapted to the production of wheat of good quality but they were inherently fertile enough to stand abuse and to favor large scale methods. Cheap production on such lands and by such labor flooded the market with cheap grain and brought failure to the grain farmers of Italy. Their drift to the cities and gradual submergence into the lowest class of city population, recruited from the artisans ruined by slave labor, made necessary the development of the grain and bread dole system. Italian landowners, left without labor, were forced to use slaves, and the capital investment required necessitated the growth of commercial crops.

There is thus no real evidence that the exhaustion of soil fertility caused the breakdown of the Roman Empire and the northward shift of

western European civilization. Whatever may have been the cause, however, the shifting of the center of civilization changed the relationship of man to the soil. Western Europe, north of the Alps and west of central Poland and the Hungarian plain, is occupied by soils of the third, or humid, group. These are relatively unproductive even in their virgin condition. Although they offer possibilities of great improvement, for a long time man did not possess the means of exploiting them advantageously. Humid soils developed under forest cover and were subjected to the influences of high rainfall and warm summer temperature. Because of the ineffectiveness of the forest cover in the struggle of the plant against the degrading effect of the climate upon the soil, soil leaching by the climate proceeded without strong interference. Throughout the world soils developed to maturity under a forest vegetation contain, because of this vegetation and the high rainfall, a low percentage of organic matter and therefore a low percentage of nitrogen.

Not only were the soils of western Europe poor, but the type of agriculture practised on them for many centuries after the beginning of the Christian era was ineffective in modifying their low productivity. Until little more than a century ago the prevailing type of agriculture throughout western Europe was that of the three-field system. Essentially this was a system of grain growing. The tract of land cultivated by each peasant was divided into three fields. Spring grain was grown on one and winter grain on another, while the third was left fallow, so that there was a three-year rotation. The fallow originated in an attempt to maintain the productivity of the soil by leaving it uncultivated every third year, giving nature an opportunity to restore some of its productivity. Since, however, its natural, or virgin, productivity was low, it is evident that merely leaving it out of cultivation one year in three would not assist greatly in making it productive. The grains, as plants, belong to the grasses and are therefore relatively effective in the struggle of the plant against the degradation of the soil by the climate. But this struggle is vain unless the plant is able to return to the soil its total product. When man grows grain, he cultivates it not for the purpose of returning the whole plant to the soil but in order to remove an important part of the plant from the land. Nitrogen and the mineral constituents of the soil were extracted through the removal of the grain. Very little of the plant materials was returned in the form of organic matter to the soil, and as a result there was a progressive exhaustion of these constituents. The three-field system failed to improve the soil also because it did not include as an important part of the farming system the growing of livestock. This was a necessary result of the extensive growth of grain, which left no opportunity for a forage crop. Part of the grain was fed to what little livestock there was, but the amount of grain available for this purpose was extremely small.

As a result of poor soil, narrow range of crops and scarcity of farm animals the period between the decline of agriculture in ancient Rome and the beginning of modern agriculture in the early part of the nineteenth century may be described as one of man's continual struggle to provide food for the population of western Europe. Conditions made impossible a constantly greater food production for the maintenance of a permanently increasing population. The theory therefore of the growth of population at a more rapid rate than that of the food supply became widely accepted. This was finally expressed in the profound pessimism of Malthusianism.

During the closing decades of the eighteenth and the opening decades of the nineteenth century three events took place which had pronounced influence on the future of food production. The first was the introduction of a crop rotation which included a feed crop. This began first in England with the growth of turnips. The same effect had been brought about somewhat earlier through the introduction of grass in various places in Europe. This was a momentous advance, since it permitted the maintenance of a much larger number of livestock per acre of land than had previously been possible. The maintenance of the productivity of these lands demanded just those constituents which were furnished by animal manures. Thus the rotation of crops, including a feed crop, and the result of this innovation in the improvement of the quality and the increase in the quantity of livestock produced constituted two far reaching gains in the direction of soil improvement. A third influence of equal if not greater importance was the discovery of guano and the development of the use of commercial fertilizers. These three developments marked the beginnings of a revolution in agriculture.

The new methods of soil improvement were of particular significance in the cultivation of poor soils; for while these soils are naturally unproductive, they are capable of great improve-

ment if the proper methods are used. As has been pointed out by Ramann, the utilization of poor soils requires a considerable area for the maintenance of a family unit. The natural forest cover must first be cleared, at the cost of time and labor. The growth of crops on such lands requires not merely the application of fertilizers but careful cultivation as well. The farmer must occupy his land, since it will not stand abuse. The fertility expressed in the growth of good crops on such soils must be fertility placed in the soil by the work of man. The occupation therefore of these soils requires residence on the land and continual effort for the maintenance of their productivity, thus promoting family cooperation, independence and self-reliance. Another important characteristic of these soils is that they are not particularly adapted to the production of any one crop. But for this very reason they may be utilized with moderate success for the development of a complex agriculture, comprising grains, grasses, fibers, fruits and vegetables.

Another forward step was the bringing into cultivation of the grasslands of the world, which previously had been cultivated only in relatively small areas within the Mediterranean basin. The great grassland soils which lie in the interiors of the continents contain a better supply of the constituents of fertility than the soils of any of the other three great groups, partly because of their development under grass cover. In none of the large regions of their occurrence—Russia, North America, Argentina and Australia—had these soils been cultivated prior to the middle of the nineteenth century. Since that time cultivation has been extended over them with great rapidity. The rapid growth of industry and population in Europe, particularly England, was sustained in large measure by the importation of American and Australian wheat. For a time this relationship was on the whole mutually beneficial. But the range of crops to which the grassland areas are adapted is narrow, consisting essentially of wheat and barley; and their expanding use for the production of these crops has flooded the world with an excess of the bread grains. This along with the development of crop rotation, the extension of grass growing and the use of fertilizers on the naturally unproductive humid lands helps to account for the increase in crop cultivation which has enriched and indeed almost overwhelmed the modern western world, creating an agricultural crisis and ruining millions of farmers.

Soils are subject to erosion by the action of both environmental and human forces. Erosion is, however, essentially a local problem; its main importance is in relation to floods and flood control. For the world as a whole erosion is unimportant. The key to the agricultural crisis is the surplus created by the productivity of modern farming and the social relations which condition it.

C. F. MARBUT

See: AGRICULTURE; LAND UTILIZATION; RECLAMATION; IRRIGATION; FLOODS AND FLOOD CONTROL; FORESTS; CONSERVATION; FERTILIZER INDUSTRY; NITRATES; POTASH; NATURAL RESOURCES; FOOD SUPPLY.

Consult: Whitney, Milton, *Soil and Civilization* (New York 1925); Hulbert, A. B., *Soil; Its Influence on the History of the United States* (New Haven 1930); Sigwart, Georg, "Die Fruchtbarkeit des Bodens als historischer Faktor" in *Schmollers Jahrbuch*, vol. xxxix (1915) 113–42; Hopkins, C. G., *The Story of the Soil* (rev. ed. Boston 1913), and *Soil Fertility and Permanent Agriculture* (Boston 1910); Robinson, Gilbert W., *Soils; Their Origin, Constitution and Classification* (London 1932); Wolfanger, Louis A., *The Major Soil Divisions of the United States* (New York 1929); Comber, N. M., *An Introduction to the Scientific Study of the Soil* (2nd ed. London 1932); Hall, Alfred D., *The Soil; an Introduction to the Scientific Study of the Growth of Crops* (4th ed. New York 1931); Ramann, E., "Der Boden und sein geographischer Wert" in Geographische Gesellschaft, Munich, *Mitteilungen*, vol. xiii (1918) 1–14, "Der Einfluss des Bodens auf Siedelung und Staatenbildung und Kultur" in *Naturwissenschaftliche Wochenschrift*, n.s., vol. xvii (1918) 705–10, and *Bodenbildung und Bodeneinteilung* (Berlin 1918), tr. by C. L. Whittles as *The Evolution and Classification of Soils* (Cambridge, Eng. 1928); André, Gustave, *Propriétés générales des sols en agriculture* (Paris 1923); Demolon, Albert, *La dynamique du sol* (Paris 1932); Cassiers, J. P., *De l'influence du sol* (Brussels 1868); Liebig, J. von, *Über Theorie und Praxis in der Landwirthschaft* (Brunswick 1856); Frank, Tenney, *An Economic History of Rome* (2nd ed. Baltimore 1927) ch. iv; Louis, Paul, *Le travail dans le monde romain* (Paris 1912), tr. by E. B. F. Wareing as *Ancient Rome at Work* (London 1927); Marbut, C. F., "The Rise, Decline and Revival of Malthusianism in Relation to Geography and Character of Soils" in Association of American Geographers, *Annals*, vol. xv (1925) 1–29.

SOLON, Athenian lawgiver. In the year 594–593 B.C., when Athens was at the height of the internecine conflict growing out of the concentration of landownership in the hands of the aristocrats and the reduction of the debt ridden small peasantry to serfdom, Solon was chosen by the contesting parties as arbiter and commissioned to undertake a comprehensive reform. His essential objective was to create a basis for permanent order and tranquillity, and his policy aimed therefore at a fair comp romise be-

tween the oppressed and the more greedy but less disorderly oppressors. The agrarian problem was solved by the *seisachtheia* ("shaking off of burdens"). In all probability this end was achieved by two expedients: the substitution of the Aeginetic monetary standard for the Euboic, which brought about deflation and decreased debts by about 30 percent; and the lifting of mortgages, which freed both the land and the persons of citizens. Under the conviction that certain guaranties of liberty were necessary to save Athens from a recurrence of the recent misery, Solon drew up a number of laws based upon this principle. In prohibiting the practise of pledging the persons of debtors as security for loans Solon in effect enunciated a rule of habeas corpus, which had incalculable influence upon Attic law. He further promoted individual liberty by abolishing imprisonment for debt, limiting paternal authority and dissolving the solidarity of the family; that is, of the *genos*, or group descended from a common ancestor. He secured freedom of property by contriving to divide the land and to render it mobile through a law of succession which granted the right of bequest in the absence of a legitimate son. In addition to his monetary reform many other measures taken by Solon served to develop commerce and industry as well as agriculture and to further the economic interests of all classes.

Solon also brought the customary constitution of Athens into accord with the principles of moderate democracy. He reduced the property qualifications which served as the basis for the timocratic division into four classes, and to a certain extent he democratized the already established custom of selecting magistrates by lot. The nine archons he grouped into a college. Alongside the Boule of the Areopagus, or the council composed of ex-archons, he set up a popular council which he called the Boule of the Four Hundred. The popular assembly, known as the Ecclesia, was to be consulted, at least formally, on the crucial problems affecting public life, while the tribunal of the Heliaea acquired appellate jurisdiction over judgments rendered by the magistrates—a jurisdiction which, chiefly by virtue of the recognized right of the first comer in certain cases to bring a public suit, soon became extensive. Solon's fusion of new ideas with old rules entitles him to be considered the founder of Athenian democracy.

GUSTAVE GLOTZ

Consult: Glotz, Gustave, *La solidarité de la famille dans le droit criminel en Grèce* (Paris 1904) p. 325–82, and *Histoire grecque*, vols. i–ii (Paris 1925–31) vol. i, p. 425–41; Gilliard, Charles, *Quelques réformes de Solon* (Lausanne 1907); Sanctis, Gaetano de, *Ἀτθίς: Storia della Repubblica ateniese* (2nd ed. Turin 1912) chs. vi–vii; Aly, Friedrich, "Solon" in *Paulys Real-Encyclopädie der classischen Altertumswissenschaft*, ed. by Georg Wissowa and Wilhelm Kroll, 2nd ser., vol. v (Stuttgart 1927) cols. 946–78; Bonner, R. J., and Smith, G., *The Administration of Justice from Homer to Aristotle*, vol. i– (Chicago 1930–) chs. v–vi.

SOLOVYEV, SERGEY MIKHAYLOVICH (1820–79), Russian historian. Solovyev was professor of history at Moscow University. His monumental history of Russia (*Istoriya Rossii s drevneyshikh vremen*, 29 vols., St. Petersburg 1851–79; 3rd ed. 1911), based not only on published sources but also on special studies in the Moscow and St. Petersburg archives, went far beyond the antiquated and incomplete work of Karamzin and still remains the only detailed account of Russian historical events up to 1774. Long quotations, chiefly on diplomatic relations, give Solovyev's work the character of a collection of first hand rough materials; but there are also general characterizations (especially volumes i, vii, xiv, xv, xviii). Solovyev wrote during the period of the bitter struggle between the nationalistic Slavophiles and the scientific westernists concerning the explanation of the Russian historical process. He belonged to the latter camp and therefore admitted the backwardness of eastern European civilization and the usefulness of the Europeanization of Russia by Peter the Great. He drew attention to the activity of the government in creating the Russian state both in the ancient and in the modern period, while the Slavophiles reproached him for having neglected the internal history of the Russian people. An especially sharp polemic was conducted between Solovyev and Konstantin Aksakov, the Slavophile theoretician, concerning the origin of the state. Solovyev explained it as the result of the dissolution of the primitive kinship relations, while the Slavophiles found the basis of the ancient Russian life and character in a primitive commune, which they idealized.

PAUL MILIUKOV

Other important works: *Ob otnosheniyakh Novgoroda k velikim knyazyam* (On the relations of Novgorod to the grand dukes) (Moscow 1846); *Istoriya otnosheniy mezhdu russkimi knyazyami Rurikova doma* (History of the relations among the Russian princes of the house of Rurik) (Moscow 1847); *Sobranie sochineny* (Collection of his shorter papers) (St. Petersburg n.d.).

Consult: Bezobrazov, P. V., *S. M. Solovyev, ego zhizn i*

ucheno-literaturnaya deyatelnost (S. M. Solovyev, his life and scientific-literary activity) (St. Petersburg 1894); Kluchevsky, V. O., *Ocherki i rechi. Vtoroy sbornik statey* (Essays and addresses; second series) (Petrograd 1918) p. 5–56; Rozhdestvensky, S., "Pamyati Sergeya Mikhaylovicha Solovyeva" in *Dela i dni* vol. i (1920) 303–20; Guerrier, W., "Der russische Historiker S. Solowjef" in *Historische Zeitschrift*, vol. xlv (1881) 43–103.

SOLOVYEV, VLADIMIR SERGEYEVICH (1853–1900), Russian philosopher. Vladimir Solovyev, the son of the historian Sergey Solovyev, was born in Moscow. He studied natural science and philosophy at the University of Moscow and devoted particular attention to the works of the Slavophiles, of Schelling, of the mystic philosophers and of the church fathers. In 1874 he became docent in philosophy at Moscow but was forced to resign in 1877; he passed the remainder of his life as a writer and publicist.

Solovyev's literary activity may be divided into three periods. In the first period, 1873–77, he wrote philosophical treatises in the spirit of the older Slavophiles, in which he criticized the metaphysics, materialism and empiricism of western philosophy as opposed to the eastern way of thinking. He developed the idea that it was the mission of Russia to realize the synthesis between rigid uniformity, characteristic of the Islamic world, and multitudinous divisions, as found in the western world. This synthesis, which was to pervade all spheres of life as "free theocracy," "free theosophy" and "free theurgy," would be an organic unity dominated by a divine principle. Solovyev's most important works in this period were *Krizis zapadnoy filosofii* (The crisis of western philosophy, Moscow 1874), *Kritika otvlechennikh nachal* (A critique of abstract principles, Moscow 1880) and "Filosofskiya nachala tselnago znaniya" (Philosophical foundations of a unified science, in *Zhurnal Ministerstva Narodnago Prosvesh-cheniya*, vol. cxc, 1877, pt. ii, p. 60–99, 235–53).

Solovyev's second period was characterized by an increased interest in theology and a turn toward the Catholic church of the West. The chief works of this period were his *Veliky spor i khristianskaya politika* (The great dispute and Christian politics, Moscow 1883) and *La Russie et l'église universelle* (Paris 1889, 3rd ed. 1922). Solovyev's principal theme was the idea of a gradual elevation of man to God. He soon came to the conclusion that the "divinization" of humanity could be attained only through a unified universal church which should combine the principles of discipline and freedom. Such a church, he found, existed in Roman Catholicism, and he envisaged a future world theocracy in which the spiritual leadership would rest with the pope in Rome and the political leadership with the Russian czar. At the same time he criticized severely the inactivity of the Russian Holy Synod and broke definitely with the Slavophiles. As a result of this intellectual evolution Solovyev developed a negative attitude toward every manifestation of nationalism and thus found many points of contact with Russian liberal westernism. His series of articles against the reactionary nationalists were collected under the title *Natsionalny vopros v Rossii* (The national question in Russia, 2 vols., St. Petersburg 1891).

The third period, as represented chiefly by his *Tri razgovora o voyne, progresse i kontse vsemirnoy istorii* (St. Petersburg 1899, 4th ed. 1904; tr. by A. Bakshy as *War, Progress and the End of History*, London 1915), reflected Solovyev's great disappointment with regard to the possibility of a realization of his theosophic aspirations. He no longer held that history was progressing toward the reign of God on earth but predicted the advent of Antichrist and the destruction of European civilization by a Mongol invasion led by Japan. The year 1896 marked his formal conversion to Roman Catholicism.

PAUL MILIUKOV

Works: *Sobranie sochineny*, 10 vols. (St. Petersburg 1901–07, 2nd ed. 1911–14). Solovyev's most important works have been translated into German by H. Köhler as *Ausgewählte Werke*, 4 vols. (Stuttgart 1921–22).

Consult: Herbigny, Michel d', *Un Newman Russe: V. Soloviev* (Paris 1911), tr. by A. M. Buchanan (London 1918); Trubetzkoy, E. N., *Mirosozertsanie V. Solovyeva* (Solovyev's outlook on the world), 2 vols. (Moscow 1913); Sacke, Georg, *W. S. Solowjews Geschichtsphilosophie* (Berlin 1929), with full bibliography; Koschewnikoff, A., "Die Geschichtsphilosophie Wladimir Solowjews" in *Russischer Gedanke*, vol. i (1930) 305–24; Masaryk, T. G., *Russland und Europa*, 2 vols. (Jena 1913), tr. by E. and C. Paul as *The Spirit of Russia* (London 1919) vol. ii, ch. xvii.

SOLVAY, ERNEST (1838–1922), Belgian social reformer and sociologist. As an inventor and industrialist Solvay amassed a large fortune, part of which he devoted to philanthropy and to the organization of various research institutes, particularly the Institut de Sociologie Solvay. The labor troubles of the 1880's aroused his interest in the social problem. An aristocratic and bourgeois reformer of the type of Saint-Simon, Owen

and Defuisseaux, Solvay was opposed to the socialist view that the working class unassisted can bring about a new society. In philosophy he adhered to a system based on an integral and monistic materialism. Man is subject to the dominion of law, a "universal determinism," and all man's acts obey the laws of a physicochemical energy which is transformed into social energy. His system of "social energetics" reduced the totality of biological and social phenomena to fundamental physicochemical actions and reactions. The rigid, mechanical nature of Solvay's materialism prevented him from recognizing that superstructural social phenomena acquire a certain autonomy and are subject to their own laws. This in part explains the utopian character of his general social views. Although he rejected revealed religion as a force retarding social evolution, his faith in science, in the absolute certainty of its deductions, led him to a kind of positivistic and materialistic mysticism. In politics Solvay acknowledged the decline of the liberal ideology, its insufficiency and its anachronisms: "The man of our day wants more than liberty." A pioneer of many reforms, including social insurance, he developed a theory of "social productivism" which was to organize production for the general welfare. This involved a problem of "rational social leveling," not a problem of classes, and implied recognition of a natural social hierarchy based on capacity (*capacitariat*), opposed to the hierarchy of wealth and serving the interests of the average man. Solvay's system included a form of "social accounting" which was to replace money with a unit of account based on a fixed value, abstract and absolute, representing a mortgage or "security" on property. This social accounting was an extension of Proudhon's mutualist conceptions, although Solvay was strongly influenced by the system of checks and postal transfers, then a novelty. He advocated that the security of "earned" fortunes be insured and unearned wealth suppressed by a tax on inheritances to continue from generation to generation, so that gradually "hereditary capital" would be abolished. At the same time he favored the nationalization of enterprises whose economic value had been proved and which could be directed by the *capacitariat*. This "free socialization" would assure the security of "earned" fortunes and gradually give the state a preponderance in industry: the funds of individuals would be deposited at fixed interest with the state, which would invest them in the appropriate enterprises. Solvay's ideas had considerable influence but much less than those of the socialists, with whom he had much in common although he disagreed, among other things, with their view of profit. He contributed to the development of a school of sociology which has a considerable achievement to its credit, but which gradually divested itself of Solvay's ideas, particularly his conception of money.

R. J. LEMOINE

Important works: *Science contre religion* (Brussels 1879); *Le comptabilisme socia* (Brussels 1897), English translation (Brussels 1897); *Études sociales: notes sur le productivisme et le comptabilisme* (Brussels 1900); *Lettres sur le productivisme et le comptabilisme* (Brussels 1900), with É. Anseele; *Principes d'orientation sociale* (Brussels 1904, 2nd ed. 1904); *Industrie et science* (Brussels 1910); *Questions d'énergétiques sociales* (Brussels 1910).

Consult: Bertrand, Louis, *Ernest Solvay, réformateur social* (Brussels 1918); Barnich, Georges, *Essai de politique positive basée sur l'énergétique sociale de Solvay* (Brussels 1919); "Ernest Solvay" in Instituts Solvay, *Revue de l'Institut de Sociologie*, n.s., vol. ii (1921–22), supplement to no. 3.

SONNEMANN, LEOPOLD (1831–1909), German newspaper publisher and political leader. Sonnemann was born of Jewish parents in Höchberg near Würzburg. He attended school at Offenbach and settled at Frankfort in 1849. At the age of fourteen he entered his father's business and wide traveling in this connection served to broaden his outlook. After his father's death in 1853 he assumed direction of the business and later transformed it into a banking establishment. The general prosperity of the years 1855–56 furthered the success of the young banker. Sonnemann, however, was too much interested in politics and general affairs to feel content with these activities; practical needs as well as journalistic inclinations stimulated his desire to establish a newspaper. Out of the *Geschäftsberichte* issued on every exchange day for his customers by the Frankfort banker Rosenthal, Sonnemann in conjunction with the latter developed a *Frankfurter Handelszeitung*. For many years he gave but part of his time to the newspaper. In 1859, however, when the business journal was transformed into a political newspaper, the *Frankfurter Zeitung*, the situation changed and Sonnemann's life became indissolubly bound up with the history of that publication. He directed the enterprise in the same fearless, democratic liberal spirit which he evinced as a Reichstag deputy from 1871 to 1876 and from 1878 to 1884. Thus he advocated the

rapprochement between Germany and France after the Franco-Prussian War, opposed the bill for the annexation of Alsace-Lorraine to the empire without a plebiscite, attacked the Socialist Law and supported a plan for workers' insurance. These political activities incurred for him the enmity of Bismarck, who once even went so far as to accuse him of secret relations with the French government. Sonnemann's great aim was to transform the old absolutist military state into a bourgeois constitutional state. He made skilful use of his paper in emphasizing these points. Under his direction the *Frankfurter Zeitung* became the most important German newspaper and the most influential organ of German liberal opinion.

S. KRACAUER

Consult: *Geschichte der Frankfurter Zeitung* (Frankfort 1911).

SONNENFELS, FREIHERR JOSEPH VON (1732–1817), German neocameralist. Sonnenfels was born of Jewish parents who migrated from Moravia, became converted to Roman Catholicism and settled in Vienna. He studied law at the University of Vienna and was appointed professor of cameral science in 1763; he taught also at the Theresianum and the Savoyische Ritterakademie. The wide acceptance of his political and economic views—his chief work, *Grundsätze der Polizey, Handlung und Finanzwissenschaft*, was the standard textbook for several decades—and his role as adviser to Maria Theresa, Joseph II and Leopold II made him one of the most influential persons in shaping the political and economic policies of Austria. In the field of social reform he was especially prominent as an advocate of state support of the sick and in penal reform as an opponent of torture and capital punishment.

In political theory Sonnenfels stood squarely on mercantilist ground, adhering to the theory of enlightened absolutism. He conceived the state as a conscious entity vested with the positive duty of improving the lot of the people to the point of guaranteeing a minimum of existence to all willing to work. Like the older cameralists, he considered a large population to be of central significance to national economy and appraised all measures of economic policy in the light of their effect upon the growth of population. Thus he advocated the promotion of those industries which provide a greater volume of employment, favored small holdings in land as encouraging a larger rural population and condemned the restrictive effects of monopolies and guilds. In the interest of his population policy he urged the limitation of imports to raw materials and the stimulation of exports. His ideal, however, was a self-contained territorial state. Unlike the older mercantilists, he grasped the concept of balance of payments but, in conformity to his population principle, he regarded as favorable only that balance of payments which results not merely in pecuniary excess of payment accruing to the country but in an increase in the volume of employment in the respective national economy.

In monetary policy Sonnenfels modified the early statements of the quantity theory by emphasizing the significance of credit. He looked upon money not solely as a medium of exchange but also as a productive factor. He rejected the canonical prohibition of interest and treated the latter as price for the use of capital; he believed, however, in the economic desirability of low rates of interest. In his banking theories he was influenced by John Law and held that the banks have a currency as well as a credit function. Like most of his views Sonnenfels' fiscal doctrines followed essentially those of Justi; he continued to emphasize taxation against the public domain as the main source of revenue; he was a consistent advocate of indirect taxation; and he condemmed all forms of revenue farming. On social grounds Sonnenfels favored the maintenance of an economic balance between the various branches of industry and therefore rejected excessive urbanization.

KURT ZIELENZIGER

Chief works: *Grundsätze der Polizey, Handlung und Finanzwissenschaft*, 2 vols. (Vienna 1765–67; 8th ed., 3 vols., 1819–22); *Betrachtungen über die neuen politischen Handlungsgrundsätze der Engländer* (Vienna 1764); *Gesammelte Schriften* (Vienna 1765); *Abhandlung von der Theuerung in Hauptstädten* (Leipsic 1769); *Über die Abschaffung der Tortur* (Zurich 1776, 2nd ed. Nuremberg 1782); *Leitfaden in der Polizeiwissenschaft* (Vienna 1776); *Leitfaden in den Handlungswissenschaften* (Vienna 1776); *Politische Abhandlungen* (Vienna 1777); *Zwei Abhandlungen ueber Wucher und Wuchergesetze* (Vienna 1789); *Handbuch der inneren Staatsverwaltung* (Vienna 1798, and supplement 1817); *Gesammelte Schriften*, 10 vols. (Vienna 1783–87).

Consult: Roscher, Wilhelm, *Geschichte der National-Ökonomik in Deutschland* (Munich 1874) p. 533–52; Small, Albion W., *The Cameralists* (Chicago 1909) chs. xviii–xxi; Sommer, Louise, *Die österreichischen Kameralisten*, Studien zur Sozial-, Wirtschafts- und Verwaltungsgeschichte, nos. 12–13, 2 vols. (Vienna 1920–25) vol. ii, p. 319–444; Kretschmar, Hans, *Die Einheit der Volkswirtschaft in den älteren deutschen*

Wirtschaftslehren, Kiel Universität, Institut für Weltwirtschaft und Seeverkehr, Probleme der Weltwirtschaft, no. 50 (Jena 1930) ch. iii.

SOPHISTS. The philosophical and social doctrines of the sophists reflected the spirit of skepticism and almost of defeatism in all things which in the middle of the fifth century B.C. engulfed Greek philosophical, ethical and political thought. Ultimately perhaps this mood was incidental to the swing between too much assurance and too much doubt in which the human mind seems always to move. But it had also more specific causes in the condition of the times. Philosophically, and to the more thoughtful, the great constructive epoch of speculation initiated by Thales and capped by Democritus presented the spectacle of diametrically opposed systems pretending to equal truth and founding their conclusions on equally solid and convincing grounds. Religious fundamentalism too was rapidly waning. Orthodox belief was dissolving, on the one hand, before the onrush of mystical sects like Orphism and, on the other, before the spread of out and out agnosticism and disbelief, which found, especially in the enlightened and broad minded cities of Ionia and Graecia Magna, a congenial and fertile soil. Furthermore trade, travel, war and the growing interest in history and in the customs and institutions even of non-Hellenic, "barbarian" nations (as evidenced by Herodotus) were inculcating the spirit of cosmopolitanism and drawing attention to the relative, unstable and conflicting character of political institutions, social usages, religious beliefs and even moral standards and ideals, not only in the contemporary world at large but in the successive generations of any given community.

Athens, where this growing sense of relativity was destined to receive philosophic formulation, could not, for all its religious conservatism, its xenophobia and its suspicion of foreign liberalism, remain altogether unspotted by the world. The Athenian mind was too inquiring and in everything except religion too open to remain insensitive to the winds of the new doctrines. Moreover whatever immunity its traditions might have conferred was fast being worn down by the march of political and economic events. The rise of the Athenian empire had brought wealth, and with its accumulation and adulation of wealth ideals of expediency and worldly success at all costs were fast supplanting the ancient pieties and challenging the standards of the past. It was, however, the exigencies of the democratic form of government that invited the fertilization of the fallow field. Representative government was unknown, and not only the city but the whole empire was run by a "town meeting," in which every Athenian citizen was obliged to be his own congressman. And the absence of professional lawyers forced him also to plead directly in the law courts. Hence, as policies and situations became more complicated and litigation more frequent and more involved, it was increasingly imperative for him to acquire the ability to press or to defend his cause before the Assembly and his case before the courts. As a result of this need and also of the developing interest in science the old "classical" system of Athenian education gave way to the demand for the practical and the useful, and professional training in the art of persuasion, or rhetoric, assumed a dominant position in the new curriculum.

To meet this demand there arose a class of teachers known as "wise ones," or sophists. Recruited largely from foreigners from Ionia and Graecia Magna, their services were more frequently at the command of the rich than of the poor. They were doomed, then, from the beginning to arouse popular antagonism. Moreover, although the more eminent members were honest, their number included many unscrupulous men, who by their willingness to help their clients win any case, however shady, at any cost brought their calling into the disrepute that has made of the word "sophist" a term of reproval. Plato summed up the case against them for all time when he accused them of making the worse cause appear the better, and the better the worse. It was not therefore altogether an accident that the new skeptical spirit should have found its greatest philosophical exponents in the two most eminent sophists of the day, Protagoras of Abdera and Gorgias of Leontini, both of whom spent much of their life in Athens, where they had a great reputation as teachers of rhetoric and attained position and fortune.

Of the voluminous writings of Protagoras two fragments alone have survived: one an expression of agnosticism regarding the existence of the gods, the other the famous dictum that "Man is the measure of all things, of things that are, that they are, and of things that are not, that they are not." This fragment is commonly interpreted as a denial of universal truth valid for all men. Each man is the sole and final judge of what seems, and therefore is, true to him, and there is no higher authority to weigh and

decide between conflicting individual opinions. Nay more, since a man is constantly changing his mind, what seems and is true to him varies from moment to moment, so that truth is a matter not only of the individual but of the instant. The intellectual skepticism enunciated by Protagoras was ably seconded by Gorgias, who in his *On Nature or the Non-existent* argued that certain knowledge of any sort was impossible and, even if it could exist, was incommunicable by one individual to another.

The religious implication of their teaching was boldly recognized and enunciated by the sophists. Indeed Protagoras' agnosticism led to his expulsion from Athens. In the next generation Hippias preached that religion was a man made device for enforcing morality through fear, and Prodicus taught that the gods are personifications of natural forces and objects. The moral inferences, however—that universal standards of right and wrong are as fictitious as absolute truth and falsehood, and that the individual is the only judge of the morality of his own conduct as well as of the truth of his own thoughts and no judge at all of the right or wrong of his neighbor's behavior—were slower in being drawn. Indeed Protagoras and Gorgias were pinks of propriety in their teaching and deportment. So too were Prodicus and Hippias, who inclined to the austere, cynic ethics of self-sufficiency. Nevertheless, the inference was plain and was indirectly suggested at least by Protagoras' doctrine that the mind has no native morality but is taught virtue much as it is taught mathematics or history, and by Gorgias' contention that virtue is many, not one, and differs with age, temperament, occupation, sex and the like. Prodicus and Hippias moreover came near to preaching directly, if not to practising, the doctrine of relativity in morals when they gave prominence to the distinction between things founded on nature and those based merely upon man made conventions and classified law and traditional morality among the latter. Hippias indeed is represented by Xenophon as arguing that men are under moral obligation to obey only natural laws, and by Plato as condemning the laws and restraints devised by mankind because they so often enforce behavior contrary to nature.

All this, however, was only wild talk and the times were now prepared for more radical ideas. The rise of proletarian government at Athens after the death of Pericles and the slow agony of the Peloponnesian War had intensified class hatreds within and national enmities without and had infected the Athenian public with a cynicism in ethical theory and practise which seems completely to have undermined what remained of traditional morality. Thus sophists like Callicles, Thrasymachus and Polus openly attacked the old fashioned notions of right and wrong and advanced views some of which have a curiously modern flavor. There is, for example, a premonition of Hobbes' vision of the *bellum omnium contra omnes* in the assertion, reported and attacked by Plato, that all men naturally desire to do injustice and are restrained from so doing solely by the fear of suffering injustice in return. And Callicles, in a manner heralding Nietzsche, maintained that conventional standards of right and wrong were merely a *Sklavenmoral*, devised by the many weak as a protection against the natural right of the few strong to rule and exploit them—a view which went hand in hand with Critias' explanation of religion as a device to check by fear secret evasions of conventional standards. Incidentally this preaching was perfectly summed up and practised by the Athenians in their reply to the protests of the island of Melos, which in the last years of the Peloponnesian War they had tried forcibly to annex to the empire. When the islanders appealed to justice human and divine, the Athenians retorted: "You know as well as we do that right as the world goes is only in question between equals in power, while the strong do what they can, and the weak suffer what they must." And when Melos, trusting in the gods and the righteousness of its cause, attempted to resist, the Athenians promptly landed an expeditionary force, massacred all the male population and sold the women and children into slavery.

By far the most radical of the younger generation of sophists was Thrasymachus, who denied the existence even of such a thing as natural rights. For him the strong had no inherent right to lord it over the weak. They simply happened to rule by the accident of their strength, and right and wrong were determined solely by their caprice and had no other authority than their ability to impose their behests by *force majeure*. In these circumstances the "natural" attitude of the mass of mankind toward the legal and moral restrictions imposed upon them was one of circumvention at all times and of open defiance when possible. That Thrasymachus is reported also as questioning the guidance of the world by a divine providence is not surprising.

The widespread and influential character of these teachings, which both sprang from and contributed to the demoralization of the age, is attested by the sustained and vigorous attack to which they were subjected by Socrates and Plato. Indeed it was Socrates' task to rediscover universal and authoritative human sanctions for a morality binding upon all mankind. And it was left for Plato to transform these standards into ideas, and to find a metaphysical sanction for them in the nature of reality itself.

The sophist outburst of skepticism quickly petered out, as the validity of moral standards was restored by Socrates, and philosophy under Plato and Aristotle returned to constructive thinking. But for all that it fostered moral unrest and confusion, its influence was highly salutary. Its critical and doubting spirit, its pricking of philosophic pretensions to absolute knowledge and its suspicion that the human point of view is relative remained to lighten for all time every philosopher who came into the world. Henceforth no system could ignore the part played by mind in its making or take itself too seriously. Furthermore the philosophical meditation upon moral, political and social problems instigated by the sophists made of ethics one of the major branches and problems of philosophy. And the doubts they cast upon accepted standards, the disrepute into which they brought orthodox beliefs and the broad minded, relativistic outlook which they adopted and encouraged helped clear the ground of much that was outworn and to lay the foundations for all subsequent theories of morals based directly upon reason and upon empirical fact.

B. A. G. FULLER

See: NATURAL LAW; LOGIC; MORALS; CYNICS.

Consult: Barker, Ernest, *Greek Political Theory* (2nd ed. London 1925) ch. iv; Willoughby, W. W., *Political Theories of the Ancient World* (New York 1903) ch. v; Gomperz, T., *Griechische Denker*, 3 vols. (Leipsic 1896–1902), tr. by L. Magnus and G. G. Berry, 4 vols. (London 1901–12) vol. i, bk. iii, ch. v; Burnet, John, *Greek Philosophy* (London 1914) ch. vii; Gomperz, Heinrich, *Sophistik und Rhetorik* (Leipsic 1912).

SOREL, ALBERT (1842–1906), French historian. Sorel's career provided admirable preparation for his work as a historian of French foreign affairs. He came of an industrial family at Honfleur. While studying law at Paris he sought to broaden his intellectual development as a volunteer member of Jules Quicherat's classes at the École des Chartes. In 1866 upon the advice of Guizot he entered the Foreign Office, and during the siege of Paris four years later he was sent to Tours to assist the comte de Chaudordy, who was delegate of foreign affairs. As a member of the Foreign Office staff Sorel had access to documents denied outsiders, a privilege he retained even after his retirement. Sorel remained in the Foreign Office until 1876, when he resigned to become secretary of the presidency of the Senate; this position, which likewise offered him opportunities to study men and events, he held for twenty-five years. Émile Boutmy had already created the École Libre des Sciences Politiques and had invited Sorel to lecture on the diplomatic history of Europe, opening for him a long and distinguished career as a teacher. Sorel was elected to the Académie des Sciences Morales et Politiques in 1889 and to the Académie Française in 1894.

Out of his work grew his first volume, *Le traité de Paris du 20 Novembre 1815* (Paris 1872). Three years later appeared his *Histoire diplomatique de la guerre franco-allemande* (2 vols., Paris 1875), still recognized as of value; it was objective in attitude, although Sorel himself had been an actor in the great drama. His greatest work was *L'Europe et la Révolution française* (8 vols., Paris 1885–1904; 3rd–7th ed. 1904). Never has diplomatic history been written with a more penetrating intelligence or a greater artistic power in setting the stage and delineating the actors. The documentation of the volumes on the revolution up to 1795 was more solid than that for the Directory and the Napoleonic period. For material outside of Paris Sorel relied almost wholly upon printed collections. Like de Tocqueville and unlike Taine, he considered the revolutionary movement and policies as primarily a fulfilment of tendencies in process under the old regime. His main thesis as a historian of French foreign affairs was that once the revolutionists began to annex territory and to claim the "natural frontiers," the struggle with Europe and especially with England was inevitable and permanent; for the English at least would never rest so long as Belgium remained in French hands. Napoleon thus becomes a defender of national interests rather than a conqueror impelled by towering ambition. Sorel's ideas on history and historical writing are developed in volumes of collected essays, notably *Essais d'histoire et de critique* (Paris 1882, 12th ed. 1894) and *Nouveaux essais d'histoire et de critique* (Paris 1898).

HENRY E. BOURNE

Consult: Picot, Georges, "Notice historique sur la vie

et les travaux de M. Albert Sorel" in Institut de France, Académie des Sciences Morales et Politiques, *Séances et travaux . . . Compte rendu*, vol. clxvii (1907) 20–57; Hess, Fanny, *Albert Sorel als Historiker* (Jena 1932); Monod, Gabriel, in *Revue historique*, vol. xcii (1906) 91–99; Gooch, G. P., *History and Historians in the Nineteenth Century* (London 1913) p. 246–49, 276–77; Guyot, Raymond, and Muret, Pierre, "Étude critique sur 'Bonaparte et le Directoire' par M. Albert Sorel," and Driault, J. E., "Albert Sorel: *L'Europe et la Révolution française*: Septième partie," and "Napoléon et la paix en 1813, à propos du dernier volume d'Albert Sorel" in *Revue d'histoire moderne et contemporaine*, vol. v (1903–04) 241–64, 313–39, vol. vii (1905–06) 218–29, and vol. viii (1906–07) 177–99.

SOREL, GEORGES (1847–1922), French social philosopher. The political personality of Sorel has been the subject of much controversy, since in the course of his development he was at various times affiliated with many contradictory movements. Generally accepted as the theoretician of revolutionary syndicalism he has also been designated by Mussolini as the most important inspirer of Fascism. The various attempts, founded on almost exclusive consideration of *Réflexions sur la violence*, Sorel's most popular but not his most representative book, to present him as a consistent political thinker arise from a one-sided and dogmatic interpretation of his thought. Only on the basis of his fundamental moral ideas is it possible to arrive at any unified interpretation of his work and his spiritual and intellectual position, and even these are not sufficient to explain clearly the contrasts and the contradictions in his writings.

Sorel was concerned more with the development of a human type than with the elaboration of a definite political and systematic doctrine. In this respect he was not unlike Proudhon, whose strong influence is revealed in all Sorel's books. Like Proudhon, Sorel was a typical French thinker. Even after abandoning his career as engineer, to which he had devoted twenty-five years, he remained essentially a French burgher whose political beliefs were dominated by notions of productive economic activity and technique.

Sorel's first important book, *Procès de Socrate*, was a sharp attack on the intellectuals. His later work *Illusions du progrès* was just as passionate an indictment of the "temerity" of the third estate, which, he held, had destroyed the reign of order. This work revealed the connections between the democratic ideas of the eighteenth century and the economic conditions of the time. Sorel, a militant pessimist rooted in the classicism of the seventeenth century, attacked the optimistic cultural humanism and pacifistic faith in progress characteristic of democracy. He sought to release the labor movement from its close connection with the "belief in progress." Thus although he at first fought side by side with Jean Jaurès in the struggle for Dreyfus, he subsequently turned from him in disillusionment and became the theoretician of revolutionary syndicalism.

Sorel's socialism sprang not from a preoccupation with the needs of the proletariat but from a recognition of the moral disintegration of the ruling bourgeoisie. The labor movement he regarded always as a phenomenon of world history with a unique historical value to be distinguished from the destructive "slave uprising of the masses." He criticized the theory of surplus value and accumulation and was opposed to a revolutionary transformation of the economic system. Socialism, according to Sorel, requires organization of the proletariat and not of the economic system. He attacked finance capital but favored industrial capitalism on the ground that the discipline and heroic exertions characteristic of the latter create the moral foundations for the revolution of the proletariat, which, according to Sorel, represents the virtues of producers and warriors.

The same view of humanity is to be found also in his *Réflexions sur la violence*, the literary gospel of revolutionary syndicalism. Here Sorel attempted a synthesis of the ideas of Proudhon and the Marxian doctrine of class struggle. In this case the philosophy of Henri Bergson played a role in Sorel's thought similar to that of Hegel in the Marxian system. Here Sorel took a firm stand against any mechanistic idea of progress which viewed social change as historically and economically determined and the realization of socialism as an automatic process. Sorel maintained, on the contrary, that the victory of the proletariat was bound up with its fighting ethics and that the extent and the capacity for participation in the "myth" of the general strike were decisive factors in the struggle. Sorel was not interested in the workers fighting for higher wages but rather in the heroes of a "social war" who as a social élite were to lead on to the opening of a new epoch in history and civilization. The creative power (violence) of the proletariat must remain free and show itself superior to the purely technical economic power (force) of the bourgeoisie. The doctrine of direct action implies a sharp rejection of every attempt at mediation and humanitarian neutralization which ac-

companies faith in progress. The inevitability of the final struggle must also be borne in mind by the bourgeoisie if it is to present a formidable front against the proletariat. Actually Sorel exerted a greater influence on the French bourgeoisie than on French revolutionary syndicalism, which soon disintegrated; and it led Sorel himself to establish a closer relationship with the right nationalist circles in France before the World War.

The war and the peace signified for Sorel a "crusade of democracy" and the incarnation of what Pareto called "demagogic plutocracy." Sorel now became a confirmed pessimist. It is true that Bolshevism aroused his hopes somewhat, as is revealed in his essay "Pour Lénine" (appendix iii to 5th ed. of his *Réflexions*, p. 437–54); but it is nevertheless doubtful that Sorel may correctly be called a Bolshevik in this last phase of his activity. Still less may he be regarded as an advocate of Fascism. In both movements he saw the awakening of the modern industrial man. In Lenin he saw a "Peter the Great," and in Bolshevism a typical Russian phenomenon through which the Russian worker was to be educated to discipline and work and a "republic of producers" erected. The soviets he believed were organs of proletarian self-administration which as genuine social authorities had replaced the essentially non-Russian ruling class. Above all Sorel praised Lenin's realism and the large scale Soviet economic planning. Such planning constituted also the basis of his hopes for Fascism; in this movement likewise he valued the personality of the leader, Mussolini, and the Italian imperialism of producers which he represented. Sorel considered the creation of such powerful nations as necessary prerequisites for the development of socialism.

Although Sorel's position was certainly symptomatic of contemporary antiparliamentary movements and particularly of their revolutionary tactics, his importance should not be overrated. Even his oft quoted theory of the élite is quite different from the ideological basis of modern organizations which rest upon force and myth. Such contemporary phenomena may be interpreted according to Sorel as manifestations of the despised mass democratic movements, which in the hands of demagogues become forms of Bonapartist Caesarism. Sorel, like Pareto, was rooted in a liberal republican aristocracy which was the source of his political faith.

SIGMUND NEUMANN

Important works: *Le procès de Socrate* (Paris 1889); *La ruine du monde antique* (Paris 1898, 2nd ed. 1925); *Essai sur l'église et l'état* (Paris 1901); *Saggi di critica del marxismo* (Palermo 1902); *Introduction à l'économie moderne* (Paris 1903, 2nd ed. 1922); *Le système historique de Renan*, 4 vols. (Paris 1905–06); *La décomposition du marxisme* (Paris 1908, 2nd ed. 1910); *Réflexions sur la violence* (Paris 1908, 5th ed. 1921), tr. by T. E. Hulme (New York 1914) and tr. into German by Ludwig Oppenheimer as *Über die Gewalt* (Innsbruck 1928); *Les illusions du progrès* (Paris 1908, 4th ed. 1927); *La révolution dreyfusienne* (Paris 1909, 2nd ed. 1911); *Matériaux pour une théorie du prolétariat* (Paris 1919, 2nd ed. 1921); *De l'utilité du pragmatisme* (Paris 1921, 2nd ed. 1928); "Lettere di Georges Sorel a B. Croce 1895–1922" in *Critica*, vols. xxv–xxviii (1927–30).

Consult: Pirou, Gaétan, *Georges Sorel* (Paris 1927); Lanzillo, Agostino, *Giorgio Sorel, con una lettura autobiografica* (Rome 1910); Freund, Michael, *Georges Sorel, Der revolutionäre Konservativismus* (Frankfort 1932); Ascoli, Max, *Georges Sorel* (Paris 1921); Pareto, V., "Georges Sorel" in *Ronda*, vol. iv (1922) 541–48; Lasserre, Pierre, *Georges Sorel. Le théoricien de l'impérialisme*, Cahiers de la Quinzaine, ser. xviii, no. 17 (Paris 1928); Leone, Enrico, *Il neo-marxismo, Sorel e Marx* (Bologna 1923); Berth, Édouard, *Guerre des états ou guerre des classes* (Paris 1924); Posse, E. H., "Georges Sorel" in *Zeitschrift für Politik*, vol. xviii (1928–29) 742–61, and "Sorels Fascismus und sein Sozialismus" in *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung*, vol. xv (1930) 161–93; Schmitt, Carl, *Die geistesgeschichtliche Lage des heutigen Parlamentarismus* (2nd ed. Munich 1926); Weill, Georges, *Histoire du mouvement social en France* (3rd ed. Paris 1924).

SÖRENSEN, THEODOR (1839–1914), Danish statistician. While practising medicine in his native town of Hobro, Sörensen made several important statistical investigations on the condition of the working people and on the mortality of various classes of society. These studies gained him membership on various governmental commissions appointed to prepare legislation on social insurance. The work of one of these commissions resulted after several years of debate in the enactment of voluntary sickness insurance (1892) to be administered through publicly supported friendly societies. Sörensen became the first inspector of these friendly societies. He was a prominent member of the invalidity commission of 1903–14, one of the accomplishments of which was an unemployment insurance act in 1907, similar in character to the act on friendly societies. Although already approaching his seventieth year, he took on the office of inspector of these societies, retaining this position until his death. The success of the Danish legislation as voluntary insurance against sickness and unemployment owed much to his ability and personality.

The sound scientific basis of his statistical investigations would probably have won him international renown, if they had not been published solely in Danish.

HARALD WESTERGAARD

Works: *Et Bidrag til Belysning af Köbstadarbeideres Vilkaar* (On the condition of town workers) (Copenhagen 1880); *Markarbejderes Vilkaar i jyske Hedeamter* (Condition of farm laborers) (Copenhagen 1881); *Statistik over Ulykkestilfaelde under Arbejde* (Accidents at work) (Copenhagen 1882); *Börnedödeligheden i forskjellige Samfundslag i Danmark* (Infant mortality in various classes of society in Denmark) (Copenhagen 1883); *De ökonomiske Forholds og Beskjaeftigelsens Indflydelse paa Dödeligheden* (The influence of economic conditions and employment on mortality), 2 vols. (Copenhagen 1884–85).

Consult: Rubin, Marcus, and Black, Clara, in *Nationalökonomisk Tidsskrift*, vol. liii (1915) 1–9.

SÖRGE, FRIEDRICH ADOLF (1827–1906), German-American socialist. Through the influence of his father, who made his home a station on the underground railway for Polish revolutionists, Sorge early entered the revolutionary movement. He escaped a sentence of death for his participation in the Baden revolution of 1849 and was expelled successively from Switzerland and from Belgium; finally, despite his objection to living in a slave owning country, he settled in the United States in 1852. Here he kept aloof from the movement headed by Weitling and first became active in 1857 as a leading member of the New York Communist Club. After the Civil War Sorge organized among German radicals a League for German Freedom and Unity but for a few years was more absorbed in the free thought movement. Following the failure of the Social Party of New York and Vicinity he devoted himself after 1869 to the North American Federation of the International Working Men's Association. At the Hague congress of the International he represented American elements in accord with Marx and was made secretary of the International when the Marxians transferred its general office away from the reach of Bakunin to the United States. It was his melancholy task to "expel" virtually every national federation. After the collapse of the International in 1876 he withdrew from active leadership, earning his livelihood as a music teacher. He continued, however, as adviser and conciliator in the struggle of various factions, insisting always that before socialist labor could attempt to enter the political arena it must be strongly organized in trade unions. He was thus not only the first authentic interpreter in the United States of Marxian socialism, but through Gompers and Adolf Strasser, who respected him, he exerted a profound influence upon the American labor movement. He made a valuable contribution to American labor history through two series of articles which he contributed during the 1890's to the periodical *Neue Zeit*, in which he revealed an extraordinary insight into American conditions.

SELIG PERLMAN

Consult: Commons, J. R., and associates, *History of Labour in the United States*, 2 vols. (New York 1918); Mehring, Franz, "Der Sorgesche Briefwechsel" in *Neue Zeit*, Jahrgang xxv, vol. i (1906–07) 10–19, 50–57; Sorge, F. A., "Erinnerungen eines Achtundvierzigers" in *Neue Zeit*, Jahrgang xvii, vol. ii (1899) 156–60, 189–92, 252–56, 284–88, 317–20, 381–84, 414–16, 445–48; *Briefe und Auszüge aus Briefen von Joh. Phil. Becker, Jos. Dietzgen, Friedrich Engels, Karl Marx und A. an F. A. Sorge und andere*, ed. by F. A. Sorge (Stuttgart 1906).

SOTO, DOMINGO DE (1494–1560), Spanish theologian and jurist. Soto studied at Alcalá and Paris and taught philosophy at the former university. Subsequently he joined the Dominican order and lectured at Salamanca, where in 1552 he was appointed *prima* professor of theology. Soto was an outstanding member of the Spanish delegation at the Council of Trent, where the Dominicans played an important role, and as adviser to Charles v and his councilors was influential in the formulation of Spain's colonial policy in America. He summarized for the government the arguments in the famous debate between Fray Bartolomé de Las Casas and Juan Ginés de Sepúlveda concerning the causes which might justify war against the Indians and their consequent subjection.

Influenced by his great contemporary Vitoria, especially in methodology, Soto was a follower of Thomas Aquinas, whose doctrines he extended and developed, reformulating the traditional problems within the scholastic scheme in relation to his own epoch. In this connection his work in international law, especially the law of war, is noteworthy. Although some of his writings have been lost, Soto's philosophy of law is revealed clearly in *De justicia et jure* (2 vols., Salamanca 1553–54; tr. into Spanish by J. Torrubiano Ripoll, Clásicos jurídicos, vols. xvi–xvii, Madrid 1922–26), which consists of commentaries and classroom lectures upon the *Secunda* of the *Summa* of St. Thomas and of discussions of contracts, usury and other legal questions. In this work Soto gave juridical form

to the moral ideas of Aquinas and attempted to bring into practise many of the principles which the Spanish moral theologians defended. *Rationis ordinatio* (ordinance of reason) as the criterion of law became the foundation of his legal philosophy; and his writings, like those of the other Spanish philosophers of the period, bear witness to the triumph of the intellectual current represented by Aquinas as opposed to Scotus. Soto offered a remarkable analysis of the differences between natural law and *jus gentium*, including the latter in positive law.

His political doctrines likewise represented an application or development of those of Aquinas; he was one of a great number of casuists who helped to reconstruct the ethical norms applicable to politics at a time when they had experienced a profound transformation in practical usage.

ROMÁN RIAZA

Consult: Carro, Venancio Diego, *Los colaboradores de Francisco de Vitoria; Domingo de Soto y el derecho de gentes* (Madrid 1930) p. 11–114; Mendizabal Villalba, Alfredo, "La teoría jurídica de la ley según Domingo Soto" in *Studi filosofico-giuridici dedicati Giorgio del Vecchio*, 2 vols. (Modena 1930–31) vol. ii, p. 111–27; Beltrán de Heredia, Vicente, "El maestro Domingo de Soto en la controversia de Las Casas con Sepúlveda" in *Ciencia tomista*, vol. xlv (1932) 35–49, 177–93; Veil, R. P., "Dominique Soto, 1494–1560" in *Revue thomiste*, vol. xii (1904) 151–66, and vol. xiii (1905) 174–93.

SOUTHEY, ROBERT (1774–1843), English poet, historian and journalist. As an undergraduate, under the influence of the ideas of Rousseau and Godwin, Southey adopted a theory of idealistic communism and return to nature which he and Coleridge called pantisocracy. The progress of the French Revolution, however, brought disillusionment, and he became a strong Tory. He was one of the chief founders of the *Quarterly Review* (1809), for which he wrote prolifically in defense of the Anglican Establishment and the unreformed Parliament. He also wrote poems, mostly long epics, and voluminous histories of Spain and Spanish America. These are little read now, but his lives of Nelson and Wesley have survived. His outlook on social problems entitles him to be classed among the Tory reformers. He followed Coleridge in rejecting the dominant laissez faire and individualist philosophy. An able propagandist, he championed on religious and humanitarian grounds numerous social reforms and wrote sympathetically of the ideals of Owen, Spence and the early socialists Above all, he may be regarded as the immediate inspirer of Lord Shaftesbury in the movement for factory reform.

ALFRED COBBAN

Works: *The Life of Nelson*, 2 vols. (London 1813); *The Life of Wesley*, 2 vols. (London 1820); *Sir Thomas More: or, Colloquies on the Progress and Prospects of Society*, 2 vols. (London 1829); *Essays, Moral and Political*, 2 vols. (London 1832).

Consult: *Life and Correspondence*, ed. by C. C. Southey, 6 vols. (London 1849–50); Brinton, Crane, *The Political Ideas of the English Romanticists* (Oxford 1926) p. 84–96; Cobban, Alfred, *Edmund Burke and the Revolt against the Eighteenth Century* (London 1929) ch. vii; Haller, William, *The Early Life of Robert Southey, 1774–1803*, Columbia University, Studies in English and Comparative Literatures (New York 1917), and "Southey's Later Radicalism" in Modern Language Association of America, *Publications*, vol. xxxvii (1922) 281–92.

SOVEREIGNTY. It has been said that "what the term 'value' is to the science of political economy, the term 'sovereignty' is to political science." Sovereignty has somewhat varied connotations in the different branches of political science, but it always signifies a highest governmental or legal authority of some sort. It is an important term in international law, constitutional law and political philosophy.

In international law sovereignty is generally held to be an essential qualification for full membership in the family of nations. In other words, the subjects in whom inhere the rights and obligations defined by international law are states; and a community is not a state unless it is independent of legal control by any other community and is legally free to determine the nature of its relations with all other communities, except in so far as it limits its freedom contractually or voluntarily. The writers on international law do not as a rule regard this legal autonomy as incompatible with the existence of a body of definite regulations to which civilized states generally render obedience and which are supported by formal and well recognized sanctions of a legal sort. According to the prevailing conception a state, although subject to international law, is still a sovereign community because the rules of the law are not decreed and the sanctions are not applied by any common, unified authority. The rules are formulated chiefly through the cooperative action of the separate and equal communities obligated by them; and the sanctions are only the measures of protest or retaliation directed against an offending state by other states, acting severally or jointly. That is to say, the commands and sanc-

tions of international law do not issue from a political superior to a political inferior, and there is therefore no impairment of the "external" sovereignty of the units subject to such commands and sanctions. International law deals also to some extent with "internal" sovereignty. Thus, speaking very generally, it recognizes that every state has, as a sovereign community, the legal right to select its own form of government and to regulate as it chooses its own territory and the personal and property relations of its citizens and subjects—in so far as it does not exercise this right in such ways as to endanger the peace and safety of other states. International law describes as "semisovereign" a state which, although acting in many essential respects as a self-governing community, externally and internally, has surrendered to another state a considerable measure of control over its foreign relations or a right, under certain contingencies, of intervention in its domestic affairs or which has not yet acquired a status of complete (i.e. normal) freedom in controlling its domestic and foreign policy (*see* PROTECTORATE).

Constitutional law and political theory are concerned with sovereignty chiefly as an attribute of the state considered internally. It is sometimes said that the idea of sovereignty is peculiar to modern political and legal theory. In respect to a particular conception of legal sovereignty the statement has validity. Thus in the classical Greek political theory the state was not sovereign in the sense of being above law. The authority of customary, or unwritten, laws, embodying the dictates of gods or of a universal reason, ranked higher than that of the decrees of even the highest governors of a state. In regard to the more general meaning of sovereignty, however, there appears to be no essential distinction between ancient and modern ideas. For certainly the ancient writers attributed a superior authoritativeness to the state and accorded it a unique function in upholding the legal order. Aristotle described the state as "the highest of all associations . . . which embraces all the rest." The leading Greek and Roman political writers devoted much attention to questions concerning the right location and proper tasks of "the supreme power" within the state. Throughout most of the Middle Ages, it is true, the state was not generally the predominant organization within the community, and relatively few writers claimed any such position for it. Indeed the state of ancient and modern political theory hardly existed. Organized control over the individuals within any region was shared generally by several authorities—Roman church, Holy Roman emperor, king, feudal lord, chartered town, guild—the several authorities often competing with one another in their efforts to extend their spheres of control. What laws there were of a "civic"—secular and territorial—character were for the most part customary, varying often according to the boundaries of fiefs and towns rather than larger political lines.

In the later Middle Ages various economic and social changes tended, in their combined effect, to restore the practical power and theoretical prestige of the state. On the one hand the changes created a need for relief from the confusion of overlapping and conflicting demands upon the individual's allegiance, and on the other they weakened the authority of the church as an agency of unity. The state appeared again to be, as it had been in ancient Greece and Rome, the most competent association for the maintenance of order and tranquillity and the furtherance of progress. In several regions of Europe strong national monarchies were evolving concurrently with the decline of mediaeval institutions and ideas, and the doctrine of the state as a unique authority in determining the form and content of civil law served as a useful theory to explain the claims made in behalf of monarchs. To make the claims good it was necessary to deny limits either by an imperial or papal authority outside the state or by rights of feudal lords, self-governing towns and autonomous guilds within the state. The idea of a supreme national monarchy was implicit in the actual situation in France in the fifteenth century under Louis XI; it had already been made explicit in several brief theoretical discussions, notably by Pierre Dubois and Bartolus of Sassoferrato.

In the late sixteenth century Jean Bodin, in his famous *De republica*, defined the commonwealth, or state, as an "association of families and their common affairs, governed by a highest power (*suprema potestas*) and by reason," and defined sovereignty (*majestas*) as "highest power over citizens and subjects, unrestrained by laws (*legibus soluta*)." "The chief mark of sovereignty," he said further, "is the power to give law to all citizens, generally and singly." By virtue of these definitions as well as by a discussion of the specific attributes of the sovereign Bodin has frequently been referred to as the founder of the doctrine of sovereignty. It is not certain, however, how far Bodin meant to

extend the powers of sovereignty by characterizing it as *legibus soluta*. He said explicitly that the sovereign is limited by "natural and divine laws" and by "laws of the realm" (*leges naturae et divinae* and *leges imperii*). Thus under the limitations of natural and divine law the sovereign could not violate private property or break contracts to which he was a party (unless in the latter case his sovereignty would be imperiled if he held to the contract); and "as to *imperii leges*," he said, "the prince [the repository of sovereign power] cannot abrogate or modify them, since they are attached to the very sovereignty with which he is clothed; such is the Salic law, which is the foundation of our monarchy." Bodin was not thoroughly clear and consistent in his position. Apparently he insisted upon an older idea that every political ruler is subject to customary laws which he cannot lawfully change, while at the same time he attempted to establish the doctrine that there are rules of an "ordinary," or "civil," character which become laws only by command of the political sovereign and which do not bind the sovereign himself. Although there are limits to the sovereign's power, there are no persons or institutional agencies ultimately independent of his control to impose these limits upon him.

Later theorists went further, building up more clearly and specifically the content of what has come to be known as the orthodox doctrine of sovereignty. Thus Thomas Hobbes in the seventeenth century maintained that laws, properly speaking, are nothing but the commands of a political sovereign, who is subject to no legal limits; so-called divine or natural laws have no legal significance for a sovereign, except to the extent and in the manner interpreted and accepted by him. Rousseau in the eighteenth century held that sovereignty, which in his theory could rationally be held to reside only in the "body politic," or "general will," had no legal limitations: "the sovereign, being formed wholly of the individuals who compose it, has, and can have, no interest contrary to theirs" and remains the "sole judge of what is important" for subjection to the general will.

A rigidly formal doctrine of legal sovereignty was set forth by jurists of the nineteenth century, notably by John Austin in the 1860's and by jurists of the German Empire during the last quarter of the century. As in the sixteenth century, so again in the nineteenth century practical political considerations influenced the precise formulation of a theory that attributed to a definite sovereign an authority unrestrained by law. Austin wrote under the influence of the early nineteenth century utilitarian attitude toward political action. The utilitarians were practical reformers and they sought among other things to secure the enactment of statutes removing anomalies and injustices from the common law. Their proposals were opposed by conservatives, who took the ground that law consists necessarily either of universal and permanent dictates of right or of principles embodied in the slowly evolving customs and unwritten laws of a given country. The utilitarians countered this position with their conception of law as a means for securing justice and the common welfare, and therefore as constantly subject to modification by the agencies to whom the community entrusts the task of preventing customs and traditions from becoming cloaks for injustice or impediments to progress. The German jurists—notably von Gerber, Laband and Jellinek—sought to give full legal validity to the extensive powers asserted by the imperial government in consolidating the German nation; thus they made the German state in its sovereign organization a free agent in fashioning law to meet the public needs of the day, unhampered by restraints embodied in the vague demands of universal justice or of a mythically conceived national mind.

This positivist conception of law is an essential maxim of the contemporary doctrine of state sovereignty. The doctrine holds that within any independent political community there is a determinate sovereign whose commands and permissions—given directly or indirectly, explicitly or implicitly—establish the law and whose position is above law. In every state there is a person or organ or a group of persons or organs—the British Parliament acting with the king, the czar of Russia (before 1917), the German imperial Bundesrat and Reichstag (before 1918), the United States Congress and commonwealth legislatures acting to amend the constitution—with legally unlimited authority. In the application of this theory to the contemporary constitutional state a discrimination is made between sovereignty, involving a power to make and change the fundamental law of the state, and ordinary governmental authority, supreme only within the limits prescribed by the fundamental law, which the sovereign alone and not the government can change. Another familiar distinction is that between legal and political sovereignty, the latter signifying the power that is

actually obeyed ultimately. Thus it is said that the people are sovereign in the sense that if they apply the pressure of their actual power they can in the long run force the formally sovereign authority to follow their desires. The analytical jurist describes this as "a political, not a legal, fact"; for he considers his task to be only that of finding out, by exact identification and precise analysis of the decisions of the legal sovereign or of inferior organs acting within the limits of competence allowed by the sovereign, what the law is. Questions as to the moral rightness or practical effectiveness of the law are referred to scholars of other disciplines.

A number of recent writers on law have been repelled by the claim that an act of political agencies can in any sense establish the essential distinction between lawful and unlawful conduct. As critics of the orthodox doctrine they maintain generally that some other mark than the fact of the state's command or permission is essential to give a rule of conduct the real character of law. They hold law to be anterior to, above and more comprehensive than the state. The latter's function is simply that of adapting an already existing rule of law to some given set of facts; and the task of the jurist consists not so much in identifying the state's commands as in testing their "validity," by standards that are independent of political action. Some of the critics (Duguit, for example) set up "objective" standards, accepting as law only those customs or imperatives, whether or not enforced by the state, which tend toward maintaining an orderly, peaceful and progressive social life. Others, like Krabbe and Laski, set up subjective standards but find the source of the standards not in any sort of political command or decision but only in the consciences of individual men or in the "sense of right" of a whole community.

Most of the recent jurists and political theorists go beyond the formal analytical doctrine or law and admit ethical and sociological standards of right law into their general theory; yet they leave essentially undisturbed the unique and important position assigned to the state by the traditional theory of sovereignty. They consider not only what the laws are as they appear in constitutions, statutes, decrees and decisions but also the social and psychological origins and effects of the laws and their ethical quality. They take account of the beliefs, desires and prejudices of various people, in and out of office, which enter into the determinations of rules of law laid down by organs of the state. They consider how the laws operate and how they may be improved. In these ways they give due attention to the moral and social significance as well as to the practical effectiveness of various social imperatives other than those backed by state action; but generally they reserve the term laws for the latter and follow the orthodox theory in explicitly assigning to the state a peculiarly comprehensive and compulsive position in society.

Indeed the recent dispute between advocates and critics of the orthodox theory appears to arise essentially from a confusion of terminology, particularly from different senses in which the disputants employ the word law. No word in political science is used with a greater variety of meanings. Each side in the controversy over sovereignty generally recognizes the existence and acknowledges the importance of the social rules which the other side calls laws. The orthodox theorists admit that a state's law enacting assemblies or deciding judges act under the impulsions and restraints of various types of opinions and sentiments current in the community or in its most influential sections. The critics, explicitly or implicitly, grant that there are distinctions of great practical significance between state supported rules and those enforced only by other forms of social pressure. Both sides appear to agree that in order that the state may fulfil adequately its essential functions of unification and coordination it must be comprehensive and compulsive in membership and must be equipped with a power to issue commands which may be executed through the organized force of the community; and that it must normally have a monopoly of this sort of power within any given community. The orthodox theorists persist in describing the state's unique function and position in society by the term sovereign.

FRANCIS W. COKER

See: STATE; POWER, POLITICAL; AUTHORITY; FORCE, POLITICAL; OBEDIENCE, POLITICAL; COERCION; SOCIAL CONTRACT; LAW; GOVERNMENT; CONSTITUTIONALISM; PREROGATIVE; ABSOLUTISM; MONARCHY; DEMOCRACY; POPULAR SOVEREIGNTY; PLURALISM; FEDERATION; STATES' RIGHTS; INTERNATIONAL LAW; SANCTION, INTERNATIONAL; PROTECTORATE.

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SOVIET. The Russian word soviet means simply council, but revolutionary experience has enriched its connotations. Soviets, or councils composed of delegates chosen by workers in factories and workshops, were active in the Russian revolutions of 1905 and March (February by the Julian calendar), 1917. They became the basis of the governmental structure as the result of the successful Bolshevik seizure of power in November (October), 1917. Although it originated and developed on the terrain of specific Russian conditions, the soviet has become the accepted pattern for Communist revolution everywhere.

In periods of fundamental revolution new organs of government are regularly improvised to express the needs of groups revolting against authority. In England the Puritan revolution produced a type of council analogous to a soldiers' soviet in the General Council of the Army set up in June, 1647, and dissolved in the following January. It was composed of the general officers and representatives of commissioned officers and soldiers of the regiments who assembled to press their demands for unpaid wages, moderate extension of the franchise and redistribution of seats in the House of Commons. In France the decrees of December 14 and 22, 1789, eliminated the intendants and other local officers of the *ancien régime*, thus legalizing the accomplishments of the "municipal revolution," and created a new system of local administration based on direct election of municipal, district and departmental councils, which, like the soviets today, were to attend to all matters of local competence and to act as the sole agents of the central government. But while the soviet system provides for occupational representation in the city and disfranchises the propertied classes, the French decrees limited the electorate by a fairly high property qualification and called for representation on a geographical basis. The far reaching local autonomy thus established was greatly reduced in 1791 and virtually abolished in Bonaparte's constitution of 1800.

Communist leaders attach considerable significance to the Paris Commune of 1871 as an essay in proletarian state organization. According to Marx the Commune showed that "the working class cannot simply lay hold of the ready made State machinery and wield it for its own purposes" (*Civil War in France*, ed. by R. W. Postgate, London 1921, p. 28); on the contrary, workers must "destroy the machine." The Commune united in its hands both legislative and executive power; all of its members were elective, were subject to recall at any time and received a salary not exceeding the average wage of a skilled worker; it replaced the standing army by an armed people and abolished the old police force. These aspects of the Commune which influenced the organization of the soviets were singled out by Lenin as indicating its superiority to the most advanced type of state produced by bourgeois revolutions. On the other hand, he held that the Commune did not go far enough, based as it was on universal suffrage and geographical representation.

The soviet as an organ of proletarian combat made its first appearance in the Russian revolution of 1905. The strike movement which swept over the industrial centers of Russia in that year assumed vast proportions. Virtually strike committees, the soviets were the direct outgrowth of this situation. As the movement assumed an in-

creasingly revolutionary character, the soviets, although overwhelmingly non-party in membership, took on the aspects of a political organization; they set up an armed militia, endeavored to obtain strike relief funds from municipalities and even attempted the introduction of the eight-hour day by direct action. The most important of these soviets was that in St. Petersburg created in October to direct the general political strike then raging; it consisted of delegates sent by workers in factories and workshops throughout the city (one for every five hundred workers) and was directed by an executive committee chosen by the membership and including representatives of revolutionary party organizations. Although it was not the first institution of its kind, the St. Petersburg Soviet set the pattern for similar organizations in other industrial centers.

The soviets of 1905 were short lived: the members of the St. Petersburg Soviet were arrested by the government two months after its organization; the Moscow Soviet perished on the barricades in the armed insurrection which took place in December; and the few provincial organizations were suppressed where they did not disband of their own accord. The *raison d'être* for the soviets disappeared with the recession of the revolutionary mass movement, for their essential function was to direct strikes and manifestations against the government. The soviet was not yet looked upon as an alternative form of government. It was only in 1906 that the Mensheviks saw in the soviets a labor parliament which might compete with the Duma boycotted by the socialist groups, and that the Bolsheviks discerned in them a possible agency for a united front of the proletariat with peasants and soldiers and the embryo of a revolutionary government which would accede to power after a successful armed insurrection. In fact, however, the soviets in 1905 were exclusively an organ of the urban proletariat. It remained for the revolution of 1917 to create soviets of soldiers and to transform the soviet from a fighting agency into an instrument of government.

The czarist government in Russia was overthrown in March, 1917, in a spontaneous uprising of the masses in important urban centers; the army garrisons, which at first preserved a sympathetic neutrality, soon joined the movement. The soviets, created in the early days of the revolution, functioned as the coordinating and directing agency; they supplied the leadership totally lacking at first, saved the demonstrations from degenerating into riots, assumed control of the stores of arms to prevent their use by counter-revolutionary groups and assured the maintenance of the regular food supply. The soviets consisted of delegates sent by workers in factories and workshops and by soldiers in the various garrison units; they also included a few individuals deputized by socialist groups. Peasant soviets were organized later and, unlike the urban soviets, played no important role in 1917. The latter represented the great majority of those who made the revolution, but they did not take over the government; instead a Provisional Government was set up, which derived its authority primarily from the Duma, the lower chamber of the old regime, and proposed to carry on until the convocation of a constituent assembly.

From the outset there were thus two centers of power: the Provisional Government and the soviets. In the early months of the revolution the soviets, dominated by the Mensheviks and the Socialist Revolutionaries, preferred to function as an organ of democratic control over the Provisional Government preparatory to the convocation of the constituent assembly, which was expected to establish a democratic republic. In the capital this control was exercised by the Petrograd Soviet and later by the Central Executive Committee elected at the first All Russian Congress of Workers' and Soldiers' Soviets in June. But this situation did not endure. In April Lenin condemned the Provisional Government as a servant of capitalism and international imperialism; he also formulated the demand for the assumption of all power by the soviets, which shortly thereafter was adopted by the Bolshevik party. The ineffectiveness of the Provisional Government and the attempt by General Kornilov to establish a military dictatorship directed mainly against the soviets rapidly drove the masses leftward. By the middle of September the Bolsheviks had won control of the Petrograd and Moscow soviets and were making striking gains throughout the country. Thus the way was prepared for the overthrow of the Provisional Government. After a successful coup directed by the Military Revolutionary Committee of the Petrograd Soviet, the second All Russian Congress of Soviets, which met on November 7 and was dominated by a coalition of Bolsheviks and left Socialist Revolutionaries, declared itself the sole repository of state power. It vested governmental authority in a Council of Peoples' Commissars, with Lenin as chairman.

Local soviets were quickly transformed from agencies of control into governmental instrumentalities.

The wave of revolution which swept through central Europe after the defeat of Germany and its allies spread the soviet idea. In Germany workers' and soldiers' councils were utilized to carry through the revolution which led to the abdication of the kaiser. On November 11, 1918, the executive committee of the Workers' and Soldiers' Soviet of Greater Berlin, constituted two days earlier, assumed sovereign power in the German Socialist Republic; it allocated executive authority to a coalition government of Majority and Independent Socialists, retaining for itself and the subsequently elected Central Soviet a power later defined as "parliamentary supervision." In Germany, unlike Russia in 1905 and 1917, mass party and trade union organizations were already firmly established. The right Majority Socialists and the trade union leaders regarded the soviets as a potential challenge to their authority and sought to subordinate them to the existing party and trade union machine. The center offered the impossible compromise of combining soviets with ordinary representative assemblies, while the left pressed for a permanent soviet government, which it hoped to transform into its own agency. The extremists who called for a permanent soviet government were defeated; the congress of soviets which met on December 16 and was controlled by Majority Socialists set the elections to the constituent National Assembly for January 19, 1919. Although the Central Soviet turned over its powers to the Assembly early in February, the establishment of a democratic regime did not proceed unchallenged. Economic disorganization and the political mistakes of the government, which retained the old apparatus of military and civil administration, led to a radicalization of the masses and of the local soviets; in some instances, notably in Munich (April 7—May 1, 1919), there actually were established local soviet republics, which, however, were quickly suppressed by government troops. The revolutionary temper found expression also in the second congress of soviets held in April, which adopted a plan sponsored by Majority Socialists Kaliski and Cohen calling for the establishment of chambers of labor; the national chamber, enjoying an authority virtually coordinate with that of the Reichstag, was to be concerned particularly with economic legislation and the promotion of gradual socialization. The Majority Socialist party as a whole and its representatives in the National Assembly refused, however, to support this program. Article 165 of the Weimar constitution stated merely that "for the purpose of safeguarding their social and economic interests the wage earning and salaried employees are entitled to be represented in workers' councils," while the works' councils law of 1920 purporting to carry out this article of the constitution provided for the abolition of workers' soviets. Even the status of the national economic council, a combination of workers' councils with representatives of employers and other groups, likewise promised by article 165, was that of an advisory body, not of a second chamber.

In Austria too soviets were created in the early days of the revolution of 1918. They were helpful in preserving discipline in the army and in combating profiteering in foodstuffs and housing but had no voice in national affairs. In the second quarter of 1919, under the influence of developments in Munich and especially in Hungary, a strong sentiment developed in Vienna and the surrounding industrial territory for the establishment of a soviet government; but the desperate international situation of the country and the danger of being cut off from the agricultural regions, where peasant soviets sabotaged the food policy of the central government, prevented any but minor outbreaks. Workers' and soldiers' soviets survived for several years thereafter, at first cooperating with the government dominated by Socialists and later acting as the shock troops of the Socialist party in opposing counter-revolutionary moves; eventually the soviets became indistinguishable from the local branches of the party.

Hungary was presumably a soviet republic from March 21 to July 31, 1919, but governmental authority was exercised by a coalition of left Socialists and Communists "in the name" of workers', soldiers' and peasants' soviets. The establishment of the new regime was not attributable primarily to militant action by workers' soviets, from which Communists were barred although they controlled a number of works' councils and influenced the policies of the Soldiers' Soviet in Budapest. It was rather the result of a decision by Karolyi, hard pressed by the allied command, to place reliance upon the "Russian orientation" and to discard accordingly the liberal-socialist condition in favor of a left wing government. Although new elections to the soviets were held in April and a

soviet congress, which met in June, adopted a constitution modeled after that of Russia, the soviets functioned mainly as a tribune for governmental declarations and not as organs with legislative and executive functions. Moreover considerable friction developed between rural soviets and the central organizations. Internal dissension, allied intervention and the inability of Russia to offer military assistance spelled the doom of Soviet Hungary.

The only other country in which soviets have become a serious political factor is China. After its break with the Kuomintang in 1927 the Communist party declared that because of the treachery of the bourgeoisie the national revolution in China was developing into a proletarian-socialist revolution, and that armed insurrection and the establishment of a soviet republic should therefore constitute the next step. In the peasant uprisings which followed, especially after 1929, "red armies" occupied a number of districts and set up soviets. Where these exist in more than name they are in most cases identical with peasant unions, but sometimes they include also representatives of the associations of wage-workers, craftsmen and petty merchants.

In any discussion of the soviet as an organ of revolutionary combat a distinction must be drawn between workers', soldiers' and peasants' soviets, which are often considered identical; for the particular political orientation that they assume depends upon the interests which they represent and the strength of the Communist influence among them. Thus soldiers' soviets tend to become active revolutionary bodies only when they function in close contact with workers' soviets. This was largely true in Russia in 1917. In Germany soldiers' soviets practically disappeared as soon as city soviets were forbidden to interfere in army matters. In Austria the soldiers' soviets were an important revolutionary factor, because the Volkswehr was hand picked from those who were recommended by labor organizations. As a plenary governing organization a soldiers' soviet is an anomaly; military discipline and elective representation are incompatible unless both are fused by a supreme party command. The belief that peasants' soviets were active in 1917 and the following years in any country except Austria is unfounded. Between March and November, 1917, the organ of the peasant revolution in Russia was the village land committee and not the soviet. In 1917 Lenin called for the seizure of power by soviets of farm hands and the poorest peasants and not by general peasants' soviets. In the following years committees of the poor peasants were organized to combat the kulaks; at the same time the latter group, with the help of moderately prosperous peasants, attempted to use the newly organized village soviets as centers of resistance against the Communist dominated towns. Likewise in Austria in 1918–19 the peasants' soviets became definitely counter-revolutionary and pursued a separatist, antisocialist policy, revealing again that it is not the form of the institution but the character of the principle which infuses it that is of supreme importance.

Thus far the soviets have functioned as established governmental bodies only in Russia. The Russian system may be likened to a pyramidal structure resting on a base of village and town soviets and converging through district soviets and congresses for regions and republics in the All Union (before 1923, All-Russian) Congress of Soviets. At each of these stages the plenary meeting of the soviet or congress is vested formally with both legislative and executive power; the executive committee which it elects exercises this power in the interval between sessions. The executive committee and a smaller subcommittee, the praesidium, coordinate the work of the various local administrative departments, which follow the directions already outlined by the proper commissariat of the republic or the Union of Soviet Socialist Republics. In the center the commissariat is responsible to the Council of Commissars, which is an agency of the soviet congress and its executive committee.

The Soviet electorate is confined to those engaged in productive labor, while elements classified as hostile to the Soviet state—former members of the czarist police force, officers of the old army, the clergy, the former nobility and the like—are disfranchised. Occupational representation is the general rule; organized voters cast their ballots at their place of employment, and unorganized voters, such as housewives, home-workers and individual peasants, vote by geographic districts. No provisions are made for secret voting and no party tickets except those of the Communists are allowed. The electorate possesses the right to recall its delegate at any time, but the right is not often invoked in practise. Two electoral devices insure the dominance of the industrial workers over the peasantry: first, in the representation in district and regional soviets an urban voter is given as much weight as five rural inhabitants; second, the town

soviets enjoy direct representation in both district and regional soviets, while peasants have direct representation only in the district soviets. This arrangement is defended on the ground that industrial workers are politically more advanced and class conscious than the backward peasant masses.

Responsibility for selection of the members of the soviets and for direction of their activity rests in the last analysis with the Communist party. In the village the majority of soviet members tend to be non-party elements, but with each step upward in the hierarchy the proportion of Communists in positions of authority becomes correspondingly greater. In each soviet the inner board of control is invariably the Communist fraction, even when it is in a minority. Since the Communist party commands a monopoly of legality, the party encounters no difficulty in preserving its dominant position. The soviets are thus deprived of a considerable degree of authority. As long as the party remains the real seat of power, the soviets are fated to serve merely as an imposing façade rather than as sovereign organs. Their task is to clothe the party thesis in the garb of constitutional legality. To be sure, they serve a useful educational function by drawing in sympathetic non-party elements to participate in the work of administration; and to the extent that they carry out policies popular in the country they constitute an effective link between the masses and the party. But their work is necessarily lacking in creative significance on larger issues because important decisions come ready made from the party leadership.

In the literature of international Communism the soviets are assigned a twofold function. In the conquest of power they are the instrumentality which the Communist party utilizes to combat the influence of non-revolutionary parties and their affiliated mass organizations. After the conquest of power the soviets persist as the form of government through which the Communist party seeks to ally with the proletariat semiproletarian elements, such as the peasantry, technicians, professional workers and the like, and thereby to consolidate the dictatorship of the proletariat. The soviet state is supposed to realize "proletarian democracy" by affording the mass of the people free access to economic and cultural opportunities, within such limits of course as are dictated by the supreme purpose of liquidating capitalism. In this sense it is thought to be superior to bourgeois democracy, which, Communists contend, results in the dictatorship of the bourgeoisie, since the latter dominates economic life and controls most of the agencies of public opinion. As an instrument of rule the soviets are primarily a training school by which the laboring masses and their non-political organizations are enrolled in the governmental apparatus and taught to administer the country under the direction of the Communist party.

The soviet state is frankly an organ of class domination which is expected to persist during the transitional period between capitalism and communism. It is assumed that as the ultimate objective—the establishment of a classless society—is gradually realized, the soviet state will wither away and yield to a system of organization, still somewhat vaguely conceived, which will combine elements of voluntary cooperation and planned economy in accordance with the motto "from each according to his abilities, to each according to his needs."

MERLE FAINSOD

See: RUSSIAN REVOLUTION; GOVERNMENT, section on RUSSIA, SOVIET RUSSIA; BOLSHEVISM; COMMUNIST PARTIES; SOCIALISM; SOCIALIST PARTIES; REPRESENTATION; FUNCTIONAL REPRESENTATION.

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SPARKS, JARED (1789–1866), American editor, historian and college president. Sparks was educated at Phillips Exeter Academy and Harvard College, working his way through the latter. He dreamed of exploring Africa but got no nearer than writing *The Life of John Ledyard* (Cambridge, Mass. 1828). After a successful Unitarian ministry of four years (1819–23) in Baltimore he returned to Boston, purchased the *North American Review* and in his six years' editorship made it a magazine to be ranked with the English quarterlies and French *revues*.

His main work, the systematic exploration of American history, had already begun. For *The Writings of George Washington* (12 vols., Boston 1834–37) he visited all the older states and the public archives of England and France. The wealth of documentary material that these researches opened up led him to start six more books before the last of the Washington volumes came out. These brought him fame, the hand of an heiress and at Harvard the McLean professorship of ancient and modern history in 1838. Professor Sparks showed prophetic insight into the form that history teaching was to assume in American universities. He instructed by lectures, prescribed reading and essays; and he insisted on having time for private research. Yet Sparks considered history a gentlemanly avocation and trained no professional historians. Elected president of Harvard College in 1849, he was popular but reactionary, practically abolishing free electives. After his resignation in 1853 he lived quietly and unproductively at Cambridge until his death.

Jared Sparks has an assured place as an explorer and popularizer of American history. His thirst for original documents and his skill at selection and getting them published and distributed gave the American public a new conception of its history and provided historians and biographers with fresh material. His editorial methods, while not so bad as certain critics claimed, were literary rather than scientific, with the result that his texts cannot be trusted by scholars today. If Sparks dressed his subject with too much formal dignity, it was because frontier manners would not in that age have recommended it to the family of Clio. His significance lies in the fact that he did obtain recognition for American history.

S. E. MORISON

Principal works: Sparks was editor of *The Library of American Biography*, 1st ser., 10 vols. (Boston 1834–38), 2nd ser., 15 vols. (Boston 1844–47); to this Sparks contributed "Ethan Allen" (1st ser., vol. i), "Benedict Arnold" (1st ser., vol. iii), "Father Marquette" (1st ser., vol. x), "Robert Cavelier de La Salle" (2nd ser., vol. i), "Count Pulaski" (2nd ser., vol. iv), "John Ribault" (2nd ser., vol. vii), "Charles Lee" (2nd ser., vol. viii), "John Ledyard" (2nd ser., vol. xiv). He also edited *The Diplomatic Correspondence of the American Revolution*, 12 vols. (Boston 1829–30); *The Works of Benjamin Franklin, . . . with Notes and a Life of the Author*, 10 vols. (Boston 1836–40); *Correspondence of the American Revolution; Being Letters of Eminent Men to George Washington*, 4 vols. (Boston 1853). *The Writings of George Washington* included a *Life* written by Sparks and published as vol. i. Sparks also wrote *The Life of Gouverneur Morris*, 3 vols. (Boston 1832).

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SPASOWICZ, WŁODZIMIERZ (1829–1906), Polish jurist, publicist and historian. Spasowicz was born at Minsk and in his youth was subject to two influences, the Polish spirit of his home and the Russian environment of the local schools. He studied law at the University of St. Petersburg, where he also taught from 1857 to 1861. He published a manual of penal law in opposition to the positive and anthropological school. Obliged to abandon his chair as the result of political disturbances, he entered into practise as a criminal lawyer in St. Petersburg. His brilliant and penetrating speeches soon won him a great reputation. A keen student of Polish law, he prepared a critical edition of the Lithuanian Statute which was never published, participated in the editing of *Volumina legum* (9 vols., St. Petersburg 1859–89) and published studies on ancient Polish historians and translated Polish annals from the Latin.

Spasowicz' main significance, however, consisted in his attempts to establish a political and cultural alliance between the Russian and the Polish peoples. In furtherance of his ideas he published numerous literary and political works, including a history of Polish literature written

for Pypin's *Obzor istorii slavyanskikh literatur* (St. Petersburg 1865, tr. into German as *Geschichte der slavischen Litteraturen*, 2 vols., 1880–89; and separately published as *Dzieje literatury polskiej*, Warsaw 1885), and founded two Polish reviews—*Kraj* (Country) and *Ateneum*. For all his realism he was unable to foresee the World War, from which Poland emerged as an independent state. Firmly convinced that the Russian Empire and Germany were indestructible, he labored for Russian-Polish reconciliation and, imbued with the reformist ideals of the period of Alexander II, he centered his hopes on a radical change in the political structure of Russia. He thus opposed Polish revolt, holding that Poland surrounded by enemies had no alternative but to come to an amicable understanding with a liberal Russia. He was not in favor of autonomy for the Polish kingdom, which would leave the Polish eastern frontier—his native region to which he was deeply attached—outside of the autonomous area and thus expose it to cultural assimilation by Russia. Notwithstanding the purity of his motives, Spasowicz became the object of slander and vilification not only by Poles but by Russians.

W. LEDNICKI

Works: *Sochineniya*, 9 vols. (St. Petersburg 1889–1903; 2nd ed., 10 vols., 1913), Polish edition, *Pisma*, 9 vols. (Warsaw 1892–1903).

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SPAVENTA, BERTRANDO (1817–83), Italian philosopher. As a youth Spaventa dedicated himself to an ecclesiastical career, but he soon abandoned theology for secular studies. In politics he shared the ideas and hopes of the Italian Risorgimento. Exiled after the reaction of 1849, Spaventa became a teacher at Turin. Following Italian unification he taught at the University of Naples, where he created a Hegelian school of philosophy in an atmosphere of conflicts and controversies closely bound up with doctrinal, religious and political issues.

Spaventa attracted his students to the study of Hegel through the history of philosophy. He set out with scholastic assiduity to retraverse the Hegelian stages of the development of thought and to show the folly of the efforts to interrupt its ascent. He saw this upward course uninterrupted in the great European philosophical tradition but compelled to confine itself in Italian thought to the very restricted and apparently isolated tradition from Bruno through Vico and Rosmini to Gioberti. He demonstrated that the ideas of each of these thinkers anticipated and confirmed to some extent the truth which step by step was appearing in the vaster current of European thought. In this effort to establish an interrelation between the two traditions he was guided by the criterion of the "circulation of thought," according to which there are in modern civilization no zones and sectors isolated from the common movement. This criterion was found to be as valid for civil and political as for cultural or philosophical history.

Spaventa was incapable of effecting any transformation of his own Hegelian model. He concentrated upon thinking out anew and penetrating the logical-dialectical concatenation of concepts in which Hegel had distributed the ideal history of the spirit and the world. His work reveals, however, a personal imprint and a notable robustness of mind. Particularly important in the history of philosophy is his liberal reinterpretation of the Hegelian ethics. For him the state which embodies the ethical quality of the world is not the state of the Prussian tradition but the constitutional and liberal state which emerged from the Italian Risorgimento. This refashioning of Hegelianism represented an important contribution to the political thought of the Italian historic right, of which Bertrando Spaventa, like his brother Silvio, was a convinced advocate.

GUIDO DE RUGGIERO

Works: *La filosofia di Gioberti* (Naples 1863); *Esperienza e metafisica*, ed. by D. Jaja (Turin 1888); *Scritti filosofici*, ed. by G. Gentile (Naples 1901); *Principii di etica*, ed. by G. Gentile (Naples 1904); *Da Socrate a Hegel*, ed. by G. Gentile (Bari 1905); *Principii di filosofia* (Naples 1867; new ed. by G. Gentile as *Logica e metafisica*, Bari 1911).

Consult: Gentile, Giovanni, *Bertrando Spaventa* (Florence 1924), and *Le origini della filosofia contemporanea in Italia*, 3 vols. (Messina 1917–21) vol. iii, pt. i, p. 339–46, pt ii, chs. v–vi; Ruggiero, Guido de, *La filosofia contemporanea*, 2 vols. (3rd ed. Bari 1929), tr. by A. H. Hannay and R. G. Collingwood (London 1921), especially p. 331–40.

SPAVENTA, SILVIO (1822–93), Italian statesman and jurist. Spaventa directed his activity from the outset toward the achievement of a liberal order in the Kingdom of Naples. In 1848 he founded a journal, *Nazione*, to support

the liberal revolution. Named deputy, he energetically advocated revolt against the absolutism of the Bourbon reaction. He was imprisoned in 1849 and condemned to death in 1851; but his sentence was commuted to life imprisonment upon the intercession of Napoleon III, and in 1859 the protest of European public opinion, initiated some years before in the celebrated letters from Gladstone to Lord Aberdeen, effected his release. When the Italian kingdom was proclaimed, Spaventa became home secretary and minister of public works in the government of the liberal right, which continued until 1876.

Spaventa's political faith was a moderate liberalism, basically somewhat authoritarian under the influence of German political and juridical philosophy of Hegelian origin. He linked up the problem of civil and constitutional liberty with the power of the state as the supreme moderator of political life. He was a strong advocate of the Italian "historic right" which sought to canalize in the institutions of the state and thereby to temper that sentiment of liberty that had emerged from the revolution with all the exuberance and intemperance which a popular movement usually brings with it. Spaventa was convinced that the expansion of political liberty threatened internal solidarity and that democracy might well lead to a new absolutism. His opinion that the consciousness of liberty cannot be dissociated from the consciousness of its limits inspired the most enduring work of the last period of his life—the application of justice in administration, embodied in the creation of the fourth, or jurisdictional, section of the Council of State. Since parliamentary government works through political parties which alternate in power and since a governing party may abuse its position, Spaventa felt that it was necessary to guarantee justice in administration through a supreme organ, independent of political alternations, which would protect the legitimate interests of all against partisan violation. The jurisdictional section still exists, and with its vitality is associated the most lasting fame of the man who initiated it and served as its first president.

GUIDO DE RUGGIERO

Works: *Dal 1848 al 1861: Lettere, scritti e documenti*, ed. by B. Croce (Naples 1898, 2nd ed. Bari 1923); *La politica della destra: scritti e discorsi*, ed. by B. Croce (Bari 1910); *Lettere politiche (1861–1893)*, ed. by G. Castellano (Bari 1926); *Lo stato e le ferrovie: riscatto ed esercizio* (Milan 1876); *Discorsi parlamentari . . . pubblicati per deliberazione della Camera dei Deputati* (Rome 1913). See also the files of *Nazione*, 3 vols. (Naples 1848–49).

Consult: Croce, Benedetto, *Storia d'Italia dal 1871 al 1915* (3rd ed. Bari 1928); Cesare, R. de, "Silvio Spaventa e i suoi tempi" in *Nuova antologia*, 3rd ser., vol. xlvi (1893) 29–60; Ruggiero, Guido de, *Storia del liberalismo europeo* (Bari 1925), tr. by R. G. Collingwood (London 1927), especially p. 327–32, 462; Russo, Luigi, *Francesco de Sanctis e la cultura napoletana (1860–1885)* (Venice 1928) ch. x; Tagliacozzo, E., *Il pensiero di Silvio Spaventa* (Rome 1932).

SPEAKER. *See* PROCEDURE, PARLIAMENTARY.

SPECIAL ASSESSMENTS are compulsory levies imposed upon owners of property for the purpose of defraying the cost of specific public improvements likely to enhance the value of the assessed property. Traces of this form of revenue may be found in Roman history. The earliest English statutes, which may be treated as the origins of the present assessment system in the United States, date from 1427, when a series of drainage acts were passed, placing the costs of the reconstruction of sea walls, ditches and sewers upon all whose landed interests received benefits therefrom (6 Henry VI, c. 5). Rosewater has traced the subsequent historical developments in France, Belgium and Germany and has found widely varying dates of the first use of special assessments. The system of special assessment has found an increasing application in modern times; the growth of cities and their need for local improvements, the fiscal pressure on the tax system with its tax limits laws, the development of the highway system, the growing appreciation of public health and the importance of adequate drainage systems, the development of city planning as well as remunerative urban real estate speculation have been among the chief causes for the increased productivity of special assessments. In the United States the fiscal significance of this revenue has increased so rapidly that it now stands second in importance to the general property tax, and occasionally in some cities the annual receipts from this source exceed those of the general property tax.

The three essentials of a special assessment are legal compulsion, a specific improvement and special benefits accruing to owners of land. From the point of view of legal compulsion, the special assessment is upheld by the courts usually as an attribute of the taxing power, although in many early American cases the levy was considered an exercise of the power of eminent domain; later in some jurisdictions it

was viewed as a quasi-contractual obligation of the owner upon which the municipality might sue to recover payment for benefits in an action in assumpsit on *quantum meruit*; while in other jurisdictions legal compulsion may exist in the form of an implied agency whereby the municipality levying the special assessment becomes the implied agent of the petitioning property owners seeking the specific improvement.

Because the taxing power of the state is involved, courts have interpreted strictly the provisions of the law in order to protect the owners of improved property; and only when there is an express legislative grant of power may the municipality impose a special assessment. The specific improvement must be vested with public interest if the taxing power is used, and courts have insisted further that the special benefit be distinct and measurable. In some states the local improvement must be of a permanent character; and where this requirement is in force, assessments for street repair, sprinkling, cleaning, lighting and other municipal operating expenses cannot be levied.

The special benefit is the justification, limit and measure of the special assessment and consists in the enhancement of land value of a given parcel of property over and above that which the same specific improvement causes for the general community. The efficiency of the special assessment system depends primarily upon the degree of accuracy with which actual increase of land value is approximated by the anticipated special benefit, according to which the special assessment usually is apportioned. Because of the widespread lack of district revolving funds, which permit an advance of public money for the construction of specific improvements and which also make possible, following the acceptance of the improvement, a lapse of time during which the special benefit may be more accurately computed, apportioners of special assessments attempt to forecast the influence of a local improvement upon future land value. The statistical tools and engineering formulae used as aids in such estimates have proved to be expedients approximating roughly actual land value trends. While it is generally admitted that the multiplicity and complexity of factors involved render a precise measurement of the special benefit practically impossible, the approximate determination of such benefit has been sufficiently accurate to justify the continued use of special assessments.

Although it was founded on an exercise of the taxing power, the special assessment, sometimes called a betterment tax, should not be confused with general taxes. In order to exclude the special assessment from tax exemption and to permit the construction of necessary improvements which otherwise would be checked by the existence of tax limit laws, courts have found it necessary to differentiate between special assessments and taxes. The judicial reasons assigned for the distinction are that taxes are levied to provide general revenue, while special assessments are used to defray the costs of specific improvements; taxes are a burden upon the owner, while special assessments are a levy for an equivalent; taxes recur regularly, while special assessments are levied only upon the occasion of a specific improvement; taxes are imposed at the will of the legislative power, but assessments are subject to the review of the courts; taxes are levied without regard to measurable special benefit, although assessments depend primarily upon calculable special benefits. From the viewpoint of economic analysis, whenever a special assessment actually exceeds the special benefit, such excess constitutes a tax. In times of falling price levels a rapid decline in property values may take place following construction of an improvement, so that in fact many special assessments are more closely related to a tax than to an assessment.

The three primary purposes for which special assessments have been used in the United States are non-revenue yielding local improvements, revenue yielding utilities and nuisance abatement. The most common non-revenue yielding local improvements include street and highway improvements, drainage assessments for the construction of sewers and waterway improvements. Assessments for revenue yielding utilities comprise levies for subways, tunnels, gas and electric plants and similar utilities. Nuisance abatement assessments include levies for garbage and refuse collection, for removal from the streets of ice and snow and like nuisances; although levied primarily for common benefit, they have been upheld on the basis of legal duty and measurable special benefit.

As a safeguard for the assessed owners of property against the full force of the taxing power legislatures have provided statutory limitations in addition to the judicial principle that no special assessment may exceed the cost of the improvement or of the special benefit, whichever is lower. Indirectly such restrictions impose added burdens upon the public treasury. The

most common statutory limitations determine the maximum rate of assessment (per linear foot of paving or type of sewer or other kind of improvement), fix the percentage of the total cost of the improvement to be borne by the public treasury, limit the total amount which may be assessed during a given period of time to some fixed percentage of assessed value or prescribe that no assessment may exceed special benefit as ascertained by the court.

Special assessment bonds have become a necessary element in the system because of the widespread use of instalment payments and collection. Such bonds are retired by subsequent assessment collections, and either they are paid directly to the contractor who constructs the improvement or the marketing is undertaken by the city. In some states these bonds are guaranteed by the full faith and credit of the city, but in most jurisdictions the security behind the bond is the forced sale value of the assessed property. Because of their limited marketability they are frequently sold by the contractor at substantial discounts, which become an important item of cost when he computes his bid on the improvement. In large cities highly specialized bond houses make a business of buying and selling only special assessment securities or of using these bonds as collateral for the issuance of their own collateral trust bonds. As a rule these bonds are not included in the municipal debt, since they are regarded as "self-supporting"; but this distinction has proved treacherous in time of depression, since the burden of municipal indebtedness cannot be stated accurately unless such debt is included, and failure to include special assessment debt has accentuated the increase in municipal insolvencies. Investors secure no claim superior to that of the contractor to whom the bonds were sold originally, and therefore they require that the district or city furnish unbiased legal opinion as to the validity of the assessment which secures the bond. This additional expense also is shifted ultimately to the assessed owners in the form of higher bids by contractors.

In order to differentiate the incidence of a tax from that of a special assessment, it is preferable to consider the shifting of the assessment as a recoupment—a reimbursement for a payment originating in a quid pro quo transaction. The possibility of recoupment by the owner depends upon the effect of the local improvement on the demand for the site, which in turn depends upon the intensity of competition with substitute unassessed sites or upon the elasticity of demand for improved sites. As long as the owner is the occupier or when the assessment is levied on vacant property, there is no opportunity for recoupment except by sale or lease. If the local improvement increases the demand for the land to an extent equal to or greater than the special assessment, the owner may get back his payment of the special assessment. In decadent neighborhoods local improvements may be constructed to check further decline in demand, but the owner nevertheless is unable to regain his payment of the special assessment. Subdivisions laid out and developed by local improvements often permit the original owner to recoup, while subsequent owners may not be able to recover their instalment payments if the demand for the property subsequently declines. Assessment districts frequently are so greatly enlarged that areas are assessed in which properties actually suffer depreciation instead of betterment, and owners pay for improvements which lead to a decline in the market value of their properties. These acute burdens are traceable to maladministration rather than to the special assessment system.

An appraisal of the special assessment system in the United States leads to the conclusion that it has proved an expedient for providing necessary local improvements in rapidly growing cities. In some instances it has made improvements possible in advance of local necessity. It has been an effective means of raising revenue from those owning tax exempt property. It has been basic to the development of city planning. Through the instalment system it has become an effective form of compulsory saving. It has furthered the protective functions of the state by financing sewer and drainage projects. By providing funds for necessary local improvements it has tended to reduce tax rates. Finally, it has postponed the invasion of the unearned increment taxes in the United States. On the other hand, because special assessment indebtedness has not been considered a part of the general burden of municipal indebtedness, it has led to the overexpansion of ambitious cities; and whenever municipal insolvency occurs, the burden of the special assessment appears extremely heavy. Special assessment administration has been lax in determining accurately the special benefit. Overlapping assessment districts have tended frequently to confiscate the value of land. There has been inadequate study of the nature of special benefits, so that local improvements fre-

quently cause a lowering of value in competitive neighborhoods. A careful scientific study of probable land usance and shifts in total land values should be made by a city before it orders additional levies for its major projects. Cities generally fail to differentiate between the complex procedure necessary for major improvement projects and the many minor local improvements willingly paid for by the assessed owners, with the result that the judicial system has been unduly handicapped by the special assessment cases; while in certain states where the local improvements in cities are left to the state legislature, the undue number of special assessments levied has glutted the state legislative machinery. With all its shortcomings, however, the system of special assessment has undoubtedly proved its value as a permanent element in local finance.

ERNEST HERMAN HAHNE

See: TAXATION; LOCAL FINANCE; MUNICIPAL FINANCE; MUNICIPAL CORPORATION; EXCESS CONDEMNATION; PUBLIC DEBT; LAND VALUATION.

Consult: Rosewater, Victor, *Special Assessments; a Study in Municipal Finance*, Columbia University, Studies in History, Economics and Public Law, vol. ii, no. 3 (New York 1893); Seligman, E. R. A., *Essays in Taxation* (10th ed. New York 1925) p. 413–21, 433–51; Page, William Herbert, and Jones, Paul, *A Treatise on the Law of Taxation by Local and Special Assessments*, 2 vols. (Cincinnati 1909); Haig, R. M., "The American System of Special Assessments and Its Applicability to Other Countries" in Pan American Scientific Congress, 2nd, Washington, D. C., 1915–16, *Proceedings*, 11 vols. (Washington 1917) vol. xi, p. 119–27; National Municipal League, Committee on Sources of Revenue, "Special Assessments" in *National Municipal Review*, vol. xi (1922) 43–58; Cornick, Philip H., "Special Assessments" in Buck, A. E., and others, *Municipal Finance* (New York 1926) ch. xii; Odenkirchen, Fritz, *Interessentenbeiträge, insbesondere die Beiträge des § 9 des Kommunalabgabengesetzes vom 14. Juli 1893* (Tübingen 1913); Ripert, G., *Étude sur les plus values indirectes résultant de l'exécution des travaux publics* (Paris 1904); Jannaccone, Pasquale, *I tributi speciali nella scienza della finanza e nel diritto finanziario italiano*, Biblioteca di scienze sociali, vol. xlvii (Turin 1905); Burnstan, Arthur Rowland, *Special Assessment Procedure*, New York, State, Tax Commission, Special Report, no. 1 (Albany 1929).

SPECIALIZATION is a technical term for all those phenomena—technological, social and biological as well as economic—which are usually subsumed under the phrase division of labor. This ambiguous expression, popularized by Adam Smith, actually applies to but one particularly striking manifestation of specialization in modern society: and even this apparently simple phenomenon is in reality complicated and multiform. For on the one hand the division of labor in modern society is not limited simply to labor but applies to all the factors of production, and on the other it extends beyond the purely technical and economic field. Herbert Spencer envisaged a simple progressive division of labor, or an ever increasing differentiation in the classification of social types. The incorrectness of this hypothesis is evidenced by the fact that certain forms of division of labor undergo retrogression and atrophy while others flourish. Indeed there is a certain antagonism between the various forms: the specialization of an organism limits the specialization of its parts; the external differentiation of a society hinders to a certain extent its internal differentiation. Expressed in general terms, the functional differentiation or specialization of a whole and the functional differentiation of its parts are roughly in inverse ratio to each other.

There may be distinguished three main social manifestations of specialization: professional specialization, also called the social division of labor; technical specialization, or the division of labor within a particular enterprise; and territorial, or geographical, specialization, either among various countries and economies or within one economy in the form of localization of industrial activity. Specialization may apply either to individuals, to groups of men or to things. It presupposes as a basic complementary principle cooperation or interdependence, and consequently it is simultaneously a dissociating and an integrating social principle, in effect really creative.

The separation of occupations, the vocational or social division of labor, was to Plato a characteristic mark of economic progress. Its significance for economic life was not again recognized prior to Turgot. While Adam Smith merely interspersed occasional remarks on the subject in other discussions, Turgot in his *Réflexions* (written in 1766) showed in some detail how the necessity of refining materials led to the exchange of products for labor, with a resultant gain to society as a whole since each individual advanced further by devoting himself to a single form of work.

The unusually rapid progress of vocational specialization in the nineteenth century has led to a general neglect of the fact that this type of specialization began very early and culminated not in modern times but in the Middle Ages. Recent ethnological studies have shown that

vocational specialization was far more widespread in even the most primitive social groupings than was previously assumed. Such early specialization, however, followed other cultural laws than does the modern type. While essentially the latter is economically conditioned and oriented, the earlier type was fashioned chiefly by spiritual and political power, so that if the economic criterion is regarded as the norm, the older type was heteronymous rather than autonomous. Rationalistic theories assume that division of labor and specialization are contrived or discovered by the human intellect, which discerns the utility, desirability and advantages of the differentiated organization of work. Such hypotheses have been exploded by the evidence of anthropology, which bears out the contention that specialization of functions and methods is no invention of human ratiocination but a primary fact of life. Division of labor in itself is an ancient and natural phenomenon; what is novel is the discovery that it can be an instrument of economic rationalism. Specialization on higher cultural levels is distinguished from primitive forms by the rational purposive elaboration, the secular as opposed to the essentially sacral and ceremonial nature of primitive division of labor, the subordination of specialization to a dominant concept of economic utility and its industrial adaptation. But it was only after thousands of years of experience that elementary specialization could be recognized as advantageous, as possessing systematic utility for human welfare.

The earliest or most primitive type of specialization seems everywhere to have been the sexual division of labor. Husband and wife each represent a certain sum of specialized knowledge and in this way exercise a determining influence on the formation of primitive society. The husband generally carries on an active, externalized life; all such dynamic activities as trapping, hunting, fighting, clearing and collecting are masculine specialities. To the woman as the bearer and feeder of children rigid traditional rules assign the task of managing the household, the garden and other regular and settled duties. It is not the knowledge of a special technique but the imputation of special powers and endowments which determines this type of specialization. Plow culture introduced an important mutation in this order in that it altered the woman's position, giving man a larger part than hitherto in the production of the vegetable means of subsistence and relieving the woman of traditional tasks. It is probable that this relief first created the conditions for the development of manual dexterity among women, a characteristic which distinguishes the late from the early stone age.

Another important break in cultural development came with the founding of ethnic groups and castes. Where these appeared and specialized in particular activities, special tools, utensils and techniques came to be intimately bound up with particular families, clans and castes, and thus special dexterities were fostered. At a still later stage the distribution of political power had a disintegrating and revolutionary effect on the traditional division of labor. In bureaucratic states dependent upon taxes in kind, such as Egypt, levies were passed along from the chief of the vocational group (generally ethnically unified) to the respective chiefs of village or commune, the elders of the caste and through them to the heads of individual families. As a result not only was the patriarchate pushed to the fore, but because of the increased compulsion to produce there also came about a greater participation of men in the family productive activities. Moreover with increasing density of settlement direct provision of sustenance for that part of the population engaged in handicrafts became ever more difficult, and handicrafts were thus developed into industry; that is, into a steady source of income. The traditional roles of the sexes were reversed, and the more intensive activities shifted to the men.

The appearance of the city was of the utmost importance for the development of specialization. For the city assembles a population whose existence is based not upon the direct extraction of the means of subsistence but upon the indirect satisfaction of needs through exchange. Wherever the division of labor is found, there is also the precondition for the development of urban communal life; conversely, urban communal life fortifies and intensifies the division of labor. Early concentration of population, in compelling a more complete division of labor than was possible among scattered peasants, led to the discovery of new sources of income, the growth of rigid state organizations and the development of the ancient river and oasis cultures. Not until the advent of the mediaeval city economy, however, was specialization—at least of industrial work—based on an economic criterion. Even then it was limited by socio-ethical concepts derived from a narrow and static economic codex. However, it was with the rise of a city

economy that a professional basis was first given to the separation of agrarian from industrial activity. The guild system was also influential in the increase of vocational specialization. Its system of quotas and its systematic restrictions upon the expansion of individual enterprises necessarily led to an ever greater multiplication of separate vocations.

Between the end of the sixteenth century and the beginning of the nineteenth the vocational division of labor failed to bring about any real progress in industrial methods. But with the industrial revolution a new and powerful development set in under the influence of capitalism. The impact of new techniques upon traditional forms resulted in a compromise from the point of view of specialization. Vocational specialization increased, partly through the founding of new kinds of industry and partly through the multiplication of specialties, a development along the lines characteristic of the Middle Ages. There was also, it is true, a more than compensating breakdown of special skills, which led to a decrease of vocational specialization; and in the production of raw materials vocational specialization remained backward. But the idea that the nineteenth century fostered only the technical division of labor is false.

Technical specialization, or technical division of labor, comprising chiefly the specialization of skills and of auxiliary capital, consists in the breaking up of technical productive tasks within a given shop into their elementary components or partial processes and the entrusting of the continuous execution of each elementary technical operation to a selected and specific human or material productive force. Such specialization, the most obvious manifestation of the intellectualizing and rationalizing of production, culminated in modern industrial machine technique. It first appeared in significant measure in the production of commodities under the household economy system, developing in opposition to specialization on the basis of sex or profession. A similar pattern prevailed in the mediaeval manors. Both the manorial and the household economy types constituted technical division of labor, inasmuch as they took place inside a more or less closed sphere and had as their object an increase in the productivity of labor, in contrast to vocational or social specialization, which is based on the exchange of products. Technical specialization in the domestic system reached its apex at the moment when vocational or social division of labor set in. Where agriculture became the sole or primary occupation, such specialization disappeared naturally; but in the realm of handicrafts its spread was artificially delayed by the guild system. The guilds' restrictions upon the enlargement of handicraft enterprises and the increase of labor productivity checked technical specialization as practised on the great estates and effected instead a dismemberment of production into independent enterprises.

One great difference between precapitalistic and capitalistic forms of technical specialization is to be found in the fact that the former is based on specialized human labor, while the latter involves in addition the specialization of auxiliary capital. In both cases the organization of production is directed by an entrepreneur, himself a product of the vocational division of labor. The factory creates a system of work and a type of specialization entirely different from those of the handicraft. The basis of the latter is the worker's mastery of an entire field of production and the resulting graduated classification of personnel into apprentices, journeymen and master workmen. The factory, however, has place only for categories of work classified according to type of skill, involving no necessary ascension from one to the other; it organizes the use of labor with respect to the performance required, which today is determined by machines. Bücher called this new type of division of labor *Arbeitszerlegung*: the entrepreneur, motivated solely by technical considerations, divides the process into separate steps and entrusts them to individual workers; he thus distinguishes skilled from unskilled and heavy from light labor, resolving all labor processes into their simplest elements. Equally important in technical division of labor is the specialization of the auxiliary means of production. Indeed in modern industry this has become decisive, and the speed of development as well as the rhythm of differentiation of labor now conforms to it. Special machines, each of which carries a particular operation to completion, make possible an enormous expansion of a factory's productive capacity. One result of such specialization of instrumental capital and mechanical technique is a growing differentiation and specialization of labor not only in the planning and managerial staffs but in the entire factory, with the development of corresponding wage differentials.

The typical figure in all fields of modern economy is the specialist, the expert, with limited but skilled knowledge and final respon-

sibility within his own sphere. While the expert has always been accepted in the liberal professions, it is only recently that he has come into his own in industry, not merely in technical, commercial and financial management but also in the very execution of work. Today the advantages and disadvantages of this tendency toward the specialization of every skill are about evenly balanced. It is probable indeed that the age of virtuosos has already passed its climax.

The development of specialization has been closely bound up with the introduction and perfection of machinery, the expansion of the industrial unit, the standardization of production and the growth of large scale combinations. The pragmatic interrelations among these trends within modern society are extraordinarily complicated, giving rise to a number of dialectical contradictions which require detailed analysis.

In the first place, it is evident that specialization is in some way functionally connected with the evolution of the machine system. The important question is how the two movements are related. In general it may be said that the specialization of labor is conditioned by the size and constancy of the market and is a function of increased demand. The principal effect of machinery is to diminish the cost and to increase the accuracy of labor performances which were specialized even without machines. As was demonstrated by Boulton and Watt in the Soho works or by Abbe in the Zeiss works, considerable specialization can be achieved through the training of labor virtuosos, particularly where an industrial operation has become so uniform that the same thing must be done over and over again in precisely the same manner. By making manual dexterity superfluous the machine wiped out some of the chief advantages of the division of labor; but it more than compensated for this destruction of labor skill by complicating and broadening the range of the industrial unit and therewith the opportunities for the application of the principle of specialization, particularly in the field of management. The machine makes more flexible the boundaries between the various crafts, so that general ability becomes more important than specialized ability.

It is clear furthermore that specialization is functionally related to the development of large scale industrial enterprise. First, the larger the industrial unit, the more easily can the tendency toward specialization be realized. Secondly, specialization is one of the indications of growing industrial units, of the transition from small to large scale enterprise. Finally, specialization is itself a means of rationalization within a large unit and thus, like the spread of machinery, is a rationalizing factor of primary importance.

Throughout the late nineteenth century and the early twentieth specialization of work and of material apparatus paralleled the development of large industrial units, and except in so far as trade union provisions prevented easy shifting of workers labor forces began to evince a remarkable adaptation to specific tasks. Specialization within large units made possible also the adjustment of material means of production to the productive process. The result was a steady increase in the size of the typical factory unit, once the chief obstacle to such expansion, the lack of capital, was overcome. After a certain point, however, the importance of technical details for an increase in the size of units declines, since specialization and the substitution of mechanical for human power tend to make possible standardization of the product. Where this occurs, there is a retrogression to earlier conditions, in that growth of enterprise or of factory unit depends not on technical considerations but on the marketing situation. Thus standardization, itself both result and cause of specialization, provides a powerful incentive to mergers and combinations.

It is, however, incorrect to infer that only large units are susceptible of specialization. On the contrary, specialization, standardization and factory organization today offer to middle sized and small industrial units their great opportunity of survival. The development of interchangeable parts for machines ushered in a new era of industrial specialization and organization, which greatly augmented the range of application of machines and in many cases made it possible for the small manufacturer to carry on a given production task quite as well as his giant competitor. If the small producer concentrates on the production of a limited class of commodities, he can specialize his labor forces and machines almost as efficiently as can the owner of the largest unit. Indispensable to the effectiveness of such specialization is constructive cooperation between firms within an industry, either through custom, as in the Lancashire textile industry, or on the basis of voluntary agreements or under state direction and control, such as prevailed during the World War and after the war in connection with the standardization movement.

It is nevertheless true, as has been pointed out, that specialization is a leading factor in the

merging of enterprises. The agreements which it fosters are not merely of a temporary and transient nature, like those concerned with limitation of output, but are rather contractual arrangements as to production schedules, enabling each unit to devote itself to the specialized production of one or more items. Such agreements may provide also for the joint use of marketing institutions or include a sales guaranty for factories incurring unusual risks. Where it does not result in complete mergers, specialization encourages the growth of manufacturing associations and production coalitions, which attempt to achieve the ful technical and economic benefits inherent in a combination of specialized units in order to compensate for the marketing disadvantages incidental to specialization. The aim is to create a perfectly functioning productive organism for competitive struggle; the result is a transformation of the structure of industry.

In the production of raw materials, particularly agricultural products, conditions are quite different with respect to specialization. In so far as spatial juxtaposition or the synchronization of the productive process is involved, agriculture is able to achieve the major prerequisites for rational mass production only imperfectly or not at all. There has been in modern agriculture a progressive specialization in work, but this goes no farther than the separation of field work from managerial work in large agricultural units and the cooperation of relatively few persons in small units. It is to be noted that, in distinction from industry, agricultural machine engineers are constantly striving to construct universal agricultural machines or combines whose permanent skeleton is equipped with a number of changeable working parts. Apart from specialization in truck farming, with its many subtypes of stock cultivation, plant cultivation and the like, the great advance in rationalization of agriculture has come about through standardization or grading of quality production. The conscious orientation of agriculture to the demands of the market has gone farthest in agrarian countries and for agrarian products which are marked for export trade. The vehicles of specialization in agriculture have been primarily the agricultural marketing cooperatives and particularly the specialized sales cooperatives.

One of the most important forms of specialization is that with respect to territory, sometimes called localization of industry. This includes division of labor among nations and territories, among localities and, finally, between city and country. The advantages of the localization of economic activities are similar to those of specialization in general: it fosters hereditary skill, opens up side lines, introduces highly specialized machinery and furthers the establishment of a local market for specialized labor talents. The disadvantages of localization suggest also the limits of specialization in general; chief among them is the fact that a localized industry usually makes use of only one kind of labor talent, thereby subjecting a whole region to the dangers of shifts in specialized demand. The remedy is to be found in the setting up of complementary industries in the vicinity.

A peculiarly significant aspect of specialization, and one which is far more complex than is generally recognized, is the local segregation of industries within an urban area. This phenomenon is not adequately explained either by the juristic theory, which would make it a consequence of the corporative form of organization —since legal forms are always the result or expression of economic organization and not its cause—or by physico-technical theories, which are all too particular to explain the universality of the result. More exact study shows that the dependence of particular branches of industries on physical factors varies according to social types and economic systems, being always to some degree conditioned by social causes. Nor do economic causes ever exercise exclusive control over the localization of industries. Thus the vocational group is not only the organ of an economic function but a society which establishes a genuine community of existence among its members. Every vocational group originally had its property, its deities, its feasts, its autonomous government. It constituted a rounded society which, while economically dependent on other groupings, was sufficient unto itself in respect to all other necessities of existence. Such a compact social body inevitably finds its own segregated area, but the need for such segregation is moral rather than economic. The local organization of industry is in one sense only an extension of the clan or the caste form of social organization.

Adam Smith indicated how the division of labor enables an ever greater number of persons to live under conditions of increasing well being in a limited area, and how the pressure of population upon the means of subsistence has a tendency to wipe out those peoples deficient in rational organization or incapable for some other

reason of utilizing to the full the advantages of their environment. In contrast with many of his popularizers, however, he always pointed out the limits of this tendency as a factor in economic organization and indicated the many evils inherent in specialization. He was naturally far less disturbed than modern students by the possibilities of discord between individual and collective interests and well being. Adam Smith's statements were supplemented and corrected in important respects by Wakefield; and the whole theory was greatly enriched by Babbage, the forerunner of Taylor and the scientific management school, in *On the Economy of Machinery and Manufactures* (London 1832, chs. xix–xx). Babbage emphasized certain advantages to be found in specialization in particular branches of industry and showed that increased efficiency is only one condition for the successful introduction of the specialization of machines and labor. The constancy of employment of labor and capital, he demonstrated, is an equally important condition. It remained for Marx to illumine the social and economic concomitants of the technical division of labor. The increasing knowledge of conditions among primitive peoples derived from ethnographic and anthropological studies led to a shift of emphasis away from the purely economic aspects of division of labor. About 1890 Schmoller, Simmel, Bücher, Durkheim and Maunier were all writing of the religious and sociological forms of specialization—an emphasis which has never since been lost. Additions to the theory since the World War have been largely interwoven with theories of scientific management and rationalization.

In general it may be said that specialization has a tendency to insure the best possible adaptation and exploitation of the special endowments of men, things and areas. Specialization is human or objective or spatial onesidedness, the shifting of the center of gravity of what may be called a personality to a partial field, to a specialty, to a type of work requiring the creation and existence of other onesidednesses for its completion. Standardization as the limitation, or specialization, of an artifact to a few typical forms is simultaneously the antithesis and the perfection of specialization. The advantages of the specialization of labor as they have been pointed out by the various students of the subject may be summarized thus: first, the dexterity amounting to virtuosity acquired by one-sided practise of a particular process tends to improve the quantity and the quality of the resultant product; second, specialization makes possible the arrangement and the classification of work according to capacities and of material capital according to its greatest productive force within a particular unit and within an entire economic system; third, specialization saves time and difficult labor; fourth, the mechanizing of work through specialization facilitates the invention of new machines and procedures, since the cumulative effect of many small improvements made by those working at a machine or process is very great; fifth, since the division of labor is an essential condition for the employment of machines or real capital, the growing dominion of man over nature is intimately linked with the development of specialization.

Both the advantages and the disadvantages of specialization are frequently exaggerated. The most frequently cited disadvantages fall into three groups: physical, the shortening of the life span, industrial diseases, the industrial worker's vocational fate; mental, the monotony of labor; and social, the misery of urban existence, the material dependence of workers and so forth. Occasionally pointed out by Adam Smith and even by his predecessor Ferguson, these evils of specialization were movingly portrayed by Ruskin and his school. But it must not be forgotten that the cradle of personal liberty was the city and not the open countryside, or that the degradation of labor is greatest in those crafts where there is the least division of labor, or that the monotony of the machine system has helped to make labor more mobile and broadened its horizon.

In other words, debate about the advantages and disadvantages of specialization in general is fruitless. A genuine scientific problem would be rather the determination of the limits of specialization under all imaginable concrete conditions; thus it would be profitable to attempt to discover how far specialization can be carried on with profit as measured, for example, in terms of money return. To define these limits concretely, however, is an extraordinarily difficult task.

According to the usual definition the division of labor is limited by the scope of the market. A condensed formula of this sort is always only a partial truth, which in most cases can be inverted without appreciable loss of its validity. Regarded historically, the formula is certainly open to question. Certainly it does not apply to the historical development of vocational specialization, for at least until the time of the mediaeval

European city vocations developed by and large according to laws other than that of the simple exploitation of human capacities for money gain. Nor is the formula more than roughly correct when applied solely to technical specialization within an individualistic capitalist market and a commercial economy. Even in this historically unique economic system, specialization is dependent not only on market relations but also on the state of technical knowledge and learning at any given moment. It might be said that the limits of the technical specialization of a product are reached when a further standardization of the component involves a loss of technical efficiency, and when all the machines in use are specially designed to produce an article more cheaply and better than would be possible by any other method of production. The critical point centers around the introduction of a machine which must temporarily lie idle, for continuity of employment is decisive if the specialization of both labor and capital is to be profitable. Inherent in specialization, especially for products with a complex composition, are not only certain technical and social disadvantages but also merchandising difficulties, among which the most serious are fluctuations in demand, whether these grow out of changes in fashion and taste or result from seasonal or cyclical influences. Fluctuation in demand materially increases the business risks inherent in one-sided specialization. Too much or too little specialization means a waste of effort. What is the correct amount depends on the object in view: in modern economy, profit measured in money terms. And here the competitive situation plays a determining role. This is not to deny the importance of the market for the extent and limits of specialization. Adam Smith correctly said that the one great advantage of foreign trade is the resulting augmentation of industry in the home market. This applies also to agriculture and to intangible services. It suggests, however, certain necessary amplifications of the older theory.

And if specialization, especially so-called international and interterritorial division of labor, is today regarded as of minor significance even by some of the most brilliant economists, this view overstresses the momentary economic situation and ignores certain basic economic judgments still to be refuted.

ARTHUR SALZ

See: OCCUPATION; PROFESSIONS; SOCIAL ORGANIZATION; HANDICRAFT; PUTTING OUT SYSTEM; INDUSTRIAL REVOLUTION; TECHNOLOGY; MACHINES AND TOOLS; LARGE SCALE PRODUCTION; SCIENTIFIC MANAGEMENT; STANDARDIZATION; LOCATION OF INDUSTRY; CITY; RATIONALIZATION; EXPERT.

Consult: Smith, Adam, *An Inquiry into the Nature and Causes of the Wealth of Nations*, ed. by E. Cannan, 2 vols. (London 1904) bk. i, chs. i–iii, bk. iii, ch. i; Schmoller, G., "Die Thatsachen der Arbeitsteilung," and "Das Wesen der Arbeitsteilung und die soziale Klassenbildung" in *Schmollers Jahrbuch*, vol. xiii (1889) 1003–74, and vol. xiv (1890) 45–105; Simmel, G., *Über sociale Differenzierung*, Staats- und socialwissenschaftliche Forschungen, vol. x, no. i (Leipsic 1890); Bücher, Karl, *Die Entstehung der Volkswirtschaft*, 2 vols. (new ed. Tübingen 1919–20) vol. i, chs. viii–ix; Durkheim, É., *De la division du travail social* (6th ed. Paris 1932); Dechesne, L., *La spécialisation et ses conséquences* (Paris 1902); Bouglé, M., "Revue générale des théories récentes sur la division du travail" in *Anneé sociologique*, vol. xvi (1901–02) 73–122; Maunier, René, "Vie religieuse et vie économique" in *Revue internationale de sociologie*, vol. xv (1907) 841–80, vol. xvi (1908) 16–36, 88–106; Heiss, Clemens, "Die Arbeitsteilung und die Beschäftigung minderwertiger Arbeitskräfte in der modernen Grossindustrie" in *Schmollers Jahrbuch*, vol. xxxvii, pt. i (1913) 119–53; Marshall, Alfred, *Principles of Economics* (8th ed. London 1922), especially bk. iv, chs. viii–xi; Schmoller, G., *Grundriss der allgemeinen Volkswirtschaftslehre*, 2 vols. (new ed. Munich 1919) vol. i, p. 346–95; Bruyn, M. de, *Die Arbeitsteilung* (Zurich 1925); Bourgin, H., "Les espèces industrielles et la spécialisation originaire" in *Revue d'histoire économique et sociale*, vol. vi (1913) 381–407; Schulz-Mehrin, Otto, *Die industrielle Spezialisierung, Wesen, Wirkung, Durchführungsmöglichkeiten und Grenzen*, Ausschuss für Wirtschaftliche Fertigung, Schriften, no. 2 (Berlin 1920). See also bibliography for LOCATION OF INDUSTRY.

SPECIFIC PERFORMANCE. As commonly applied in Anglo-American law, the doctrine of specific performance is confined to attempts to force a person who has made a contract to carry out specifically the resulting legal obligation. The specific performance of non-contractual obligations is usually dealt with under injunctions, including the so-called mandatory injunctions (*see* INJUNCTION).

The complete history of the specific performance of contracts in English law remains to be written. This form of relief was long believed to date only from the middle of the sixteenth century. Later research, however, has shown that in the fifteenth century the chancellor decreed the specific performance of agreements of various kinds. Indeed petitions asking for his intervention were presented as early as the reign of Richard II (1377–99).

Specific performance is normally the natural expectation of parties to a contract. Compensatory damages for breach may or may not be

satisfactory. In the early history of legal systems, however, specific forms of relief are likely to be either very limited or non-existent. The emphasis then is rather upon composition for injury to forestall resort to self-help. The court is disinclined to impose its will upon the party to the extent of undertaking the supervision which may be necessary to enforce specific reparation. Even in mature legal systems such enforcement may be considered impracticable under certain circumstances.

While the limitations upon specific performance in English law are thus not unique, they have taken on peculiar forms and survived to a greater extent than in other legal systems. This has happened because of the dual nature of English law, which was divided into law and equity. Specific performance developed as a purely equitable doctrine. Now in exercising his jurisdiction the chancellor employed only the so-called procedure in personam, ordering the defendant to do or to refrain from doing certain specified acts, under pain of imprisonment if the order were disobeyed. In the case of affirmative acts the imprisonment might continue until the order was complied with. The chancellor himself would not take direct steps. The theory was that a decree in equity could not act in rem; that is, pass title to property. The result of this cumbersome procedure was to condition the grant of specific relief.

Most, indeed almost all, of the specific performance cases have had to do with contracts for the conveyance or creation of interests in property, especially land. In these cases if the defendant refused to execute the necessary instrument, pressure was exerted upon him. The recalcitrant defendant was committed to prison, there to remain until he complied with the court's order. If he did comply, the fact that he had executed the necessary instrument under duress was ignored. If he did not, the chancellor by means of a writ of assistance would order that the complainant be put into possession of the property and the defendant permanently enjoined from interfering with the possession of the complainant. Since the latter was in possession he had, according to the common law itself, "title" as against "all the world except the rightful owner." Thus while theoretically the defendant was in the eyes of the common law the rightful owner, in fact he was not in a position to take effective action to disturb the complainant's possession, since any lawyer who attempted through the machinery of the common law to act for him would himself be guilty of contempt.

Today by statute in practically all states—apparently by judicial legislation in one or two—the need to resort to this circuitous method of giving relief has been abolished. Courts have been authorized to vest title either directly by their decrees or indirectly by appointing some court officer as an "agent" to execute a deed in the name of the recalcitrant defendant.

In its origin the right to specific performance of a contract is obviously contractual, but the legal consequences which are associated with it in equity are such as almost completely to alter its character. In the case of land the right to specific performance of the contract has become so well recognized that the purchaser is often said to have become the "equitable owner" of the land as soon as the contract is signed. Although the accuracy of this designation is challenged by many, the fact remains that the court of equity treats the vendor much as it does the holder of a security, especially if, as in the case of instalment contracts, the purchaser has been let into possession. Under the prevailing doctrine the vendor is said to hold the "legal title" as security for the payment of the purchase price and may remain in possession if the contract so provides; if the purchaser defaults, the vendor may "foreclose" the rights of the purchaser. The purchaser is entitled to a conveyance not only against the vendor but also against any transferee of the latter except as purchaser for value without notice; or, if he prefers, the purchaser may compel the vendor to account for any profits derived from a sale to a third person, as in the case of a transfer by a trustee in breach of trust. According to the English and more usual American view the risk of loss by fire usually associated with ownership passes at once to the vendee as soon as the contract of purchase and sale is signed. Many of the other incidents of ownership are also ascribed to him.

Certain general principles running through equity find particular application in the specific performance cases. One is that equitable relief will be denied unless the remedy at common law is inadequate, which results in the rule that ordinarily a contract for the purchase and sale of specific chattels will not be specifically enforced, as theoretically the promisor can purchase equally good chattels elsewhere and recover by way of money judgment at law the excess cost, if any. A decree will be granted, however, where the chattels are unique for one reason or another. A parcel of land is ordinarily without any other

showing treated as unique. The principle that equity will not act where it is not feasible to do so is exemplified by the rule that specific performance of a contract for personal services will not be ordered. Nevertheless, if the services are of a unique character, such as those of a famous opera singer, they may be indirectly enforced if their performance is restrained for anybody else. The amusing spectacle is sometimes presented of an artist or performer who is constrained to argue that his talents are not unique. The rule of feasibility also leads to the rule that ordinarily, and subject to certain notable exceptions, a building contract or a contract which requires a long continued series of acts, such as running a railroad, will not be ordered. There are other limitations, such as mistake, misrepresentation, hardship and "lack of mutuality"—a highly technical and involved doctrine.

In the Roman and modern civil law there are more resemblances to the Anglo-American law of specific performance than writers have commonly supposed. To be sure, there is no imprisonment to compel performance. But there are other methods of coercion. For example, in the Roman law under the formulary procedure the so-called *clausula arbitraria*, or arbitrary proviso, resulted in the condemnation of the defendant in an indefinite sum, which was either a multiple of the damages or an amount to be determined by the *judex* as a penalty. This device apparently was employed in some actions to put pressure on the defendant to perform specifically, since he could, it seems, avoid the penalty by prompt performance. Apparently, however, it was not available for the enforcement of a contract to convey property. In an action on a formal contract, *stipulatio*, the plaintiff asked performance without the alternative of damages; but in fact he received a judgment entitling him only to damages, to be obtained by the usual methods of execution.

In French law, while the maxim *Nemo potest praecise cogi ad factum* is accepted as a theoretical principle, in practise it is not so important as some writers, notably Holland, have supposed. The French law divides contracts into obligations to convey (*à donner*) and obligations to do or abstain from doing (*à faire ou à ne pas faire*). The former class in general covers all contracts to convey the ownership of or interests in specific or determinate things. The *Code Napoléon* treats contracts of this type very differently from those of the second type. Like Anglo-American law it attaches to the obligation to convey as between the parties the effect of an immediate conveyance, unless indeed the purely preliminary character of the contract is expressly set forth. In the second group, obligations to do or abstain from doing, the principle may be stated to be that as a rule a breach of obligation gives rise merely to an obligation to pay damages for non-performance. It thus appears that as to the vast majority of contracts to which the English doctrine is applicable—contracts to convey—the French law reaches much the same result as the Anglo-American. In French law, however, the law itself always operates to vest the ownership or the interest in question directly in the person entitled, without attempting to enforce "specific performance" of the obligation to execute the deed or other instrument. As the person entitled to the benefit of an "obligation to convey" is thus as between the parties given the rights of a grantee, he is able to bring a "real action" to recover possession.

The statement made by some writers that French law knows nothing of specific performance relates then not to obligations to convey but merely to obligations to do or abstain from doing. Even as applied to the latter it is misleading, since the French courts have in some cases adopted a practise of imposing in advance, apparently upon threat of breach, damages on the basis of a certain sum payable for every day's delay in compliance with a judgment ordering the specific execution of a contract or other personal obligation to do or abstain from doing. In some cases these *dommages intérêts moratoires*, or moratory damages, are not measured by the pecuniary loss suffered by the plaintiff, but are penal in character and calculated to induce specific performance. One striking group of cases has to do with custody of children in judicial separation. The practise of the French courts in enforcing strictly penal clauses in contracts also does much to bring about specific performance. When the reluctance of Anglo-American courts of equity to order the doing of acts other than those involved in conveyances of property is recalled, it becomes apparent that the similarity of the two systems is at least as striking as the difference.

Although details and procedure may vary, similar statements are true of German law. The primary remedial right under German law, where an obligation is involved, is a right to performance; but on grounds of public policy certain claims cannot be specifically enforced—claims for personal service and for the perform-

ance of a mere promise to pay money—which are likewise not specifically enforceable under Anglo-American law.

WALTER WHEELER COOK

See: EQUITY; INJUNCTION; LAND TRANSFER; OWNERSHIP AND POSSESSION; CONTRACT; DEBT; CONTEMPT OF COURT; DAMAGES; ARBITRATION, COMMERCIAL; PROCEDURE, LEGAL.

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SPECULATION. The term speculation is used with many shades of meaning, the cataloging of which would serve no useful purpose. There are, however, two fundamentally different types of speculative activity which it is important to distinguish. The first is the investment of resources in the effort to create wealth under conditions which involve more than ordinary uncertainty as to the results; the second is the buying and selling of commodities, securities or land in the hope of realizing a profit from fluctuations in prices. Speculation in the first sense differs only in degree from ordinary business enterprise. It is an integral part of the economic process and its performance is indispensable to progress. The second type of speculation is primarily competitive and acquisitive. It is only incidentally productive, although its economic by-products are of considerable value.

The first type of activity is synonymous with private initiative in the development of new technical methods of production and marketing, the opening up of new regions to civilization and the popularization of new forms of consumption. Speculation in this sense is as old as the history of human progress and has played a dominating role in the direction of economic effort since the rise of the commercial cities in the twelfth and thirteenth centuries. Speculation on price fluctuations, on the other hand, has attained major importance in comparatively recent times with the appearance of more elaborate marketing mechanisms, the development of the corporation with limited liability and the prevalence of an enhanced degree of confidence in the honesty of corporate officials and business associates.

Speculation in the second sense occupies the border territory between conservative investment and gambling. Investment is the purchase of property with a view to its productive use or the increase of its value by a manufacturing or merchandising process, or it is the purchase of a security which represents a claim to the income accruing from the manufacturing or merchandising process carried on by another person. It is predicated upon the future flow of value from

economic activity. Although a speculative transaction is the same in form, it looks not to income yield but to capital gain, which may result from revaluation or from the capitalization of an altered earning capacity.

Gambling is an attempt to secure capital gain purely as a result of the assumption of an opposite risk by someone else. Speculative investment aims to control the direction of human effort and the resulting flow of income; speculation shifts the incidence of a loss or gain from economic changes which would take place in any case, while gambling creates a loss and a corresponding gain which would not occur in the absence of the gambling transaction itself.

In an organized speculative market certain characteristics of the modern capitalistic system emerge in clearest form, and much of the current hostility toward speculation really represents a reaction against the whole system of organizing productive effort under the stimulus of private profit. In an exchange economy the control of the labor forces and the other natural resources of the community is allocated to competing enterprises as they outbid one another for this control. The competing enterprises appeal to those members of the social group whose incomes include a margin of saving, by the offer either of a guaranteed rate of interest or of shares in the future profits of the enterprise, against a present advance of liquid funds. To enhance the attractiveness of investment in particular enterprises there has been developed a system of issuing certificates of ownership of equities in the business which can be freely bought and sold. Such negotiability is of great advantage to the individual investor, since it enables him to make an investment in permanent fixed capital used by a given industry without committing himself permanently to the future of that industry. Of course this device does not in any way increase the liquidity of the invested capital of the community as a whole. It merely facilitates transfers of ownership between individuals.

The introduction of negotiability of securities makes it necessary for each individual who has savings to invest to choose between the market for old securities and that for new. This does not mean, however, that addition to the flow of savings can be diverted away from the new capital market and absorbed in the purchase of old securities. No matter how many times incoming funds change hands against old securities, they must finally be accounted for either by some form of investment in new capital goods or else in an addition to the stock of hoarded funds.

Speculative markets thus have a threefold function. They enable the individual with a minimum of lost motion to carry out his decision to invest his savings in new or in old securities. Second, they influence the flow of funds into particular industries and into particular firms by making possible a ready comparison of the relative results of different past investments as expressed in relative prices on the stock exchange. Third, they enable the community as a whole to express its judgment as to the desirability of more rapid or slower expansion of the rate of capital formation, this judgment being indicated by changes in the ratio between the valuations put on investment and on uninvested funds.

Competitive private enterprise involves an attempt on the part of society to capitalize the acquisitive impulse. It endorses the accumulation of private wealth through a process of successive exchanges of goods against goods and goods against cash, by which the successful trader gains at the expense of those who wrongly forecast the trend of relative prices. Admitting that no wealth is created by the process of "buying cheap and selling dear," the defender of private enterprise assumes that the indirect effect of such transactions is to facilitate the flow or resources into those uses which will in fact result in the maximum attainable creation of real income (as tested by the willingness of the community to buy).

Granting these assumptions, the case for the maintenance of speculation is very strong. The critique of this case, however, requires a detailed scrutiny of the forms of speculation. Types of price speculation may for this purpose be usefully classified in accordance with two criteria. First, with reference to the subject matter of speculative trade, the principal varieties of speculation are those concerned with changes in value of commodities, securities and real estate. Second, with reference to the type of price change anticipated, speculative activities either contemplate a change in the relative values of particular commodities, securities or pieces of real estate or depend on general changes in the price level.

In so far as the effect of speculation on the fortunes and character of the speculator himself is concerned, there is no particular difference between speculation in commodities, in securities and in real estate. In all three (and also in pure gambling transactions) the objective is

the same, to gain a relative advantage at the expense of the rest of the community either by superior knowledge or by superior luck. The probability of an individual's attaining success in an effort to make money continuously out of price fluctuations is very much the same as his chances of making money continuously by betting on horse races or election returns. In each case success depends upon relative ability to form a correct judgment as to the probable course of events; relative, that is, to the ability of the rest of the group to make similar judgments. The group as a whole cannot make money, but those who are most skilful or lucky will gain what the less fortunate lose. A general stepping up of the efficiency of the speculators would not increase their net gains, any more than enhanced efficiency on the part of gamblers would enable them to gain more at one another's expense.

There is indeed a close kinship between speculation and gambling. Both pursuits are apt to undermine the appreciation of the value of money and of the value of work. They involve the same unpleasing willingness to profit by the misfortune of others and the same temptation to risk more than one can afford to lose. A futures market entirely dissociated from the trade in a commodity would have to depend for its justification on exactly the same line of reasoning as does bookmaking on races or lotteries. Price speculation, however, is not dissociated from the actual trade in commodities, securities and land. Viewed from the standpoint of the general interests of the community, there are radical differences between the three types of speculation and also between all types of speculation and gambling.

From the social standpoint the case in favor of the maintenance of active speculation is strongest in the case of commodity trading. The argument here rests in part on the usefulness of the hedging (*q.v.*) contract as a form of insurance. In greater part, however, it rests on the usefulness of the speculator's activity in hastening a price change which would take place anyway. If there is to be a scarcity of wheat in the year to come, it is desirable that the price shall rise as soon as possible in order that the necessary curtailment of consumption and the desirable stimulus of production may take place in advance, thereby reducing the violence of the final adjustment. The speculator who correctly foresees the trend of events at the same time promotes the necessary readjustment of prices and profits by that adjustment. Mistaken speculation, on the other hand, will tend to force the price in what is from a social standpoint the wrong direction, but such mistakes are at the same time penalized with the utmost severity.

The social interest in stock speculation relates to the need of a broad market through which securities may be bought and sold without the necessity of bidding them up in order to buy or forcing them down in order to sell. The capitalistic organization of society is based on a high degree of specialization, one important aspect of which is the specialization of those who save part of their incomes and turn them over to others to be spent in the creation of capital. Anything which increases the liquidity of investments decreases the risk. It frees the borrowing corporation from the risk which would result from agreement to repay the capital on demand, and it frees the investor from the risk of not being able to get his money back when he wants it. The mobility of investments is greatly facilitated by the presence of a body of speculators who stand ready to buy or sell on slight changes of price.

True, a very large proportion of securities which are outstanding against the existing mass of capital assets lack this attribute of mobility. Organized speculation is effective only in liquefying the securities of fairly large, well known corporations, and even in their securities there are wide differences in the extent to which an effective open market has been developed. Fashions in speculation change; securities which dominated the market ten or twenty years ago have in many cases become inactive, supplanted by new favorites. What the active speculator wants to trade in is a security in which many others are trading. The very fact that a security has become a popular medium of speculation makes it a better medium; hence the maximum benefits of liquidity are realized only by the issuers of a comparatively small number of securities.

A feature of the security market which has aroused particular antipathy is the "short" sale, or speculation for a fall in price. Under the European term settlement system this is done by selling for future delivery as in the futures market for commodities. On American stock exchanges the short sale is effected by borrowing certificates for immediate delivery. If the price falls, the short seller is able to "cover" by buying securities to replace those which he has borrowed.

From an ethical and social standpoint selling first and buying later appears to be quite as defensible as buying first and selling later. It is just as desirable that inflated prices be hammered down as it is that depressed prices be brought up to a normal level, and the bear profits which are obtained by foreseeing the readjustment to a lower level are no more predatory than the bull's profits obtained by foreseeing a readjustment to a higher level. True, rising security prices stimulate investment in productive activity while falling prices stimulate the withdrawal of investors from enterprises involving large capital investment and planning for the distant future. This is probably the underlying reason for the ineradicable public sentiment which regards the bear as a pirate and the bull as a constructive agent. But it is just as possible for investment to be overstimulated by speculative enthusiasm as it is for it to be depressed by unwarranted pessimism. What is needed is a steady flow of funds from savers to enterprises which are based on sound analyses of future needs. Speculative overenthusiasm leads to the initiation of enterprises which cannot obtain funds for their completion when the enthusiasm has passed; if bear speculation is based on correct anticipation, it may be as useful, although it can never be as popular, as speculation based on "constructive" but frequently misguided confidence in the future.

Land speculation has been a target of perhaps more learned criticism than has been directed against any other form of speculation. At the same time it has in practise found favor with large elements of the community who regard any form of speculation as pernicious. From the standpoint of the speculator land speculation presents several peculiarities: in the first place, the turnover is very slow, as there is no market in which land can be bought or sold at a moment's notice. As a result it calls for more capital than does organized speculation. Not only does it require a high degree of technical skill and special knowledge of local conditions, but individual skill in bargaining plays a larger part than in any other form of speculative activity. In an organized speculative market anyone may learn by glancing at a newspaper or a ticker the price at which his commodity or security is selling and may expect to buy or sell at the same price that anyone else would get. But in the land market no two units are alike; trades are infrequent, especially in periods of depression. and very often the prices actually paid are not made public. There is no "short" side to the market. Those who believe that land is going higher can buy, while those who believe it is going lower but do not own land cannot influence the market situation except by refraining from buying. The behavior of prices in land booms lends some support to the argument that short selling serves as a brake on the market. Certainly prices of land rise as sharply as do prices in any other speculative market; and when the peak of the boom is past, the collapse of the market is usually more complete than in a stock exchange or commodity exchange.

There is no basis for the widespread belief that the land speculator is especially deserving of condemnation as a parasite. If land which is held by a speculator is fully utilized during the time it is being held for the rise, as is generally the case with agricultural properties, speculation involves no disuse of the resources. The productivity of the land is much the same as it would be if it were held by a permanent investor, although it may be used more wastefully. In the case of urban real estate which is held out of use by speculative holders, there is what looks like a waste of social resources; and this type of speculation has been particularly obnoxious to social reformers (*see* SINGLE TAX). Yet any social loss which results from the withholding of urban land from use pending a speculative rise in its value is due in the end to mistaken speculation and not to correct anticipation. If it does not pay the speculator to erect a building on his lots because he foresees that in a few years the land will be worth more for some other purpose and the building would have to be scrapped at a loss, then it is not advantageous to society as a whole to have such a building erected. Here, as in most types of speculation, the trader's activity may promote a more or a less effective use of social resources, but the action which results in social loss is also that which brings loss to the speculator himself.

The discussion thus far relates primarily to the social desirability of getting correct relative prices for different commodities, different securities and different pieces of land. In other words, it applies chiefly to price changes originating on the side of the commodity or the industry rather than on the side of money. In practise, however, a very large proportion of the speculation in all markets expresses a judgment as to a prospective change in the value of money rather than the specific commodity or security. Monetary inflations raise the prices of nearly

everything, and deflations pull nearly all of them down. Therefore, when major changes in the value of money are anticipated, speculation can be avoided only through avoidance of the ownership of wealth in any form.

The investor at all times must choose between two great groups of investment opportunities: those which will remain fixed in monetary value regardless of changes in the price level, and those whose prices are free to change. In the first group are money, government securities, call loans (viewed from the lender's standpoint), acceptances and bills of exchange and corporation preferred stocks, bonds or notes of a high degree of safety. Short sale contracts are also in this category. In the second group are all marketable commodities, business assets, land, common stocks and those preferred stocks, bonds and notes concerning the soundness of which there is serious doubt. Keeping wealth in any of the forms of the first group, which for convenience may be called dollar assets, will result in a gain if prices go down; while investment in the second group, the "non-dollar" assets, will benefit by rising prices. The choice between different standard media of speculation within one group is often less important to the speculator than is a correct choice between the two groups. Hoarding money and selling stocks and commodities short are extreme manifestations of a conviction that money is likely to increase in value, but they are not in this respect essentially different from the purchase of safe bonds of corporations or of governments. Vice versa, the purchase of commodities and securities on margin differs only in degree from the outright purchase of homes or of productive business assets or from a flight to foreign currencies.

The ways in which an individual can protect himself against the destruction of his capital by inflation or deflation are identical in form with the action by which he seeks to draw to himself an increasing share of the wealth of the community in times of comparative monetary stability. But whereas on the whole successful speculation on relative prices promotes the social interests, general changes in the price level do not initiate a process which it is socially important to have set in motion or hastened. As has been noted above, if the supply of wheat is going to be short within a year, it is highly desirable that the price should rise as soon as possible. But if an inflation boom is going to carry all prices higher, there is no discernible advantage in having the price rise occur now rather than later. Speculation against anticipated monetary disturbance is purely acquisitive or self-protective and has no compensating social function.

This, however, is not necessarily a condemnation of the activity of the speculator; it is a condemnation of inflation and deflation. The evils of manipulated currency are not due to speculation, nor are they mitigated by speculation. In these cases successful and unsuccessful speculation are merely the processes through which the gains and losses of monetary instability are distributed over the community. The real social problem is to eliminate or minimize the disruptive swings in the value of the dollar rather than to interfere with the allocation of the losses resulting from inequality of skill or luck in forecasting them.

In view of the widespread distrust and antipathy which speculation arouses it is remarkable that it has been the subject of very little directly repressive legislation. The most ambitious effort in this direction was probably the German statute of 1896 which put stock and produce exchanges under strict government control and provided for numerous restrictions on their freedom of operation. Future trading in grain was prohibited, as were term settlement dealings in the securities of mining and industrial corporations and in those of all companies with capital of less than twenty million marks. All persons who desired to carry on exchange dealing were required to register as speculators and to pay a license fee. Opinions differ as to the working of this law, but the consensus seems to be that it failed to achieve its purpose of eliminating undesirable speculation. In 1908 the principal provisions of the law were repealed, including the registration of securities and the prohibition of term settlement in industrial shares.

In recent years, aside from numerous regulations intended to insure a close relationship between the commodity futures markets and the spot markets for similar commodities, the principal concern of public authority both in Germany and in the United States has been to prevent the stock market from competing too vigorously with industry and trade for the available supply of credit. In 1927 the president of the Reichsbank required the principal German banks to make a drastic reduction in the volume of their stock exchange loans. In 1919 and again with much more vigor in 1928–29 the Federal Reserve authorities in the United States under-

took to bring about a diversion of credit from security speculation to industry. These measures have given rise to a considerable body of controversial literature, the position taken by the newer school of critics being that it is impossible for the stock market to "absorb" any significant volume of credit, since it is only an agency for the exchange of securities against funds which are no more tied up in the hands of the sellers of securities than they were in the hands of the buyers. Since the collapse of the boom of 1929 the opposite complaint has become prevalent. That is, it is contended that instead of absorbing credit and making it dear for industry, what a stock exchange boom really does is to make credit obtained through stock issuance abnormally cheap, thereby fostering an excessive volume of investment.

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See: STOCK EXCHANGE; COMMODITY EXCHANGES; LAND SPECULATION; FOREIGN EXCHANGE; HEDGING; RISK; PROFIT; INTEREST; INVESTMENT; INFLATION AND DEFLATION; BOOM; GAMBLING,

Consult: Eberstadt, R., "Die Spekulation, ihr Begriff und ihr Wesen" in *Schmollers Jahrbuch*, vol. xxix (1905) 1489–1538; Michaelis, Otto, "Die wirthschaftliche Rolle des Spekulationshandels" in his *Volkswirtschaftliche Schriften*, 2 vols. (Berlin 1873) vol. ii, p. 3–106; *Some Thoughts on Speculation*, compiled by Frank Fayant (New York 1909); Emery, Henry C., *Speculation on the Stock and Produce Exchanges of the United States*, Columbia University, Studies in History, Economics and Public Law, no. 7 (New York 1896); Lavington, F., "The Social Interest in Speculation on the Stock Exchange" in *Economic Journal*, vol. xxiii (1913) 36–52; Hardy, Charles O., *Risk and Risk-Bearing* (rev. ed. Chicago 1931) chs. vii–xiii; Aboul-Ela, Hanafi, *La spéculation en Bourse* (Paris 1930); Machlup, Fritz, *Börsenkredit, Industriekredit und Kapitalbildung*, Beiträge zur Konjunkturforschung, no. 2 (Vienna 1931); Liefmann, Robert, "Spekulationskapital und Konjunkturschwankungen" in *Wirtschaftsdienst*, vol. xv (1930) 89–94; Balogh, Thomas, "Latente Inflation" in *Schmollers Jahrbuch*, vol. liii (1929) 581–616; Cassel, Gustav, "Discount Policy and Stock Exchange Speculation," and "Does the Stock Exchange Absorb Capital?" in Skandinaviska Kreditaktiebolaget, Stockholm, *Quarterly Report* (1928) 57–60, and (1929) 21–25; Reisch, Richard, "Ueber das Wesen und die Wirkungen der Börsenkredite" in *Bank-Archiv*, vol. xxviii (1928–29) 154–62, and "Rückwirkungen der Börsenspekulation auf den Kreditmarkt" in *Zeitschrift für Nationalökonomie*, vol. i (1929–30) 205–21; Rogers, J. Harvey, *Stock Speculation and the Money Market* (Columbia, Mo. 1927); Reed, Harold L., *Federal Reserve Policy, 1921–1930* (New York 1930); Hardy, Charles O., *Credit Policies of the Federal Reserve System*, Brookings Institution, Institute of Economics, Publication no. 45 (Washington 1932), especially chs. vii–viii; Proudhon, P. J., *Manuel du spéculateur à la Bourse* (5th ed. Paris 1857); Ehrenberg, Richard, *Die Fondsspekulation und die Gesetzgebung* (Berlin 1883); Samuel, Ludwig, *Die Effektenspekulation im 17. und 18. Jahrhundert*, Betriebs- und finanzwirtschaftliche Forschungen, 2nd ser., no. 13 (Berlin 1924); Neidlinger, Karl, *Studien zur Geschichte der deutschen Effektenspekulation von ihren Anfängen bis zum Beginn der Eisenbahnaktienspekulation*, Münchener volkswirtschaftliche Studien, n.s., no. 11 (Jena 1930); Leiskow, Hanns, *Spekulation und öffentliche Meinung in der ersten Hälfte des 19. Jahrhunderts*, Münchener volkswirtschaftliche Studien, n.s., no. 12 (Jena 1930); Prion, Willi, *Die Preisbildung an der Wertpapierbörse* (Leipsic 1910); Adams, Charles F. and Henry, *Chapters of Erie, and Other Essays* (Boston 1871); Warshow, Robert I., *The Story of Wall Street* (New York 1929); White, Bouck, *The Book of Daniel Drew* (New York 1910); Pfleger, F. J., and Gschwindt, L., *Börsenreform in Deutschland*, Münchener volkswirtschaftliche Studien, nos. 15, 16, 22, 3 vols. (Stuttgart 1896–97); Cohn, Gustav, *Beiträge zur deutschen Börsenreform* (Leipsic 1895); Emery, H. C., "Ten Years Regulation of the Stock Exchange in Germany" in *Yale Review*, vol. xvii (1908–09) 5–23; Parker, Carl, "Governmental Regulation of Speculation" in American Academy of Political and Social Science, *Annals*, vol. xxxviii (1911) 444–72; Meeker, J. Edward, *Short Selling* (New York 1932); Whitney, Richard, and Perkins, W. R., *Short Selling, For and Against* (New York 1932); Wiriath, Marcel, *La spéculation et les troubles monétaires* (Paris 1924).

SPENCE, THOMAS (1750–1814), English land reformer. Spence was of Scottish working class descent. His program of social reform was derived, first, from his study of moral philosophy, grounded mainly in the Bible, More's *Utopia*, Locke's treatises on civil government and Rousseau's essay on the origin of inequality; secondly, from a lawsuit in Newcastle, his native city, instituted in 1771 by its freemen against the corporation's illegal disposal of the town moor. Spence opened his career in 1775 with a lecture before the Newcastle Philosophical Society, presenting his views of landed property and a plan for its reform. Starting from the doctrine that mankind in the natural state possessed the earth in common and enjoyed equal liberty, he argued that landed property, the source of the poverty of the many, could have arisen only from the usurpations of the few and not from any legal enactments. For civil society, the successor of the natural state, far from sanctioning the usurpations, owed its existence to an agreement of the citizens to secure their natural rights against all aggressions. Nor could the landed proprietors base on labor their claim to the rightful title to property, as they did not create the land and the improvements on the land were really the product of the actual cultivators of the soil. In order to restore the soil to

its rightful heirs and to do away with poverty the sovereign nation should transfer the land to the parishes, whose democratically elected councils would let it at a moderate rental to the farmers, their rent forming the only tax from which the expenses of the local and central government would be defrayed.

To these views, variously formulated and diversely expressed in pamphlets and poems, Spence adhered steadfastly throughout his checkered career, notwithstanding the persecutions they brought upon him. After 1792 his political activities centered in London, where he took part in all reform movements, which had been stimulated by Wilkes' agitation and grew to formidable proportions after the outbreak of the French Revolution. Finally Spence gained a small but very active band of adherents, calling themselves Spenceans or Spencean Philanthropists, who stirred up public opinion in the critical years from 1815 to 1820.

MAX BEER

Consult: Rudkin, Olive D., *Thomas Spence and His Connections* (London 1927), with full bibliography.

SPENCE, WILLIAM GUTHRIE (1846–1926), Australian labor leader. Spence was born in the Orkney Islands and was brought to Australia in 1853. He began work as shepherd and miner, a seasonal dovetailing of the two industries of mining and sheepshearing being characteristic of the time. After 1872, when mining became a capitalistic and unionized industry, Spence became secretary of the Amalgamated Miners' Association in Victoria, an office which he held for sixteen years. He also began to organize the shearers and in 1886 formed the Amalgamated Shearers' Union, which within one year had enrolled 9000 members and which gradually widened its scope to include all pastoral employees. Spence was one of the outstanding leaders in the great maritime strike of 1889–90 and organizer of the Australian Workers' Union, which by 1893 included the rural wage earners in every state but Queensland. Through his efforts the Queensland miners had already in 1889 become part of the Amalgamated Miners' Union; and by 1904 the rural workers of the district joined the A. W. U., bringing its membership to 50,000. Spence served as president of this union until 1908.

His political career began in 1898 when he entered the New South Wales parliament; and on the establishment of federation he passed over to federal politics, representing a huge pastoral constituency in the first six parliaments of the commonwealth (1901–14). From 1914–16 he held cabinet office but in 1916 was expelled from the Labour party as a conscriptionist and lost his seat in 1917. After 1919 he retired from politics.

It was in the industrial rather than in the political field that Spence's activities were most noteworthy. Under his leadership the A. W. U. became the most powerful trade union in the country. As a general federation of rural and city laborers it was united by loyalty to a political outlook rather than based on any industrial grouping. The procedure of the Commonwealth Arbitration Court helped Spence's crusade by encouraging interstate federation among unions. Spence strongly deprecated craft unionism, even desiring to abolish sick and fraternal benefits; but he never urged revolutionary unionism and resisted the I. W. W. propaganda fiercely. His ideal was national Australian industrial unionism, and the A. W. U. has always supported the White Australia policy. In contrast to Lane, the other great contemporary leader, Spence was not a theorist; he was, however, the most efficient trade union organizer the Australian labor movement has yet produced.

G. V. PORTUS

Works: *Australia's Awakening* (Sydney 1909); *History of the A. W. U.* (Sydney 1911).

Consult: Coghlan, T. A., *Labour and Industry in Australia*, 4 vols. (London 1918), especially vol. iii, p. 1363–65, 1524–30, 1555–57.

SPENCER, ANNA GARLIN (1851–1931), American educator and social reformer. Anna Garlin Spencer's long career as a writer and lecturer on social questions commenced when she engaged in newspaper work for the Providence (Rhode Island) *Journal* at the age of eighteen. After her marriage in 1878 to the Reverend William H. Spencer she was associated with her husband as an occasional preacher in Unitarian churches. In 1891 she was ordained and installed as minister of the Bell Street Chapel in Providence, where she served for fourteen years; later she became associate leader of the New York Society for Ethical Culture. Among the many educational appointments through which she expressed her enduring concern for social betterment were her posts as lecturer and associate director at the New York School of Philanthropy (1903–13), as Hackley professor of sociology and ethics in the Theological School at Meadville, Pennsylvania (1913–

18) and as special lecturer at the universities of Wisconsin and Chicago. She was deeply interested in peace and women's rights and was a charter member of the Women's International League for Peace and Freedom and the National Council of Women. The last dozen years of her life were devoted particularly to the study of family relationships. She sought to formulate a program of education for women which would train them to function effectively not only as wage earners but as wives and mothers and would enable them to cope with the changing social and economic implications of the family in modern society. Her lectures at Teachers College, Columbia University, and her numerous articles in magazines gave impetus to the widespread introduction of courses on the family in high schools and colleges and to the movements for parent education and sex hygiene. She founded the Division of Family Relations of the American Social Hygiene Association as a center of study and information on problems of sex and marriage and served as its director until her death.

MARY ROSS

Works: *Woman's Share in Social Culture* (New York 1913, 2nd ed. Philadelphia 1925); *The Family and Its Members* (Philadelphia 1923).

Consult: Andrews, B. R., "Anna Garlin Spencer and Education for the Family" in *Journal of Social Hygiene*, vol. xviii (1932) 183–89.

SPENCER, HERBERT (1820–1903), English social philosopher. Spencer probably owed much of his independence of thought to his father's libertarian methods of training and to an education remarkably free from conventional discipline. Brought up in an atmosphere of philosophical radicalism, he was opposed to all forms of authority and held that individual happiness as achieved by the free exercise of faculty was the chief end of life. From childhood he was interested in natural history and biology and also in mechanical science, and he spent some ten years of his early manhood as a practising engineer. To his scientific training he owed *inter alia* the impersonal temper that pervades all his work. From his study of biology he derived the idea of organic evolution; that is, of the gradual progress of life from simple to more complex forms, from primitive homogeneity to ultimate heterogeneity. It is the extension of these ideas and their application to the social organism that lead to one of the chief logical difficulties in Spencer's theory of the state: for, while they obliged him to regard the state as a natural and spontaneous evolutionary growth, he insisted also, in his role of philosophical radical, that it was a man made contrivance for the enforcement of economic contracts and for mutual protection.

The most important of Spencer's works dealing with social and political theory are *Social Statics* (1850), *Principles of Sociology* (3 vols., 1876–96) and *The Man versus the State* (1884). *Social Statics* is a description of society as Spencer conceives that it ought to be, the ideal condition of political organization being envisaged as one of static repose, in which a perfect equilibrium has been reached between man, the individual organism, and his surroundings. This equilibrium, Spencer maintained, should be brought about by a gradual delimitation of the functions of government and a correspondingly enlarged field for the exercise of man's "natural rights." Government he considers here and elsewhere to be a necessary evil, essential in the primitive, or military, form of society, in which violence is the chief enemy to man's happiness, but becoming less and less important as society progresses toward the industrial, or higher, form of state, wherein, once equilibrium of interests or perfect adaptation has been attained, the anarchy of utopia supervenes and governmental interference is no longer necessary. Spencer's description of the function of the state is little more than a list of the functions it should renounce. There must be no regulation of industry, which should be left to the free play of individual activities, since Spencer's ideal man is also an economic man. There must be no established, or state, church, no organized colonization, no poor relief, no social legislation, nothing in short in the way of collective organization to interfere with the law of natural selection. There must be no public mint and no state postal system, for those things are done best which men do themselves. Finally, there must be no state education, on the grounds, first, that a parent has a right to provide whatever form of education he chooses for his children and, second, that the child can be just as good a member of society without it, since the moral sense develops independently of education and ignorance has no connection with evildoing. Education does not therefore protect society against crime. In sum the chief duty of government is to refrain from interfering with the wise severity of natural laws, for it is an essential principle of life that man's faculties develop and increase of individuality results from the effort of adaptation to environ-

ment. Poor relief and public sanitation are objectionable just because they interfere with the process of adaptation and tend to perpetuate the weaker type.

Spencer had conceived the ideas of natural selection and the survival of the fittest about six years before Darwin published his famous paper, but with this difference: that Spencer held throughout the belief in purposive adaptation, whereas Darwin's view was that accidental variations which happened to suit their environment were perpetuated and so tended to survive.

Spencer's social and political theories are open to obvious criticisms. Society can never reach a state of utopia conceived in terms of static repose any more than the individual organism can attain to a perfect and final adaptation to its surroundings; on the contrary, each adaptation opens up a new set of problems calling for fresh adaptations. Spencer's utopian ideal of a final standard of justice for all led to an unreasonably antagonistic view of existing governmental institutions. He lived in an age when free trade was everywhere accepted as an ideal and men looked for industrial prosperity as a result of the removal of trade restrictions. But he went much further in maintaining that universal happiness would automatically be achieved by the reduction of governmental control to the minimum necessary for keeping order and to the machinery for enforcing economic contracts. Such a view is vitiated by the assumption that whereas, on Spencer's own premises, the state considered as a social organism evolved gradually from primitive simplicity to an increasing complexity and differentiation, government could reverse the process and simplify itself almost to the point of non-existence.

Spencer's objection to everything coming under the head of what is now called the social services may seem ruthless and unfeeling. Yet the ideal he always had in view was that of human happiness. When his contradictions and inconsistencies have been discounted, it must be conceded that much remains that is wise and farsighted. But the influence of Herbert Spencer on the development of political theory has been out of all proportion to the original and intrinsic value of his ideas.

C. E. M. JOAD

Works: *Works*, 18 vols. (New York 1910).

Consult: Duncan, David, *Life and Letters of Herbert Spencer*, 2 vols. (New York 1908); Elliot, Hugh, *Herbert Spencer*, Makers of the Nineteenth Century series (London 1917); Barker, Ernest, *Political Thougnt in England from Herbert Spencer to the Present Day* (London 1915), especially ch. iv; Cooley, C. H., "Reflections upon the Sociology of Herbert Spencer" in his *Sociological Theory and Social Research*, ed. by R. C. Angell (New York 1930) ch. vii; Ward, Lester F., *Glimpses of the Cosmos*, ed. by E. P. Cape, 6 vols. (New York 1913–18) vol. vi, p. 160–64, 169–87, and 301–16; Dewey, John, *Characters and Events*, ed. by Joseph Ratner, 2 vols. (New York 1929) vol. i, p. 45–62; Hankins, F. H., in *The History and Prospects of the Social Sciences*, ed. by H. E. Barnes (New York 1925) p. 297–302; Bernard, L. L., "Herbert Spencer; the Man and His Age" in *South Atlantic Quarterly*, vol. xxi (1922) 241–51; Hearnshaw, F. J. C., "Herbert Spencer and the Individualists" in *The Social and Political Ideas of Some Representative Thinkers of the Victorian Age*, ed. by F. J. C. Hearnshaw (London 1933) ch. iii; Sorokin, P. A., *Contemporary Sociological Theories* (New York 1928), especially p. 214–18.

SPERANSKY, MIKHAIL MIKHAILOVICH (1772–1839), Russian statesman and political theorist. Speransky was the dominating figure in Russia at the beginning of the nineteenth century. The son of a village priest of the province of Vladimir, he at first taught at the seminary of St. Petersburg. Under the influence of the ideas of the Enlightenment, however, he entered the office of the procuror general, who at that time stood at the head of the entire civil administration of Russia. Under Alexander I, Speransky was appointed state secretary; after the introduction of "ministries" he served for a time in the Ministry of the Interior; in 1808 he became assistant minister of justice.

Speransky's career is interesting because of his idealistic attempt to introduce constitutionalism into Russia. As the closest and most trusted adviser of Alexander I he was commissioned to work out a plan for the reform of political institutions. According to his plan, completed in 1809, all free citizens were to be given equal civic rights and steps were to be taken for the gradual emancipation of the peasants. The principle of the division of power was to be applied to state institutions, and Russia was to become a constitutional monarchy with an elective representative assembly, the so-called state duma, and a responsible ministry. In order to assist and supervise local administration the system of representative institutions was to be introduced also into townships, districts and provinces. The courts too were to be organized on the basis of certain electoral elements. A state council consisting of members appointed by the czar was to be created for the purpose of unifying the imperial administration.

Although Speransky's plan was realized only in part—only the state council was established in 1810—he made numerous enemies among the conservative nobility by other measures of reform, which included the requirement of educational qualifications for important state posts and the increase of taxes. He was arrested and exiled by Alexander I, who was eager to gain popularity on the eve of his renewed struggle with Napoleon; and despite the fact that Alexander I made him governor of Penza in 1816 and governor general of Siberia in 1819, allowing him to return to St. Petersburg in 1821, he was never fully restored to favor. Under Nicholas I, however, he was entrusted with the codification of the Russian laws. Speransky intended to divide this work into three parts: first, the collection of all the laws issued since the code of Czar Alexis in 1649; secondly, the compilation of all the extant laws; and, thirdly, the drafting of a new code. In compliance with the wishes of the conservative Nicholas I the enterprise had to be confined to the first two tasks, and these were promptly completed under Speransky's guidance. In 1830 there appeared 45 volumes of the *Polnoe sobranie zakonov* (Complete collection of the laws of the Russian Empire), and in 1832, 15 volumes of the *Svod zakonov* (Code of laws). Despite certain shortcomings the compilation eliminated legislative chaos and thus performed a positive service for its day.

V. MIAKOTIN

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SPHERES OF INFLUENCE. In the course of the imperialistic aggrandizement of the great powers in Africa in the 1880's and 1890's there developed a number of situations in which particular powers found it advantageous to assert vague political claims to areas which it was inexpedient to annex or convert into protectorates. These areas, which were usually contiguous to territories already held and were often focal points of the conflicting imperialisms of two or more powers, came to be designated as spheres of influence. Since indefiniteness is purposely of the essence of such claims, it is difficult to define the phrase precisely. The difficulty is increased by the looseness of popular usage. For example, the expression has recently been extended to cover the relations between small European states and great powers seeking to control their foreign policies without the formality of an alliance or protectorate. Austria and Hungary were thus said to be within the Italian sphere of influence early in 1934. In general, however, the use of the phrase is restricted to oversea imperialism. A sphere of influence might be roughly defined as a backward territory over which an outside power claims hegemony, with a view either to transforming it ultimately into a colony or protectorate or to securing exclusive economic privileges therein for its own nationals without assuming full responsibility for local administration. In either case other powers are in effect warned not to trespass on the region thus earmarked. Claims are usually based upon general political or economic interests of the power claiming influence in the particular region. The interests may consist of leaseholds or concessions in coastal areas with an accompanying assertion of predominance in the hinterland, or they may involve economic or strategic objectives in a region contiguous to possessions.

Assertions of hegemony may assume the form of unilateral declarations of policy by a single state, acquiesced in by other states. The Monroe Doctrine is an example. When the American government, in the Lansing-Ishii agreement of 1917, which was revoked in 1922, conceded that "territorial propinquity" gave Japan "special interests in China," it sanctioned by agreement what had hitherto been a unilateral Japanese claim to hegemony on the Asiatic continent. Claims of this character are sometimes based on agreements with local authorities, either native chieftains or "backward" governments of feeble states. Such agreements, especially in Asia, have often pledged the native government not to alienate the territory involved to any other power. Spheres of influence have their basis most frequently, however, in agreements between the imperial powers themselves. In 1886 Great Britain and Germany agreed upon a line in the western Pacific on one side of which the British government would seek no further territorial acquisitions and on the other side of which

Germany accepted a similar obligation. Between 1890 and 1896 Great Britain, France, Germany, Italy, Belgium and Portugal concluded a whole series of such bilateral arrangements delimiting their spheres in Africa. United States Secretary of State Olney in a note to the British ambassador, Sir Julian Pauncefote, in 1896 spoke of these spheres of influence as "new departures which certain great European Powers have found necessary and convenient in the course of their division among themselves of great tracts of the continent of Africa, and which find their sanction solely in their reciprocal stipulations."

Most text writers on international law define spheres of influence in similar terms. Thus Oppenheim (*International Law*, 2 vols., 2nd ed. London 1912, vol. i, p. 297) asserted that they were "such territories as are exclusively reserved for future occupation on the part of a Power which has effectively occupied adjoining territory." Likewise Pitt Cobbett (*Cases and Opinions on International Law*, 2 vols., 3rd ed. London 1909, vol. i, p. 113) declared: "A sphere of influence, so far as it can be said to possess a definite meaning, indicates a region, generally inhabited by races of inferior civilization, over which a State seeks, by compact with some other State or States that might otherwise compete with it, to secure to itself an exclusive right of making future acquisitions of territory . . . and, generally also, the direction and control of the native inhabitants."

These definitions, however, are primarily applicable to Africa. In the Caribbean region and in Asia assertions of hegemony by the powers have usually been made with an eye toward trading or investing privileges rather than with any thought of prospective annexation. The term sphere of interest has often been used to refer to such situations. Some commentators have used it synonymously with sphere of influence, while others have endeavored to distinguish between the two on the ground that influence implies political rights whereas sphere of interest refers only to economic privileges. In any case all such arrangements in Asia have had reference primarily to trading or investing privileges which each power has sought to monopolize for its own nationals within its own sphere.

The Anglo-Russian agreement of 1899 conceded exclusive Russian rights to railway construction in north China with Great Britain obtaining similar rights in the Yangtze valley. The Anglo-Russian agreements of 1907 recognized British influence in Tibet and Afghanistan and divided Persia into a northern Russian zone, a southern British zone and a neutral zone between. The agreements of 1896 and 1904 divided Siam into British and French spheres. Early in 1914 a Franco-German agreement sought to map out spheres for railway construction in Turkey. During and after the World War a series of interallied agreements aimed at partitioning Turkey into British, French and Italian spheres. The clash of rival imperialisms in China during the last four decades has led to numerous arrangements of this type. Japan expelled Russia from south Manchuria in 1904–05, seized control of the German sphere in Shantung in 1914, attempted to convert all of China into a Japanese sphere in 1915 and transformed the Manchurian sphere in 1933 into the "independent" protectorate of Manchukuo.

In all of these instances diplomats have worked hand in hand with investors and concessionaires and have sought to secure preferential or exclusive rights for their own nationals as to loans, railway construction, mines, public works and other industries within determined areas. Such arrangements have frequently been accompanied by the appointment on the part of the imperial powers of advisers of various types to assist the local government. This technique has been widely employed by the United States in the Caribbean. The sphere of influence or sphere of interest is everywhere imperialism's halfway house in which the seekers after power and profits, thwarted by rivals or by the resistance of their victims, stop short of complete control of the coveted market area. This vague and unstable form of imperial power tends to break down as soon as the equilibrium is upset by native revolt or by a clash between competing exploiters. The result is usually the ultimate transformation of the sphere into a colony or protectorate, often involving war against the natives and diplomatic or military conflict between the powers.

In view of these inevitable concomitants of empire building various efforts, largely unsuccessful, have been made by the powers to mitigate their rivalries by joint action. The inability of the United States to participate effectively in the carving of Africa and Asia has caused the American government to seek to protect its commercial and financial interests by challenging the legitimacy of spheres of influence, except in the Caribbean, and by championing the open door. In his circular letter of September 6, 1899, John Hay, "animated by a sincere desire that the

interests of our citizens may not be prejudiced through exclusive treatment by any of the controlling powers within their so-called 'spheres of interest' in China," succeeded, in form if not in fact, in committing the powers to the policy of refraining from discriminating commercially against nationals of other powers within their spheres. This policy failed to check the further growth of areas of monopolistic exploitation in China, in part because Hay and his successors, with their attention centered on commerce, failed to appreciate the implications of monopolistic investment privileges. In the open door treaty signed at Washington in 1922 the powers agreed to refrain from concluding agreements designed to create spheres of influence in China. It was understood that the treaty should not affect existing spheres, and the only result has been that the carving out of new ones has gone on without written agreements in recent years. The provinces of Fukien and Inner Mongolia are at present Japanese spheres, Yunnan is a French sphere north of Indo-China and the Yangtze basin a British sphere.

The internationalization of spheres of influence is another unsuccessful effort in the same direction. In the diplomatic contest between France and Germany for control of Morocco in 1905 President Theodore Roosevelt urged the kaiser to accept a compromise whereby France would accept, jointly with Spain, "a mandate from all the Powers, under responsibility to all of them for the maintenance of equal rights and opportunities." The General Act of the Algeciras Conference of 1906 recognized the independence of Morocco and converted it into an international sphere, but in 1912 Morocco was partitioned between France and Spain. The mandate system of the League of Nations represents the most recent effort at international supervision of backward areas. Its results do not promise any general cessation of acute imperialistic rivalries for control of such regions. Monopolistic national control is of the essence of twentieth century imperialism. Its consequences are exploitation of its victims and war between the rival exploiters.

FREDERICK L. SCHUMAN

See: IMPERIALISM; BACKWARD COUNTRIES; PROTECTORATE; MANDATES; FOREIGN INVESTMENT; COMMERCIAL TREATIES; CONCESSIONS; INTERNATIONAL ADVISERS; OPEN DOOR; INTERVENTION; MONROE DOCTRINE; PAN-AMERICANISM; PAN-MOVEMENTS; CHINESE PROBLEM; FAR EASTERN PROBLEM; NEAR EASTERN PROBLEM; EGYPTIAN PROBLEM; MOROCCO QUESTION.

Consult: Rutherford, Geddes W., "Spheres of Influence: an Aspect of Semi-Suzerainty" in *American Journal of International Law*, vol. xx (1926) 300–25; Lindley, M. F., *The Acquisition and Government of Backward Territory in International Law* (London 1926) ch. xxiv; Fiore, P., "Du protectorat colonial et de la sphere d'influence (Hinterland)" in *Revue générale de droit international public*, vol. xiv (1907) 148–59; Wright, Quincy, "Territorial Propinquity" in *American Journal of International Law*, vol. xii (1918) 519–61, especially 541–43; Moon, P. T., *Imperialism and World Politics* (New York 1926) p. 335–42, 352–57, 413–15, 428–32; Harris, N. D., *Europe and Africa* (Boston 1927); Lugard, F. J. D., *The Dual Mandate in British Tropical Africa* (2nd ed. London 1923) chs. i–ii; Willoughby, W. W., *Foreign Rights and Interests in China*, Johns Hopkins University, Semicentennial Publications, 1876–1926, 2 vols. (rev. ed. Baltimore 1927) vol. i, chs. vi, xiii–xiv.

SPINOZA, BARUCH (BENEDICTUS DE) (1632–77), Dutch philosopher. Spinoza was born in Amsterdam of Marrano-Jewish parents. He developed heterodox religious opinions, which led to his excommunication by the Amsterdam rabbinate in 1656. Thereafter he settled down to lead the picturesque but difficult life of a philosophic saint, grinding lenses for a living and devoting the leisure of his short life to the composition of an *Ethics* "demonstrated in the manner of geometry." He interrupted his major work to prepare and publish a polemical *Tractatus theologico-politicus* (Amsterdam 1670), in which he defended the liberal secular policy of Jan de Witt against the theologians, who demanded a closer union between church and state and a censorship of opinion in the name of religion. At the time of his death he left also an unfinished treatise on politics.

Spinoza's philosophic system represents a bold attempt to combine the core of religious idealism with the new scientific rationalism in a unified and serene human outlook. In the *Tractatus theologico-politicus*, where he writes as a critic of the religious tradition—incidentally laying down the principles of what was later to be called the higher criticism of the Bible—he defines the development of religion as an imaginative educational process ending in the complete internalization of religious teaching. The divine law, which first appears as an external command operating under the sanction of rewards and punishments, becomes in the highest religious consciousness, which Spinoza curiously identifies with Christ, a spontaneous movement of the highest part of the mind reaching out for greater perfection and being. With such a conception of religion and ethics immanent in his thought Spinoza found remark-

able support in the theoretical side of experience as interpreted by Descartes' philosophy of science. Carrying Cartesian principles a bit further than Descartes intended, Spinoza held that the norm of truth is provided by the direct intellectual intuition of simple mathematical relations, where the mind feels itself to be at one with the truths which it knows; and that whatever progress is obtained in the passage from the undisciplined and inadequate ideas of sense and imagination to discursive science, where sense ideas are organized in a framework of abstract intellectual concepts, it reflects the power of the mind in approaching, although in a very limited scope, nearer the intimate source of reality. If that process could be carried through to its ultimate term, all reality would be embraced in a single intellectual synthesis. But the intellect would no longer be the human intellect; it would be the intellect which is in and beyond the human intellect, that is to say, God. Similarly on the practical plane of will and desire the passage from animal instincts to a disciplined ethical life represents not an ascetic renunciation of life and power, but the spontaneous attachment of the mind to a deeper source of reality and the organization of the lower desires in the name of that attachment. Here again the final goal is God, the infinite source of all reality, who is reached not outside the individual but as the ideal term of the moral progress of the mind.

In his social and political philosophy Spinoza avoids both the murky, ascetic idealism of the theologians and the shortsighted realism of materialists like Hobbes and is able to ground the prevailing political liberalism in a clear appreciation of the complex forces operating in the human situation. He erects his political theory on the identification of right with power, holding that "every natural object receives from nature, for all purposes of being and working, exactly as much right as it has power." But by virtue of the fact that human nature does not exist on a single level of reality, a curious unfolding takes place. In a state of wild nature, where power is identical with individual physical force, everyone is checkmated by the universal play of force. Man's obscure consciousness of his own weakness in this state of nature and the hopes of gain from universal cooperation—which reflect of course a phase of human nature not recognized by the ordinary realist—lead to the social contract for the constitution of civil society as well as to contracts with rulers to govern society. Both of these types of contract are regarded by Spinoza not as historical facts but as intellectual formulations of the obscure play of forces immanent in the situation. Under these contracts men resolve to "live according to the common will of all, to be guided as it were by one mind" and to obey the government, which is to express this common will. The illusory advantages of natural right and natural freedom are exchanged for the restricted but far more solid advantages of civil rights and liberty within the law of the state. The change is thus not a surrender of individual power but an expression of the growth of individual power. Spinoza does not disguise the cost of this transaction in the way of the surrender of individual liberty of choice as to external action, and commands absolute obedience to the sovereign in all except thought and opinion, which fall outside of the power of the state, not as an ethical duty but as the basic condition on which the mechanism of the state operates. The only protection against abuse of power by the government is the immanent "right" or rather inevitable resort to revolution whenever the government disregards the interests of its subjects.

Spinoza's radical religious philosophy so scandalized the people of his time that for a hundred years after his death he was "more execrated than read." Nevertheless, his political doctrines are known to have influenced Montesquieu and very probably affected Rousseau, whose doctrine of the general will is almost a paraphrase of Spinoza's conception. Thanks to Lessing and Jacobi, his general philosophy was at length resuscitated, and it came to exercise an enormous influence on Goethe and the romantic movement in German literature as well as on the post-Kantian philosophers, Fichte, Schelling and Hegel. Notwithstanding the modern loss of interest in "high ethics" and metaphysics Spinoza's works are still read, and with the exception of Pascal in France he remains the only seventeenth century philosopher who still exercises a direct influence on contemporary thought.

BENJAMIN GINZBURG

Works: *Opera*, ed. by C. Gebhardt, 4 vols. (Heidelberg 1925); *The Chief Works of Benedict de Spinoza*, tr. by R. H. M. Elwes, 2 vols. (London 1905–06); *The Correspondence of Spinoza*, tr. and ed. by A. Wolf (London 1928).

Consult: Freudenthal, Jakob, *Spinoza. Leben und Lehre*, Societas Spinozana, Bibliotheca Spinozana, vol. v, 2 vols. (2nd ed. by C. Gebhardt, Heidelberg 1927); *Spinoza, Mercator et Autodidactus*, ed. by A. M. van Dias and W. G. van der Tak (The Hague 1932).

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SPITTLER, LUDWIG TIMOTHEUS (1752-1810), German historian. Spittler, who was born in Stuttgart, concentrated his early studies upon theology. His *Geschichte des kanonischen Rechts bis auf die Zeiten des falschen Isidor* (Halle 1778) was responsible for his being called in 1779 to the University of Göttingen, which was strongly influenced by the Enlightenment and was at that time the best university in Germany. Dissatisfied with Protestant orthodoxy, he had already as a student developed a critical sense of the historical tradition and had devoted himself to the study of history. While he was affected by the Enlightenment of France and Germany, there is no proof that he was influenced in particular by Voltaire; his thought was shaped far more by Lessing, Klopstock, Herder and the young Goethe. In his *Grundriss der Geschichte der christlichen Kirche* (Göttingen 1782; 5th ed. by G. J. Planck, 1813) he showed his critical attitude in his incisive treatment of the papacy. But his best historical work was contained in his studies dealing with the history of German local states in the seventeenth and eighteenth centuries. His *Geschichte Würtembergs* (Göttingen 1783) and his *Geschichte des Fürstentums Hannover* (2 vols., Göttingen 1786) were sympathetic appraisals of bourgeois life in the German local states. During his Göttingen period Spittler was both church and secular historian, and in 1782 his professorship was converted into a chair for political history. Several of his works were merely outlines for his academic work. Aside from his local histories of Württemberg and Hanover the *Entwurf der Geschichte der europäischen Staaten* (2 vols., Berlin 1793; 3rd ed. with continuation by G. Sartorius, 1823) is most important. In his political histories Spittler was concerned chiefly with constitutional matters. In general he was a pragmatic historian who let the facts speak for themselves. It cannot be said that he opened up new paths, but he did reveal the character of the age in his increased dependence upon research and critical use of source materials. An excellent teacher, he exercised a strong influence on the younger generation. His political interests drew him into the service of the state of Württemberg in 1797. He was a member of the state council and in 1806 he became minister and president of the educational commission.

WALTER GOETZ

Consult: Fueter, E., *Geschichte der neueren Historiographie*, Handbuch der mittelalterlichen und neueren Geschichte, pt. i (Munich 1911) p. 377–79; Schweizer, Josef, *Ludwig Timotheus Spittler* (Tübingen 1907).

SPOILS SYSTEM. The phrase spoils system has been in current use in the United States since its employment by Senator Marcy in 1832. Most frequently it designates the practise of making appointments to public office not on the basis of merit or fitness but on that of party or factional affiliation or personal gain. In this sense the meaning is essentially the same as patronage system. The expression is also used authoritatively to describe the profits of many types which the abuse of official power may extort, not only through appointments but also through the award of contracts, the grant or refusal of licenses, the enforcement or non-enforcement of the law and other means. In this sense the meaning is substantially equivalent to graft.

The primary form of the spoils system is the distribution of jobs in the public service, including even welfare and penal institutions, to party supporters. In large cities especially the number of these positions is far from adequate, and in some cases contractors on public works and managers of public utilities and other corporations subject to regulatory authority have been called upon to make additional positions available. Many of these jobs are temporary, being distributed merely for a few weeks prior to election. Secondary forms of the spoils system include such matters as favoritism in the award of contracts, especially crooked specifications which limit competition; perversion of public purchasing for the benefit of party workers; special treatment in public institutions, including jails and prisons; priority in securing relief in time of distress; special interpretation of the law in its administration either to favor a friend or to embarrass an enemy; differential assessment of property; special favors in franchises; tariff privileges; and perfunctory prose-

cution for violations of law. For all these favors interested persons are willing to pay generously in one way or another; and historically heavy payments have found their way into the party treasuries.

A somewhat different aspect of patronage is represented by nepotism, or the system of appointing relatives to public office. The term was originally used to describe the distribution of power and principalities by the pope to his natural sons, euphemistically termed nephews, and to his other relatives. The flagrant practise of nepotism served to undermine the prestige of the Catholic church and contributed to the coming of the Reformation. In democratic countries nepotism is less important than party patronage. The tendency of members of the United States Congress to appoint their relatives to secretaryships and similar minor offices in Washington is less a means of building a machine than of providing additional family income. In certain circumstances, as in the election of 1932 following the publication of the list of congressmen who had placed relatives on the federal pay roll, nepotism may prove a source of serious political weakness rather than of strength. On the other hand, in the more turbulent local politics the action of a political leader in building up the political status of his relatives by means of family appointments serves both to support his own position and to intrench his relatives in their political careers.

The spoils system in both its primary and secondary forms is not confined to government. John T. Flynn, an informed observer, wrote in 1931 that there is more graft in business than in political life. Banking scandals revealed by the crash of 1837, insurance scandals which long persisted in American history, railroad scandals chronicled in Charles Francis Adams' *Chapters of Erie*, business scandals which were denounced by the muckrakers at the turn of the century, racketeering, the crash of the Insull empire in 1932 and the elaborate system of stock favors revealed by J. P. Morgan's testimony before the Senate Committee on Banking and Currency in 1933 indicate the extent of the trail of graft and spoils in the American business world. Here is in fact an aspect of social life which an easy going, tolerant and busy community has allowed to invade many, if not most, forms of corporate activity. In business circles nepotism is exceedingly common, although it has often been concealed behind tales of owners' sons who worked their way up from the bottom. In England the civil service is often spoken of as the principal career open to talent.

Although supported by no well considered philosophy in any other country, the elements of the spoils system can readily be identified over broad reaches of time and space. The sale of public office, which was apparently invented in China in a remote age to secure funds to relieve a national disaster, is a type of spoils which persisted in China and which was common in Europe until a century ago. In the Balkan countries the party system is bound up with a far reaching spoils system. Nepotism is still common in many countries, although it is frowned upon in communities with more advanced political morals. The grant of favors to political or other associates, all within the four corners of the law, is an embryonic but ubiquitous type of spoils.

In the immense public services of modern states the maintenance of rigid standards of neutrality in appointment, within certain limits, is of primary importance, in the interests of both sound administration and the stability of the state itself. Selection by lot, an ancient device which is still perpetuated in the modern jury, is feasible only in exceptional cases. Election at the polls, while essential in democratic countries with respect to authorities who must formulate policies, is unsatisfactory with respect to administrators. Their selection must rest for the most part on appointment under legally established conditions in the interest of impartial enforcement of the law.

The spoils system is predicated on the contrary assumption that such appointments lie within the discretion of the appointing power and should be drawn exclusively from the political friends of the appointing officer. The validity of this proposition, however, must be examined under at least two distinct situations. In a revolutionary movement the political neutrality of the public service is never accepted as sufficient. Washington required of his early appointees that they be loyal to the constitution; the Tories were in fact excluded from appointive positions. The Communist revolution in Russia swept the old officeholding class aside in favor of men whose political reliability was assured. The failure of the German Social Democrats to follow a similar procedure after the revolution of 1918 was at least to some extent responsible for their subsequent decline. Most recently the advent to power of the National Socialists in Germany has given proof of the fundamental necessity that a

revolutionary movement shall command the political loyalty of its official service. Insistence upon loyalty to the underlying philosophy and agencies of government is not considered an aspect of patronage, or the spoils system, although the desire for government positions may be an important motivation of revolutionary movements.

The problem of personal loyalty to a political program within the constitution is quite another matter. Here practise varies. In Great Britain fewer than 100 officials from among 300,000 civil servants are required to belong to the party in power; in the United States about 150,000 officials in the national government as well as large numbers in state and local government are still subject to replacement for political reasons. As a spoils system develops, loyalty to party tends to become identified with loyalty to the dominant group or faction within the party, so that a network of personal relations almost feudal in character envelops the system of public administration. Neutrality vanishes in the fog of influence.

Patronage appeared in some of the American states, notably New York and Pennsylvania, as early as 1800. In 1821 the New York Council of Appointment filled directly 8287 military and 6663 civil offices. Fish reports that by 1828 in every state throughout the north and west the spoils system was either already established or was likely to be introduced.

The tone of the federal public service was set for forty years by Washington, who declared it his purpose to "prefer those who seem to have the greatest fitness for office." Although Jefferson made some appointments for party reasons in order to redress the balance between the Federalists and the Republicans, he was undoubtedly sincere when he wrote that he would "return with joy to that state of things when the only questions concerning a candidate shall be, Is he honest? Is he capable? Is he faithful to the Constitution?"

These doctrines on the whole prevailed until 1829, when the spoils system took possession of the federal government during the administration of Andrew Jackson. Apart from a violent desire to reward his friends and to punish his enemies, Jackson was motivated by a considered theory of rotation in office, for which some defense was possible in his time. Addressing Congress in 1829 he expressed his fear of a bureaucracy, indifferent to the public interest, diverting government from its proper ends and making it an agency for the support of the few at the expense of the many. He asserted further: "The duties of all public offices are, or at least admit of being made, so plain and simple that men of intelligence may readily qualify themselves for their performance; and I cannot but believe that more is lost by the long continuance of men in office than is generally to be gained by their experience." Jackson also undoubtedly reflected the resentment of the trans-Allegheny region against the leadership of New England and Virginia and was determined to bring this domination to an end by any means.

Spurred on by the example of the federal government, where for the next thirty years a rapid alternation of parties settled the spoils system deep in the political habits of the nation, the states and cities generally followed suit. Rotation in office became a symbol of democracy, patronage and spoils became the sinews of war in the battles between Whigs and Democrats, Democrats and Republicans.

The spoils system reached its height in the fifteen years following the Civil War. Since the enactment of the Pendleton Act in 1883 it has been in slow retreat before the merit system and more modern ideals of government. Patronage has been substantially eliminated from over 450,000 positions in the classified federal service. Ten states (New York, Massachusetts, New Jersey, Maryland, Ohio, Illinois, Wisconsin, Kansas, Colorado and California) have formal merit systems, and enforcement is reasonably satisfactory in most of them. Some have partial merit systems and others have a de facto arrangement whereby merit is recognized in many cases. Many cities and a few counties have merit laws, although their administration in the large metropolitan centers is still often unsatisfactory. The period of most rapid growth of civil service commissions was from 1906 to 1910.

The mechanics of the spoils system are still elaborate, exhibiting an organization which in some respects is more efficient than the organization of the public service itself. By the rule of senatorial courtesy which has become accepted in the United States, the president is expected to consult the appropriate senator belonging to his party or, failing such, a congressman of his party with reference to presidential appointments to federal positions in each of the states. The initiative is often taken in fact by the members of Congress. Federal appointments in the states and cities are thus geared into the local political organizations, since congressmen owe

much to these groups and use the patronage to pay off their political debts. Wholesome municipal and state administration is often retarded as a result of the exercise of this federal patronage; occasionally it has been employed to weaken notoriously corrupt local machines. Within the states governors and heads of departments and of institutions consult state senators, representatives and political committees in making their appointments. Within the cities the extensive power of appointment may be concentrated in the hands of a strong mayor or held by a junta of ward committeemen. In either case the whole governmental structure is handled as a unit. Whatever disorganization may exist in the legal make up of local governments, appointments are usually managed for all of them by a single agency under organized and, in a party sense, responsible direction. As Merriam has said, "With infinite patience and infinite skill this web is woven back and forth, until it covers every point on the political map."

The patronage system has had other defenses than that put forward by Jackson to defeat an emerging bureaucracy. It is said to be an indispensable asset in maintaining the unity and strength of political parties, which in turn are necessary adjuncts of a democratic government. It has played a part in nationalizing parties and in consolidating a country wide sentiment. Responsible officials often assert that personal appointments on a large scale are essential to secure proper loyalty to their policies. Others argue that small appointments serve to dispense to thousands of humble citizens rewards analogous to those which pass to the wealthy by means of tariffs, exemptions from taxation and other legislative favors. T. V. Smith suggests that without some antecedent humanizing of the economic life the pursuit of efficiency in government merely serves to close one more avenue of advancement for the poorer classes. He points out that civil service reform has proceeded from the top down, that the enemies of the merit system have been democratic heroes (Jefferson, Jackson, Bryan) and that the support of the movement has come primarily from those who by education and economic circumstances could disdain the jobs in question. "That the system increased efficiency may be granted; but not everyone can grant that efficiency should become the main criterion in politics until in daily life as economic success it ceases to be the main criterion."

The damage which the spoils system has wrought to American public life is beyond calculation. Civil service reformers like George William Curtis, Dorman B. Eaton and Carl Schurz fought it primarily because it seemed to be causing a breakdown of democratic government itself. Powerful political organizations less and less amenable to public control fastened themselves upon the community by the use of patronage and spoils, diverting public office from a public trust to an insidious type of mass bribery. Controlling the power of public office, the party approached the position of master of the public rather than its servant.

The political party itself suffers heavily from the effects of the spoils system. Not only does party interest obscure the interest of the state, but personal and factional interests tend to submerge the party's interest. According to Merriam: "The spoils system, originally depended upon as a means of strengthening the party, leads to the destruction of the party itself, and indeed to the paralysis of the whole party system. As party principles and policies rise, the spoils system sinks. Party and spoils are incompatible; the stronger the one becomes, the weaker the other."

The greatest loss from the spoils system has undoubtedly developed in the field of public administration. Here may be observed not merely the breakdown of services destined for the public advantage, the nullification of policies of public regulation intended to safeguard popular interests, the bold use of power for private rather than for public ends or the alarming prevalence of common dishonesty. Still more serious in the long run has been the inevitable loss of confidence in government itself, either as an administrative agency capable of pushing forward large programs of social amelioration or even as an impartial umpire in an individualistic world. Government has been weakened by the spoils system not only as an instrumentality of progress but as a sovereign. "Only a strong government can either act intelligently or intelligently refrain from action. A weak government can do neither. For moderation in governments, as in men, is not the result of weakness and incapacity, but of strength and restraint."

Even in the heyday of the spoils system many officials were not involved in the periodic turnover of officeholders; they owed their permanence to the necessity of avoiding a complete breakdown of essential public services. A politically neutral, administratively informed and personally reliable inner circle kept the wheels moving and educated succeeding groups of

officeholders to their duties. The career of such officials as A. A. Adee in the state department is a case in point. In an age when public administration depends upon the slide rule, the clinical thermometer, the test tube and higher mathematics, it is manifestly impossible to continue according to the Jacksonian doctrine that the duties of all public offices are so simple that men of intelligence may readily qualify themselves for their performance.

The shift of emphasis from the moral iniquity of the spoils system to the greater efficiency of the public service, which has taken place since 1910, has coincided with the opening up of new avenues of growth of a reformed public service. Three significant changes have gone far to undermine the patronage system, although in no case has a formal civil service system been involved. Chronologically the emancipation of the schools from municipal machines is the first. This evolution is now substantially complete with a few striking exceptions and has greatly diminished patronage. A second development is found in the growing professionalization of the public service, which in turn eliminates the influence of partisanship through the standards enforced by the profession itself. Finally, the spread of the council manager form of government has had a powerful effect in some 450 American cities in favor of an active merit system. These trends are significant indices of the probable further decline of the spoils system.

LEONARD D. WHITE

See: CIVIL SERVICE; BUREAUCRACY; APPOINTMENTS; PUBLIC EMPLOYMENT; PUBLIC CONTRACTS; PARTIES, POLITICAL; MACHINE, POLITICAL; CLUBS, POLITICAL; CORRUPTION, POLITICAL; ORGANIZATION, ADMINISTRATIVE.

Consult: Fish, Carl R., *Civil Service and Patronage*, Harvard University, Historical Studies, vol. xi (New York 1905); McBain, Howard L., *DeWitt Clinton and the Origin of the Spoils System in New York* (New York 1907); Merriam, Charles E., and Gosnell, Harold F., *The American Party System* (rev. ed. New York 1929); Gosnell, Harold F., *Boss Platt and His New York Machine* (Chicago 1924); Foulke, W. D., *Fighting the Spoilsmen* (New York 1919); Orth, Samuel P., *The Boss and the Machine*, Chronicles of America series, vol. xx, pt. i (New Haven 1919); Kent, Frank R., *The Great Game of Politics* (New York 1923); Riordan, W. L., *Plunkitt of Tammany Hall* (New York 1905); Nieberg, G. F., "All in the Congressional Family" in *Atlantic Monthly*, vol. cxlviii (1931) 514–23; McKee, Oliver, Jr., "The Job-Master General" in *North American Review*, vol. ccxxxvii (1934) 119–26; Stewart, Frank M., *The National Civil Service Reform League* (Austin, Tex. 1929); Conference Committee on the Merit System, *The Merit System in Government* (New York 1926); Feldman, Herman, *A Personnel Program for the Federal Civil Service*, United States, Congress, House of Representatives, 71st Cong., 3rd sess., House Document no. 773 (1931); United States, Civil Service Commission, *Annual Reports*, published since 1884, especially *Fifteenth Annual Report, 1897–1898* (1899); *Good Government*, official organ of the National Civil Service Reform League, published monthly in Washington and New York since 1881; Adams, C. F. and Henry, *Chapters of Erie and Other Essays* (Boston 1871); Flynn, John T., *Graft in Business* (New York 1931).

SPORTS, which are now commonly classed with man's recreation, originally represented his training for the struggle for existence. The sports of the field, including contests between men and animals, were in primitive society and in pioneer communities not so much a diversion as a utilitarian pursuit, a major means of food supply. Later the hunt and the chase as well as combats between men served as preparation for war. Certain contests between animals directed by men, such as horse races, also belong in this category: the chariot races of ancient Rome grew out of the annual spring preparation of the Roman cavalry for the season of battles and out of the fall sacrifice of a winning horse to the god Mars.

In feudal society the sports of the field inevitably became a prerogative of the feudal usurpers of the field itself. The right to hunt, snare and fish was gradually taken over by the clan or tribe and later by the tribal chieftain or the king, just as man's fields and forests were declared the property of the crown or nobility. In France it was not until the revolution of 1789 that the *droit de chasse* was returned to the peasant together with other rights and properties originally his but for centuries withheld by the king and the seigniors. In England the usurpation of sports by the upper classes began soon after the Norman Conquest when William the Conqueror laid out the New Forest as a game preserve. Several centuries later, with the renewed movement for enclosures of common lands for the use of the upper classes, fox hunting, traditionally practised by communities as well as individuals of all classes, became the exclusive pastime of nobility. The sports activity of the lower classes was further restricted by the growth of industrialism, with its accompanying urban development, which deprived the populace of adequate space for indulgence in archery, quoits, bear baiting, cock fighting and other typically yeoman pastimes. Sport contests reflecting the spirit and practise of war became the prerogative of the ruling class, since war, par-

ticularly in the Middle Ages, was the rulers' privileged profession. In the early days of jousts and tournaments only those knights were admitted to the lists who could prove their noble origin for four generations, although later all the nobility were admitted as well as members of families of distinguished burgesses. A fleet horse being a valuable instrument of war, horse races also became known as the king's sport. Money, space and leisure were essential to proper breeding and racing of horses; thus the leisured class, possessed of land and gold, came into exclusive possession of the horse sport.

Despite the monopoly of king and nobles the lower classes were not without their sports. Seated on oxen and armed with flails yeomen held their own mock tournaments. Instead of jousts villagers and burgesses ran at quintains —posts erected on the village common, sometimes in the form of a human figure such as a Turk or Saracen—revolving around a pivot and striking back at a tilter when the latter delivered a clumsy blow at the side. Occasionally quintains were erected and maintained by the lord of the manor, who safeguarded the exclusiveness of his sports by requiring his tenant farmers to keep to their own forms of recreation. Out of this social cleavage in the domain of sports arose a situation which was to eventuate in the modern distinction between professional and amateur. What was the diversion of the upper classes often became the serious business of the masses, many of whose members, qualified by superior strength and physical prowess, took up the pursuit of athletics and sport as a means of livelihood. To prevent their eclipsing the records of their social betters, rules were passed forbidding them to compete with the amateur or aristocrat, to whom sport was merely a pleasurable pastime.

Almost any folk sport, however, was apt to be borrowed by the upper classes and to become "the king's sport." Thus handball was ennobled by French kings and transformed into "royal tennis." More than a century later the same game, as court tennis, became the vogue among newly rich Americans, who were attracted to the sport because of the high cost of building the necessary courts. Sporadically boxing and wrestling, traditionally plebeian sports, acquired numerous devotees among the upper classes. Similarly conquerors have often appropriated the sports of the conquered; thus from Asia English officers brought polo, now an aristocratic sport of western Europe and America, but originally a pastime of Asiatic horsemen, while the American pioneers adopted lacrosse, the ball game of the Indians.

In all ages sport events have been associated with the release of pent up emotions—religious, sexual or patriotic. Races in ancient Rome and mediaeval Italy were run at religious festivals to celebrate a military victory or the deliverance of the community from pestilence or other perils. Not infrequently during the Middle Ages races in honor of a saint were followed by general licentiousness among the spectators. In the same way rowdiness often characterizes the modern English crowd at a boat or horse race or American spectators at a baseball or a college football game, a fact which has led frequently to widespread opposition to sports and sportsmen. Recognizing sport events, among other public shows, as a convenient safety valve for the emotions of the plebs, ancient Roman rulers organized large scale gladiatorial battles, chariot races and other contests, particularly during the troublous times of the great wars with Carthage. Between 1905 and 1914 English managers and owners of textile factories in Russia introduced and encouraged public football matches for their workers in an attempt to stave off revolutionary tendencies among them. It is generally recognized that in modern times the wide interest of Anglo-Saxon masses in horse racing, football, baseball and similar sports tends to allay social unrest and lessens the possibility of political uprisings.

Nevertheless, inexorable economic forces through new inventions and discoveries tend to change the character of the very sports with which the masses are to be kept in check, awed or distracted. The perfection of firearms brought to an end such exclusively upper class sports as tournaments and hawking. The discovery of the New World with the resultant spread of commerce and rise of the bourgeoisie made the swift horse a medium not only of battle but also of speedy commercial transportation. Agricultural profits having fallen off after the Napoleonic wars, many English lords could no longer afford the expense of breeding and racing horses or riding with the hounds; accordingly the nineteenth century witnessed the entry of the new barons of commerce and manufacture into these once exclusive sports. The spread of gambling and betting on horses brought from the lower classes nimble men for the new institution of bookmaking. These together with trainers and jockeys of similar plebeian origin often became

wealthy enough to keep and enter their own horses. Chiefly from this hierarchy of race track and sweepstakes participants arose the term "sporting man" or "sporting type". During the last quarter of the nineteenth century shopkeepers and small manufacturers in addition to the professional classes prospered on their belated share of profits of the industrial revolution and for their new leisure introduced or revived such typically mild and conservative sports as cricket, hockey and croquet as well as the more energetic tennis, golf and bicycling. Sporting enjoyment of the latest inventions, such as motor cars, motor boats and airplanes, called for mechanical genius and nerve, often found among men of the lower social strata. Through most of the nineteenth century factory workers, laboring from twelve to fifteen and even eighteen hours a day, had little or no time for active enjoyment of sports. The success of their persistent struggle for shorter hours, accelerated by the dearth of man power during the World War and the economic prosperity of the 1920's, resulted among other things in the formation of workers' sport organizations. In 1913 in Lucerne the first international confederation of workers' sport groups was formed; in its present form it is of moderate socialist tendency, affiliated in spirit if not in fact with the Second International. In 1921 in opposition to the Lucerne organization the Red Sportintern was formed, composed of Soviet Russian sport "circles" and left wing sport groups of workers of other countries. These groups make it a principle never to play opposite sport teams of non-workers' organizations or to take part in any general athletic meets. To counter the effect of the Olympic games they have their own Spartakiads, the first of which took place in Moscow in 1928.

The World War, showing as it did the relation of athletic games and pursuits to physical fitness, gave an enormous impetus to sports, mass participation in which was encouraged by governments and patriotic organizations. The spread of sports in Germany after the war was especially remarkable; it was generally explained by the Versailles Treaty prohibition of German armaments. With the rise of Hitlerism sports have again been relegated to second place, military parades and drills being given precedence. Similarly in Italy sports, widely promoted by the government, are justified solely on the grounds of military preparedness. In Anglo-Saxon countries, particularly in the United States, where mass production methods found their way even into amusements, sports in themselves became industries profitable alike to impresarios and chief performers. The development of auxiliary industries in connection with sports is evidenced by the fact that in 1931 the aggregate value of sporting and athletic goods manufactured in the United States, exclusive of firearms and ammunition and sporting clothing and footwear, was $49,257,447. Admission fees together with the sums from motion picture and vaudeville contracts, endorsements of merchandise for advertising purposes, royalties from books, magazines or newspapers and other profits direct and indirect make it possible for star athletes or sports performers and their managers to acquire annual incomes running into the hundred thousands.

Some estimate of the cost of organized sport may be gained from the figures in regard to horse racing, which became greatly accelerated during the period of financial prosperity following the World War. From 1920 to 1930 the total race track payments to winning owners of horses in the United States, Canada, Cuba and Mexico increased from $7,773,407 to $13,674,160. The yearly total of betting at race tracks in the United States, Canada and Mexico was said to be $450,000,000. These figures are particularly significant in the light of the fact that many states have limited or entirely abolished horse racing because of its close association with gambling. Similar proscriptions have been applied to prize fighting because of its brutality. The adoption of boxing as part of the physical training program for soldiers during the World War served to mitigate this unpopularity, and by 1930 twenty-eight states had legalized the sport. The high point of professional boxing was reached in 1926–27, when heavyweight championship bouts were staged in Philadelphia and Chicago by Dempsey and Tunney. An attendance of 120,000 was recorded at the Philadelphia contest and gate receipts at Chicago amounted to $2,650,000. Another example of the big business aspect of American sport is golf, which during the early decades of the twentieth century was regarded as an expensive sport and was played only by those able to afford membership in country clubs. Today it has developed into a commercial enterprise involving millions of dollars annually. Between 1916 and 1930 the number of golf courses increased from 742 to 5856, a gain of 207.7 percent. The total value of golf courses in the United States at the present time is said to be approximately $800,000,000.

According to the United States Census of Manufactures the value of golf equipment in 1929 was over $21,000,000, more than 37 percent of the total value of sporting and athletic goods manufactured in that year. It is significant, however, that the period of most rapid growth of organized sport coincided with the prosperous business cycle following the World War and that since 1930 there has been a slight decline in the annual expenditures for sport, notably in the fields of football, baseball, golf and tennis. On the other hand, there has apparently been no diminution in the mass appeal of sports. This fact is evidenced in the increasingly large amount of space which is given to sports by newspapers and in the extensive broadcasting of games, tournaments, boxing matches and other athletic contests over nation wide radio networks.

In the 1890's, to combat the rising professionalism and commercialism, certain European idealists introduced Olympic games, an imitation on an international scale of the ancient Greek athletic meets. Although open to amateurs only, the new Olympics quickly fell victim to many evils peculiar to professional sports: the cupidity and jealousy of opposing teams and the refusal to concede defeat even when apparent; big business tactics of the organizers; overburdening of the teams with a hierarchy of managers, trainers, referees, chefs, doctors, sports writers and publicity experts. The emergence of various associations of amateur sportsmen has in no wise succeeded in overcoming the evils of commercialism. Such associations and their members rapidly succumb to the temptation of commercial exploitation. Even though the so-called amateur stars do not receive outright salaries for their performances, they are paid traveling and living expenses by the clubs arranging the meets, and such expenses often reach an annual figure of $15,000 per star. The same conditions prevail in college and other amateur sports, which in spirit and details of business organization differ very little from a major sport industry, such as commercial baseball.

The importance of sport in modern capitalistic society lies not so much in its value as a means of recreation, an educational or even a military discipline, but in its economic implications. The problem confronting students of leisure and recreation is chiefly one of regulation, whether through private, voluntary efforts or through legislation, of a large scale business, an enterprise which is based on specialization and professionalism, ruthless competition, exploitation of performers and exaggerated publicity.

ALBERT PARRY

See: ATHLETICS; PHYSICAL EDUCATION; RECREATION; AMUSEMENTS, PUBLIC; PLAY; PLAYGROUNDS; BOYS' AND GIRLS' CLUBS; COMMERCIALISM; AMATEUR; HUNTING; GAMBLING; LEISURE.

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SSŬ-MA CH'IEN (145–*c.* 90–86 B.C.), Chinese historian. Ssŭ-ma Ch'ien was the compiler of the well known *Shih chi* (Historical memoirs), which constitutes the first general history of China and which became the model on which all succeeding dynastic histories were based. An autobiographical chapter contributes most of the known facts of the historian's career. He was born in what is now Han-ch'êng-hsien, Shensi province, and his father, Ssŭ-ma T'an, held the post of grand astrologer from about 140 B.C. to his death in 110 B.C. After the lapse of three years the son succeeded to the same post, thus fulfilling a last promise to his father to complete the history which the latter had begun. Ssŭ-ma

Ch'ien was qualified for this task by extensive travels over the empire, begun at the age of nineteen, and by his official position, which gave him access to the imperial archives. In 104 B.C. he took an active part in the reform of the calendar. In 98 B.C. he unwittingly offended the throne by pleading the case of a young general, a victim of adverse circumstances. For this the historian endured the humiliating punishment of castration; for the remainder of his life he was employed as a secretary and had scant time to complete the history. During the first three centuries of their existence the memoirs were not known to biographers as the *Shih chi*, but as the *T'ai-shih-kung shu* (Book of the grand astrologer). In this work of 130 sections, covering the period from remote antiquity to the first century B.C., the material is arranged under five broad categories: imperial annals; chronological tables; treatises (on music, rites, astrology and so forth); annals of feudal families; biographies of representative men. In the latter the personality and literary skill of the historian stand supreme. Already in the first century A.D. 10 sections were reported as missing. Others were supplied by less skilful hands, not necessarily with intent to deceive, but in order to bring to date what was regarded as a standard history. The historian's original plan was to end the narrative in 122 B.C., and in any case it is hardly likely that he carried it further than 104 B.C.; hence events that must be ascribed to 68, 30 and even 20 B.C. are obvious interpolations. The fact that the *Shih chi* is largely a compilation of ancient sources, whose original texts were only slightly altered, enhances its value as a historical document. No nation of antiquity has a history in which the facts are more scrupulously handled or which is written from a broader social viewpoint; and there is none more convincing to the modern reader.

ARTHUR W. HUMMEL

Works: *Shih chi*, 47 sections of which have been translated into French by Édouard Chavannes as *Les mémoires historiques de Se-ma Ts'ien*, 5 vols. (Paris 1895–1905). Several sections have been translated into English by Herbert J. Allen in Royal Asiatic Society of Great Britain and Ireland, *Journal* (1894) 269–95, (1895) 93–110, 601–15. Chapter cxxiii has been translated by Friedrich Hirth in American Oriental Society, *Journal*, vol. xxxvii (1917) 89–152, reprinted (New Haven 1917).

Consult: Chavannes, Édouard, Introduction to *Les mémoires historiques de Se-ma Ts'ien*, vol. i, ch. i; Warren, G. G., "Chavannes' Edition of Ssu-ma Ch'ien" in Royal Asiatic Society, North China Branch, *Journal*, vol. xlvii (1916) 12–38.

SSŬ-MA KUANG (1019–86), Chinese statesman and historian. Ssŭ-ma Kuang served as minister of state under the Sungs and was head of the party which supported tradition in learning and in politics. He was opposed to the social reforms proposed by Wang An-shih and retired when the latter became minister. He continued his political activities, however, and after the death of Emperor Shen-tsung in 1085 returned to power and immediately began to reestablish the traditional regulations and institutions, in the hope of restoring order to the country and eliminating the confusion caused by the reforms. As a politician Ssŭ-ma Kuang is one of the most representative personalities during the Sung period of the Pleiad Hsing-Li school, composed of neo-Confucianist statesmen and philosophers through whose efforts Confucian theories triumphed in politics, literature and national thought.

Ssŭ-ma Kuang was also one of the foremost Chinese historians. His *Tzu chih tung chien* (abridged translation in French by J. M. de Mailla as *Histoire générale de la Chine*, 13 vols., Paris 1777–85), a vast compilation of the history of China from the fifth century B.C. to 960 A.D., is the first really homogeneous and complete study of its kind. Typical of the Sung period, an epoch of systematic, generalizing research and synthesis, this work was intended as a guide to the correct principles of government. It had a wide influence and was imitated and continued by numerous authors.

G. MARGOULIÈS

Consult: Wilhelm, R., *Geschichte der chinesischen Kultur* (Munich 1928), tr. by J. Joshua (London 1929) p. 29–31; Hirth, Friedrich, *The Ancient History of China* (New York 1908) p. 264–68.

STABILIZATION, BUSINESS. *See* STABILIZATION, ECONOMIC.

STABILIZATION, ECONOMIC. The persistence of sharp fluctuations in economic activity, marked by wide swings in prices, profits, employment and income to nearly all classes of the population, has in recent years increased the discussion of proposals for economic stabilization and the trial of measures to achieve it. Cycles and crises have of course characterized the business order from the beginning. The persons most severely affected have always sought relief and have been ready to listen to proposals for preventing the recurrence of dislocation. But the climate of opinion in earlier

days helped to stifle the complaints. Orthodox theory held that the economic order was automatically self-adjusting if calculated interferences with its processes were avoided. The business cycle and the recurrence of crises were not recognized as normal accompaniments of the mores of production and exchange. In a youthful and expanding capitalist order the natural optimism of business opinion prevented the expectation of another severe depression, once prosperity had returned. Later study of the defects of the system, particularly the development of business cycle theory, somewhat changed authoritative doctrine.

In addition the number of persons affected by depression was increased as modern capitalism brought a greater proportion of the population within its orbit. A larger part of production was carried on in factories; more persons were employed in them as well as in establishments for commerce, transportation and finance. Fewer farmers were self-sustaining; the majority came to depend on industrial and urban markets. The credit system, fostering a growth of debt both for long and for short term, came intimately to affect the welfare of nearly everybody. Any disturbance to the industrial or financial complex now has a far more serious effect on the population at large than in the days when industrialism and banking were islands in the sea of an older and more stable culture, and when those who suffered in its spasms could more easily find opportunity in newer and less exploited areas.

The internal development of the industrial order itself has moreover intensified the effect of fluctuations of activity in a number of ways. For example, it is established by statistical study that those industries which make and distribute perishable consumers' goods suffer less variation in volume of business than those which produce durable consumers' goods or capital goods, especially of the durable type. With the advance of technology and the rise in the number and variety of articles manufactured for the market a larger proportion of activity is necessarily devoted to making durable consumers' and capital goods. At a comparatively low level of material culture, where food and clothing constitute a large part of the consumers' budget, there is less opportunity to create a great industry for the manufacture of such goods as automobiles. As production becomes more mechanized and distribution covers more extensive areas, the manufacture of capital equipment for factories and transportation agencies naturally expands. Again, as a population becomes urbanized the importance of the construction industry and of the various supply industries dependent upon it is enhanced. Construction, like other capital and durable goods industries, suffers wide fluctuations. Thus whereas variations of economic activity used to be merely uncomfortable, in an advanced nation they are almost calamitous.

An influence increasing the pressure for stabilization is the larger role played by savings and capital investment, which are the natural accompaniments of large scale enterprise and finance. There are more rentiers dependent upon steady income, more universities, hospitals and the like—with larger staffs of employees—largely supported by the income of endowment funds. Savings banks, insurance companies, building and loan associations, mortgage and investment companies, become the guardians of immense capital funds and the source of security and advancement to large classes. Even commercial banks, which normally supply nine tenths of the circulating medium through their loans and deposits, have become more dependent for their solvency on the stability of earning power of long term securities as well as of short term credit. Automatic adjustment to wide fluctuations of commodity prices and production requires the free and unimpeded movement of interest and rent as well as of other prices; capital deflation may be necessary to create a new equilibrium on which revival can be based. But the immense social and political power surrounding the capital institutions naturally strives to protect the stability of capital income instead of yielding to the pressure for adjustment, whether of earnings or of principal. Thus a need for general stabilization becomes more evident.

Growth of the need for stabilization has been accompanied by the development of institutions capable of exercising some economic control. Labor organizations, becoming more widespread with the extension of machine industry, exercise an influence over wages, hours and conditions of employment. Large corporations, quasi-monopolies, trade associations and the like have more power over prices, production and commercial policies than the small competitors characteristic of a primitive capitalism. The banking system, with its central banks, is able to try experiments in credit policy. All these and other groups bring pressure on political government to assist their efforts by economic activity

of one kind or another. Projects for stabilization are more viable than in the days when the economic system was more atomistic and resistant to conscious control from any source.

Early efforts at stabilization are in the nature of the case partial ones aiming to find a refuge for particular groups amidst the general anarchy rather than comprehensive plans for stabilizing the entire industrial order. Investors in long term securities and mortgages have long attempted to stabilize their earnings by contract, as have real property owners through contractual rents. No matter how much competition exists in capital and real estate markets, contractual rights tend to retard price changes. An industry able to achieve some approach to monopoly will strive to limit the disturbing effect of competition in many ways; it will attempt especially to raise and sustain prices, limit output or divide the market. In addition to the horizontal organizations typified by cartels and trade associations which engage in these practises, there arise vertical combinations which aim to enhance the power and security of owners by extending operations backward toward raw materials and forward to the ultimate consumer or by the stimulation of a complex of by-product industries to buttress the main process. Such developments are comparatively old in the stabilization movement. Labor organizations in their turn have tended to sustain wage rates as long as possible even under depression, to limit apprenticeship and build up benefit funds for unemployment. Foreign competition has been excluded, by the influence of both capital and labor upon government, through protective tariffs and immigration restrictions as well as more recently through import quotas, currency depreciation and other trade barriers. Farmers' cooperative marketing associations have attempted to stabilize crop prices by controlling the markets for given commodities, storing surpluses and exercising collective bargaining. Railroads and public utilities have achieved a substantial measure of price stabilization through public regulation. Indeed the economic history of the past half century might well be written around the central theme of the efforts of various competitive groups not only to enhance but to stabilize their own rewards against the risks of a generally anarchic system.

In addition there have been made efforts at partial stabilization which are defended by social theory on the ground that they contribute to general stabilization. Social insurance of all kinds is based on the assumption that it protects the more defenseless members of society, who belong to groups unable to obtain security by stabilizing their own incomes; for example, workmen's compensation, old age pensions, minimum wage laws. Unemployment insurance is defended not only by this argument but by the contention that it helps to soften the impact of depression by sustaining the purchasing power of labor in bad times. The theory of long range planning of public works is directly aimed not merely at stabilizing the construction industry itself but at helping to stabilize the system as a whole through the effect of construction activity upon other industries. There is an even larger volume of economic experiment and literature relating to the project of stabilizing prices in general through central banking policy or the control exercised by governments over currency and credit. There are the many attempts at agricultural stabilization to protect farmers against the extraordinarily wide price swings consequent upon the relative intensity of competition among agricultural producers and the relative inelasticity of the demand for their products. These projects too are defended by the argument that in an order in which so many other prices are stabilized in one way or another stabilization of farm prices will help to alleviate price disparities, maintain economic equilibrium and sustain general purchasing power. The same justification has become generally used for all types of restriction of production and price control in specific situations, like those embodied in valorization plans for raw materials, such as rubber, coffee, sugar and copper, and in industrial cartels and trade association activities. One of the most striking recent developments in partial stabilization assumed to be in the general interest has been the use of government credit to prevent deflation of capital, as in the Reconstruction Finance Corporation in the United States, which makes advances of public credit to banks, railroads and insurance companies threatened with insolvency.

Much adverse criticism has been directed against partial stabilization of these varieties. First of all, the attempt to stabilize prices in any one market may be unsuccessful because of the inability to control the output of all potential competitors. It is difficult to obtain agreement and honest fulfilment of agreement from all concerned. When prices go up as a result of output restriction, production is likely to be enlarged by recalcitrants, so that prices tend to fall again

Second, if output restriction and price control are even partially successful, they may result in such a diminution of the volume of business that the earnings of the industry concerned suffer more than if no control had been attempted. From the point of view of a general economic equilibrium the prices which are successfully stabilized may be the very ones which ought to fall if production is to be stimulated. Thus mechanized industries controlled by large corporations attempt during periods of declining demand to hold up prices and diminish output, but this intensifies the general decline by reducing purchases of raw materials and new capital equipment as well as by increasing unemployment. It is argued that social devices to maintain the purchasing power of labor during depression prevent a deflation of labor costs which would tend to stimulate employment. Also if unemployment compensation is paid from reserves built up during prosperity, the sale of the securities to obtain cash may depress capital markets at the very time when the fall of capital values is endangering financial institutions and helping to prevent new investment which would bring revival. If the compensation is paid from public funds, the money must be raised by taxation or must be borrowed; and either course may discourage new investment or raise costs of production.

Monetary and credit policies which aim to increase prices are likely to be ineffective at the trough of the depression, when they are most needed, because of the prevailing lack of confidence and the reluctance of banks to lend and of all to spend money and take risks. When inflationary policies do take effect, they are likely to become politically or economically uncontrollable and to lead to another crisis. It is uncertain also whether a general rise in prices successfully induced by expansion of currency or credit may not in the end enhance price disequilibrium by acting unequally on various kinds of prices. Expansion of public works is difficult to achieve promptly and in sufficient quantity to come anywhere near counterbalancing the decline of private construction. The larger it is, the more it endangers public credit. Governmental salvage of private long term debts may prevent an essential capital deflation or may, if this deflation cannot be avoided, saddle the government with the losses of private capitalism. In any case it tends to maintain the most inflexible elements in the price structure.

Not all these arguments against stabilization projects are necessarily sound; some are mutually inconsistent on any theory which locates the cause of the trouble in a disequilibrium of prices and incomes. It may, for instance, be good public policy to maintain agricultural prices and stabilize wage earners' incomes while allowing prices of many industrial products to fall and while permitting capital deflation. But all these contentions together serve to emphasize the point that uncoordinated efforts at stabilization made severally by different groups in their own interests or even efforts made by government in the interests of separate groups may easily make the general situation worse instead of better. They may succeed in places where they ought to fail or fail where they ought to succeed; they may emphasize existing disparities of prices and incomes or temporarily solidify fundamentally unstable situations and so bring worse trouble in the end. In a competitive order, depending on the incentive of private profit, partial stabilization is likely to turn out to be a mere transference of the competitive struggle from small units to large groups and aggregations, among which economic warfare is even more disastrous than among small and weak competitors. This is especially true when each aggregation attempts to safeguard itself by limiting its output, and the net result is therefore a diminution of the means of life for all.

Belief that stabilization in order to be successful must be general rather than partial has grown rapidly in the past few years and has given rise to schemes for economic planning. Under this guise some of the older developments have been refurbished and tried on a larger scale than ever before, especially in the United States. The Swope plan, for instance, framed originally with the electrical equipment industry in mind, was recommended by its authors as a plan for other industries as well. This involved an organization of all the manufacturing units in the industry in a single association, setting maximum hours and minimum wages for the industry, establishing unemployment insurance and freed from the restrictions of the antitrust laws in order that it might establish fair trade practices. A plan put forward by the United States Chamber of Commerce involved some of the same features but in addition recommended the setting up of a national planning council by private industry to coordinate the efforts of the various groups. These and similar plans put forward by industrialists were criticized mainly on two grounds: first,

that they offered little or no participation in the administration of industry to organized labor in the form of unions independent of employers; second, that they did not visualize a sufficient participation in planning by the government, which would be necessary as a protection of the general interest, as a means of enforcing the decisions of the various industries upon recalcitrant members and as a protection of the consumer interest against unduly high prices. The Swope and Chamber of Commerce plans, with certain modifications, formed the basis of the organization attempted under the National Recovery Administration. This added, in legal formulae and in some features of actual organization, government enforcement and protection of labor and consumer; but such provisions resulted in relatively little concrete accomplishment.

Certain provisions of numerous planning schemes as well as of some of the codes adopted under the N.R.A. were calculated to limit the utilization of existing equipment in the industry and also to limit the investment of new capital in machinery and plant, on the assumption that the industries were overequipped to supply a normal demand. Nevertheless, questions were raised as to whether this assumption was true. Would not the demand be capable of increase if prices were sufficiently lowered? Could not prices be lowered without low wages or long hours if volume of production were increased, thus decreasing unit overhead costs, or sufficient capital deflation brought about reduced fixed charges or production were concentrated in the more efficient plants and the high cost establishments were either eliminated or made more efficient? What relationship did the calculation of overequipment bear to the inclusion of obsolete and high cost units? Sufficient information, whether of an accounting, statistical or engineering nature, was not at hand to provide reliable answers to such questions. Without this information, and decisions of public policy made in the light of it, it was impossible in practise to distinguish planning and stabilization from the habitual behavior of cartels and trade associations seeking to limit production in the interest solely of immediate profit. General limitation of new investment was of particularly dubious advantage at a time when the industries making capital goods were especially depressed and accounted for a large proportion of the prevailing unemployment. The resulting stabilization or increase of prices of manufactured goods also tended, first, to maintain the price disparity between agricultural commodities and industrial products, canceling out the increases achieved by limitation of crops; second, to raise the cost of living as wage earnings were increased; and, third, to increase the cost of capital goods themselves, which were already too high in price to encourage new investment.

In view of difficulties like these numerous theorists of economic planning have pointed out that there is a wide gulf between the aim of stabilization of specific prices by specific industries, effectuated as a rule by limitation of output, and the aim of a generally stabilized and progressive advance in production for the purpose of a fuller satisfaction of human needs. Economic planning in order to increase the means of life for all must have a general program and must plan at least nationally rather than by separate industries. It might sanction decreases in output for certain industries in which conservation of limited natural resources was important or in which a genuine overproduction existed regardless of the selling price, but it would be obliged to seek increase in output for industry as a whole. Far from freezing the existing price structure, it would have to seek a better balance among various classes of prices and incomes by reducing some prices, stabilizing some and perhaps increasing some. These interrelationships would have to undergo continual change in a dynamic system as technical advance reduced costs unequally and altered habits of consumption, as some goods became more scarce and others became more plentiful, as some industries grew while others declined. Such planning might find it disadvantageous even to attempt to stabilize "the price level" as an average; the essential increase of general purchasing power might be easier to bring about through allowing most prices to fall gradually as technical progress reduced costs and enlarged supply, rather than entirely through raising wages and other money incomes. National economic planning with social purposes would also be obliged, even if it restricted overinvestment in certain industries or at certain times, to encourage expansion of investment in other industries and at other times; for without a steady growth of capital resources on the whole a steady increase in output and consumption is inconceivable. Sound stabilization would have to seek to establish not a static balance but a moving equilibrium.

A similar logical gulf exists between national

planning in the sense of exclusive nationalism, or self-containment, and planning which takes into account the interest of the various populations in a thriving international exchange of goods and services. Planning for stabilization on an exclusive national basis is analogous to the attempt of separate industries to stabilize their own prices and control their own output. It proceeds by a series of restrictions, such as tariffs, quotas and embargoes, the net effect of which is to raise costs and prices, decrease the volume of activity and output and thus diminish real incomes all round. Seeking to stabilize in particular it aggravates the general causes of depression and instability. It represents merely the transference of competition from smaller units to large national aggregates. When, as is the case with most nations, the physical basis for self-containment does not exist within the national boundaries, economic imperialism is intensified and even a direct motive for wars of conquest provided. A type of national planning, however, which is animated not by the desire of exclusive groups of profit seeking producers to safeguard their domestic markets against foreign competition but by a national purpose of supplying the domestic population with larger quantities of goods would seek not to diminish imports but to enlarge them. It would set out to buy abroad those desired articles which were most scarce at home or could be made at home only at a higher cost and would sell in exchange those things which it possessed in greater abundance or could manufacture more cheaply than others. Such an international trade might be planned and controlled by the several national governments, but its guiding principles would be quite different from those of capitalistic nationalism. An instance of a planned attempt to enlarge imports of goods which are believed most desirable in reference to internal planning, by means of selling goods which the internal plan can best spare, is the foreign trade policy of the Soviet Union.

International planning has been proposed to ration and regulate the use of basic commodities and to aid international stabilization of money and credit. Such planning is scarcely likely to succeed in a milieu of competing economic nationalism, but it could be worked out, once the desire to maintain closed national economic systems were eliminated or the equally disruptive aim of selling without buying were abandoned. It is possible, for instance, to conceive of the success of an international wheat conference—one of the first of the areas in which this type of control has actually been attempted—if the wheat deficit nations were willing to abandon their attempts to import as little wheat as possible even though it must be grown at home at a higher cost, and if the wheat surplus nations were able not only to use all the wheat which was really needed by their own populations but also to allot the production necessary for export to the regions of highest efficiency and lowest cost. And these aims in turn could be achieved more easily if the wheat surplus nations were willing to buy from the wheat deficit nations enough goods or services of other kinds to balance the exchange.

All these considerations, both national and international, give rise to the doubt whether planned stabilization can succeed under the capitalist order. Can any national government achieve the necessary authority over privately owned industry and can it effectively express the purpose of serving the general interest in a higher standard of living so long as the political and social power of private capital exists? Will the separate and competing groups of private industry themselves desire or allow the adjustments necessary in the general interest? Or if other classes gain a sufficient share in political power to induce the government to use the necessary compulsion on a reluctant private industry, will not this very compulsion act in such a way on the habitual dispositions of business men, investors, speculators and financiers as to retard production?

There is of course a theoretical escape from the dilemma—to seek stability not through conscious control and planning but through automatic adjustments of a competitive system. But the evolution of capitalism itself would appear to prevent a practical trial of this theory. In many important parts of the system automatic adjustments are prevented or unduly retarded by the power of capitalistic aggregates themselves. Governmental restrictions are largely the result of the interferences of private industry. In order to remove the barriers to a sufficiently prompt operation of the laws of demand and supply, so that the necessary adjustments might be reduced in amplitude through being increased in frequency, strong central governments would have to interfere to break up monopolies and quasi-monopolies, to augment the number and reduce the power of competitors, to decrease the resistance of creditors against changes in the interest rate and capital deflation, to break up con-

trols in financial and investment markets, to enforce on natural monopolies, patent monopolies and regulated industries an equivalent to competitive pressure, to create free trade internationally. It is just as difficult to imagine a government achieving these ends under modern capitalism as it is to imagine a government enforcing upon private industry a planned stabilization in the general interest.

Some theorists therefore flatly declare that stabilization under capitalism is impossible; that only after the establishment of socialism can true social planning be attempted. Others are merely skeptical and are willing to see the experiment of planned stabilization under capitalism tried, with fear that it cannot succeed but with hope that from the trial something may be learned which will be useful under collectivism. Some theorists reject planned stabilization altogether, in the hope that an equally drastic reorganization of the system in the interest of adjustment through more perfect working of competition can be made. Few if any competent authorities, however, believe that stabilization is possible without essential modification of the economic and political orders.

GEORGE SOULE

See: BUSINESS CYCLES; UNEMPLOYMENT; ORGANIZATION, ECONOMIC; NATIONAL ECONOMIC PLANNING; SELF-SUFFICIENCY, ECONOMIC; ECONOMIC POLICY; RATIONALIZATION; VALORIZATION; PRICE STABILIZATION; CENTRAL BANKING; CREDIT CONTROL; MONETARY STABILIZATION; INFLATION AND DEFLATION; INVESTMENT; PUBLIC DEBT; PUBLIC WORKS; SOCIAL INSURANCE; UNEMPLOYMENT INSURANCE; SOCIALIZATION; GOVERNMENT REGULATION OF INDUSTRY; MONOPOLY; COMPETITION; COMBINATIONS, INDUSTRIAL; FORECASTING, BUSINESS.

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STABILIZATION, MONETARY. *See* MONETARY STABILIZATION.

STAËL-HOLSTEIN, BARONNE ANNE LOUISE GERMAINE NECKER DE (1766–1817), French libertarian and litterateur. Madame de Staël was the daughter of Necker, finance minister under Louis XVI; in 1786 she married the baron of Staël-Holstein, then attaché at the Swedish embassy at Paris. For a time after 9 Thermidor her salon served as a meeting place for the constitutional party. As a violent opponent of Napoleon, whose regime she looked upon as the negation of the glorious principles of 1789, she became a deeply nostalgic émigrée during the consulate and empire, taking intermittent trips to England, Germany, Poland, Russia and Sweden and spending considerable time at her home at Coppet on Lake Geneva, where A. W. Schlegel, Benjamin Constant and other writers made up an informal cosmopolitan academy. With a feverish energy accentuated by the frustration of her great political talents, which the prevailing attitude toward women prevented from finding active outlet, she produced during the period of her exile a steady succession of works, including besides the famous novels *Delphine* (4 vols., Geneva 1802; tr., 3 vols., London 1803) and *Corinne* (3 vols., Paris 1807; tr., 5 vols., London 1807) important studies on philosophical and historical problems.

A true daughter of the eighteenth century, Madame de Staël was at once a passionate lover of France and a cosmopolitan, and she adhered firmly to the current faith in the indefinite perfectibility of the liberated human spirit. Without countenancing all of its later phases she extolled the revolution as the birth of the free French nation as well as of the rights of all men, although in her posthumously published *Considérations sur les principaux événements de la Révolution française* (3 vols., Paris 1818; tr., 1 vol., London 1818) she also pointed out, in anticipation of de Tocqueville, how deeply the upheaval was rooted in French history. In *De la littérature considérée dans ses rapports avec les institutions sociales* (Paris 1800; tr., 2 vols., London 1803) she tried to show that the advent of democratic government, which she preferred in its Anglo-American form, necessitated a pure language and the development of a new oratorical tradition; French writers in particular

must look for fresh inspiration in republican manners and foreign literature. The principal theme of the work was the dependence of literature upon social environment. On this subject, however, she had little to add to what had already been said by Abbé Dubos, Vauvenargues and Voltaire. Even her theory of the influence of geography and her antithesis between northern and southern literatures had had considerable currency since the time of Dubos, while the Scotchman Hugh Blair had already portrayed Homer and Ossian as the typical representatives of antiquity and the north respectively. Despite her enthusiasm for the then fashionable Ossian and her early sympathy with certain English romantic currents she was repelled by Chateaubriand and kindred writers, and it was not until her trip to Germany that she became sufficiently freed from the ideas of the Enlightenment to appreciate the aesthetic appeal of the new Christian romanticism. Her change of outlook became fully apparent in her famous treatise on the Germany of her time, *De l'Allemagne* (3 vols., London 1810; tr., London 1813). Although destroyed in France during the Napoleonic period, this work ultimately exerted a revolutionary effect on French literature. Madame de Staël was concerned not only with bringing new sources of poetic inspiration into a France still largely dominated by the neoclassical tradition but with propagating the French ideas of national self-determination and national rights in Germany. If she was not the first to awaken a sympathetic understanding of Germany in France—she owes much in particular to Charles Villers—she at least occupies a select place among the cultural mediators between the two countries.

HEDWIG HINTZE

Other works: *De l'influence des passions sur le bonheur des individus et des nations* (Lausanne 1796); *Dix années d'exil* (Paris 1821); *Lettres sur les ouvrages et le caractère de J. J. Rousseau* (Paris 1788, new ed. 1820); *Oeuvres complètes*, 17 vols. (Paris 1820–21); *Oeuvres inédites* (Paris 1836).

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STAHL, FRIEDRICH JULIUS (1802–61), German political theorist. The son of Valentin Jolson, a Jewish merchant of Würzburg, he assumed the name Friedrich Stahl upon his conversion to Protestantism in 1819. He received a thorough humanistic education at the Wilhelmsgymnasium of Munich and studied law at Würzburg from 1819 to 1821. He went to Heidelberg in 1821 and the next year to Erlangen, where he became acquainted indirectly with the philosophy of Schelling. He taught at the universities of Munich, Würzburg and Erlangen and came into contact with the problems of contemporary politics as responsible editor of the official government paper, *Thron und Volksfreund*, and as contributor to *Inland*. In Erlangen, the only Protestant university in Bavaria, there had developed under the influence of Schelling and Krafft a German center of Protestant theology. Here too Stahl's Lutheran Protestantism and his Christian conservative political views were confirmed.

In 1849 he was called to Berlin by Savigny and Frederick William IV. His political and juristic ideas had already been formed when he left Bavaria for Prussia. The intellectual foundations of his theoretical and practical work had scarcely changed from those of his *Die Philosophie des Rechts nach geschichtlicher Ansicht* (2 vols., Heidelberg 1830–37; ed. by H. von Arnim, 1 vol., Tübingen 1926). His legal and political doctrines aimed at nothing less than a counter attack upon European thought as it had developed since the sixteenth century. Since that time theistic personalism had been increasingly pushed aside by an impersonal view of the world which was either pantheistic or mechanistic. Political and juristic thought was dominated by the belief in the impersonal orderly character of a rational natural law, independent of any divine revelation and with absolute validity for all times and all peoples.

Stahl was one of those counter-revolutionary thinkers who attributed the outbreak of the detested French Revolution to the unhistorical rationalism of natural law. Since antiquity natural law had always and everywhere attempted to explain and justify political sovereignty, at least in part, as emanating from the will of the governed. Even where the ultimate conclusion of popular sovereignty was rejected decisively, the doctrine of the social contract with its basic idea of an impersonal law remained the point of departure for all rational explanation and legitimization. Stahl undertook the grandiose task of overcoming the impersonal juristic thought of rationalism by a personalistic theism, of supplanting the abstract command of duty of rationalist ethics and jurisprudence by the command of a personal God, thus legitimizing the state transcendentally; that is, downward rather than upward. In his *Die Philosophie des Rechts nach geschichtlicher Ansicht* he still revealed the influence of the liberal and historical concepts of his time. In the second volume of this work, entitled *Rechts- und Staatslehre auf der Grundlage christlicher Weltanschauung*, he finally came to elevate theology to the central point of philosophy. He attacked the historical school as well as the entire German idealistic school for having failed to recognize that there was a power superior to nation and national spirit by which law was to be measured and directed. Stahl's political philosophy is not, as is often claimed, theocratic. In contrast to the theocrats of the Middle Ages he never viewed concrete political events as the immediate expression of divine will; he considered that the service of Protestantism to world history lay in its constant emphasis upon the earthly and human character of political life. Stahl's Christian state was to be constituted according to Christian doctrine but was not to set itself any religious goals. It was to remain always a secular institution. Equality was to be granted to the two great Christian churches but not to other Christian and non-Christian faiths and sects.

When Stahl began to expound these ideas at Berlin he immediately aroused wide interest. Leading political leaders, generals and councilors attended his university lectures. Outside the university he soon developed very important political and clerical activities as a counter-revolutionary legitimist. He presented his views on the important political problems of the day in a series of pamphlets and after 1848 in the *Kreuzzeitung* (*Neue preussische Zeitung*).

In 1848 he was elected to the upper chamber, where he joined the extreme right. In 1850 as a member of the Erfurt parliament he coined the phrase which today has again come into its own, "authority not majority." Stahl exercised his greatest influence, however, as the undisputed leader of the conservative party in the period of reaction after 1848 and as intimate counselor to Frederick William IV. Practically all the important reactionary constitutional enactments in Prussia owed their origin to his collaboration.

Stahl was prominent also in ecclesiastical affairs. In 1846 he was appointed by the Berlin faculty to the General Synod, in 1848 he became a member of the Upper Consistory, in the same year president of the Berlin Pastor's Conference and in 1852 member of the Upper Church Council. In addition to his influential *Die Kirchenverfassung nach Lehre und Recht der Protestanten* (Erlangen 1840, 2nd ed. 1862) his polemical work *Wider Bunsen* (Berlin 1856) should also be mentioned as well as his *Die lutherische Kirche und die Union. Eine wissenschaftliche Erörterung der Zeitfrage* (Berlin 1859, 2nd ed. 1860), in which he took an energetic stand against the union of the Lutheran with the Reformed church.

HERMANN HELLER

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STAMBOLIĬSKI, ALEKSANDŬR STOIMENOV (1879–1923), Bulgarian statesman and agrarian reformer. Stamboliĭski studied at the agricultural college of Halle in Germany and upon his return to Bulgaria joined the editorial committee of the *Zemledelsko zname* (Agrarian banner), the organ of the Agrarian National Union. From 1902 to 1923 he served as its editor in chief. As a representative of the Agrarian Union he was elected in 1908 to the Sobranje, where he ably opposed the misrule of the urban parties and the autocratic practises of Prince Ferdinand. The Agrarian Union continued to grow in strength; and Stamboliĭski, who was one of its outstanding leaders, was particularly active in his opposition to the government from 1913 to 1915, when he headed a strong parliamentary group. In 1915, when King Ferdinand's intention to join the Central Powers became known, he helped to organize and lead

the opposing parties. Stamboliĭski's outspoken disapproval of the king's course resulted in court martial and a sentence of life imprisonment. In 1918 he was pardoned, whereupon he initiated a revolt against Ferdinand. Although Stamboliĭski's troops were crushed, the king was forced to abdicate, and early in 1919 Stamboliĭski entered the coalition cabinet, becoming premier the same year.

He remained in power for four years and by twice dissolving the Sobranje and eliminating his political opponents, largely through dictatorial measures, he obtained an absolute parliamentary majority and was thus able to apply the principles of the Agrarian Union. His legislation was definitely intended to better the condition of the peasants and to break the power of all other classes, including the industrial workers. His most important acts were the limitation of landownership to a holding of peasant size and a law enforcing compulsory labor service for the government. Because of his prestige in international affairs Bulgaria's position was much improved during his premiership. Reparation payments were reduced and friendly agreements were made with Czechoslovakia, Rumania and Jugoslavia. In 1923 Stamboliĭski's government was overthrown by the bourgeoisie, who allied themselves with former army officers and Macedonian revolutionaries, and he himself killed.

Stamboliĭski was the author of several works explaining the original principles of the Agrarian Union; the most important is his *Politicheski partii ili sŭslovni organizatzii?* (Political parties or class organizations?, Sofia 1909; 2nd ed. 1920), in which he holds that all the non-producing classes are doomed to extinction. Political parties, which, because they were composed of persons with heterogeneous interests, played such an important role in building up true democracy, have become cliques, the tools and the sole support of the autocratic monarchical regime. New organizations based upon vocation and identity of economic interests are needed. The future democracy will be economic, not political; parliament will truly reflect social conditions when political representation is replaced by class representation. The Bulgarian peasantry must be organized into an agrarian union to defend its own interests and to provide a force capable of checking the existing autocracy. Stamboliĭski hoped to establish a "green international" of all peasant parties in Europe.

VICTOR N. SHARENKOFF

Consult: Bourchier, J. D., in *Contemporary Review*, vol. cxviii (1920) 784–89; Seton-Watson, R. W., in *Slavonic Review*, vol. ii (1923–24) 407–11; Petkov, N. D., *Aleksandŭr Stamboliĭski* (Sofia 1930); Dragiev, D., *Edna politicheska izpoved* (A political confession) (Sofia 1919); Kiranov, P., *Bŭlgarskoto zemledelsko dvizhenie* (The Bulgarian agrarian movement) (Sofia 1927); Vartolomeev, G., "Vŭrkhu ideologiyata na zemledelskoto dvizhenie v Bŭlgariya" (Ideology of the agrarian development in Bulgaria) in *Filosofski pregled*, vol. iv (1932) 63–75.

STAMBULOV, STEPAN NIKOLOV (1855–95), Bulgarian statesman. Stambulov attended the University of Odessa and, inspired by nihilist and nationalist doctrines, soon became a leading figure in the Bulgarian revolutionary circle at Bucharest. In 1875 he was especially active in the revolutionary committee which was preparing a general uprising and took part in the unfortunate revolts attempted at Stara Zagora, Giurgiu and Trnovo. After the emancipation of Bulgaria he became a lawyer and a deputy to the Sobranje. He favored a liberal constitution and was one of the leaders in the secret committee of the Liberals who attained power in 1881 and worked for the union of Eastern Rumelia with northern Bulgaria. In 1884 Stambulov became president of the National Assembly, and in 1886 as head of the council of the regency he opposed the Russophile party. In 1887, when Ferdinand became prince of Bulgaria, Stambulov was appointed prime minister.

During his premiership he established the independence and unity of Bulgaria. Despite the intrigues of Russia and the Russophile trend in his own country, he achieved diplomatic recognition for the new ruler and thus stabilized the internal position of the prince and his dynasty. The political and military foundations of the new state were set up on pro-Turkish, anti-Russian lines with the support of European diplomacy. Stambulov increased the prestige of his country by wiping out the brigand bands, establishing an efficient, dependable army, fostering agricultural and industrial production, arranging for networks of railroads and highways and improving the national educational system. He succeeded in 1890 in achieving official Turkish recognition for the Bulgarian schools and religious communities in Macedonia, in spite of the strong opposition of the Greek patriarch, and in 1892 and in 1894 won from Turkey important concessions concerning the autonomy of the Bulgarian church and schools.

Stambulov was forced by the counter-revolutionary activities of the Russophile groups and the chaotic condition of the country to assume

the role of dictator. His political decline began when the opposition was reenforced by young intellectuals who systematically attacked the Stambulov regime under the motto, "For freedom, down with the terror." Moreover his differences with the prince, who felt that he should have some influence over the army and diplomatic activities, became increasingly sharp. In 1894 Stambulov's government fell.

JOSEF MATL

Consult: Beaman, A. G. H., *M. Stambuloff* (London 1895); Vodovozov, V., in *Russkoe bogatstvo* (1895) no. 4, p. 81–126; Stanev, Nikola, *Istoriya na nova Bulgariya, 1878–1928* (Sofia 1929) p. 90–114; Songeon, G., *Histoire de la Bulgarie* (Paris 1913) p. 370–81.

STANDARDIZATION implies a limitation of the number of varieties or types composing a given class, a close degree of likeness among the individuals of each type and exclusive or at least general currency or use of these varieties or types. It has been pointed out that there is an analogy between intentional standardization as practised by man and the process of natural selection. Although an infinite number of forms can occur in nature, certain types, the individuals of which closely approximate one another, do survive, and it is this fact which makes possible classification and generalization. A similar process of selection takes place in the development of social institutions, even where conscious direction plays a minor role. Social standardization is manifested in language, fashions in dress, systems of morality, military organization, customs and habits of work. Indeed from a broad point of view all social institutions may be regarded as examples of standardization.

Such standardization differs in a number of essential respects from technical or scientific standardization. The latter implies directed choice of norms; it substitutes artificial for natural selection, sets definite social or economic objectives, rests its decision as to the number and nature of the types chosen for survival on scientific investigation of the forms best fitted to facilitate the attainment of these objectives and then attempts to eliminate all significant variations among the individuals of each type chosen.

Technical standardization is often confused in popular discussion with the sameness or monotony which may arise in any society through the normal human tendency to follow patterns and adhere to systematic customs. A person interested in handicrafts, comparing the variety and originality of different pieces of handmade furniture or pottery with the undistinguished character of that turned out by large scale production, may generalize from such observations and conclude that machine standardization has a deleterious effect on all modern products and habits, even on personality itself. If such a person were set down in any single primitive community, he would find not only rigorous patterns covering behavior, arts and crafts but in general an even greater degree of sameness than in modern society. In order to enjoy the range of variety which he now finds in primitive arts and crafts he would have to move from society to society and from period to period, a feat which would be impossible for any member of a single primitive community. Indeed the preference of some persons for life in primitive societies must be attributed to the very absence in them of the wilderness of meaningless variety with which the modern world is filled and to the fact that in primitive society there is no need to exercise so much choice.

The modern purchaser is embarrassed not by a limited number of kinds of things for sale but rather by the danger of poor quality and unserviceability which arises from the lack of proper social use of standardization, from the very excess of variety which makes it difficult for the individual purchaser to judge among competing products and increases the wastes and costs incidental to the distribution of these products. The more standardization is extended back to basic materials, units and processes, the larger becomes the possible number of combinations of these basic elements in the finished product. A row of undistinguished, identical houses may result from a standard architectural plan, even though the materials from which these houses are made are chosen from an array of building materials in which standardization has made little progress. But a large variety of house plans and styles may be elaborated from building materials which result from highly standardized manufacturing processes.

Conscious technical standardization probably began everywhere with the determination of exact units of measurement and weight. Considerable standardization of products and methods must have gone into the great construction works of antiquity. Indeed it was the gradual accumulation of a variety of technical standards of performance and method which made possible the development of modern machine technique. Further application of the principles of

standardization accompanied the development of machine production; and without at least an elementary use of these principles mass production would be impossible. One of the first to attempt standardization in its modern form was Eli Whitney. In 1793 Whitney received a contract for 10,000 stands of arms; finding the old process of manufacturing each part by skilled handicraft too slow and uncertain, he supplemented the division of labor by simplification of operations and introduced drilling by templates, or patterns, filing by jigs, or guides, and milling irregular forms, with the result that less skilled labor could be used and parts were identical and interchangeable. This not only facilitated manufacture of the separate parts but simplified the task of assembly and repair. Further impetus to standardization came in the course of railroad building, as it was realized that agreement on a standard gauge and on sizes of box cars and couplings was a prerequisite to easy transshipment over different lines. Before 1914, however, the trend of industrial development had been toward a constant multiplication of new products and new methods, with temporary standardizations of forms or devices pushed aside by the stream of new inventions. Combinations and cartels attempted to concentrate production, but such standardization as was achieved was haphazard and scattered. The World War forced on every country a gigantic program of standardization as basic to the economic utilization of resources and efforts. The technical lessons learned during the war years were too valuable to industry to be neglected at its close; the general economic situation during the post-war years moreover was encouraging to any movement promising reduction of costs or aids in marketing. The only national agency interested in standardization before the war was the British Engineering Standards Association, founded in 1901. With the close of the World War national standardizing bodies were organized in all the larger and many of the smaller countries of the east as well as the west: the Deutscher Normenausschuss in 1917, the American Engineering Standards Committee in 1918, the Japanese Engineering Standards Committee in 1921, the Russian Standards Committee in 1925 and an International Standards Association in 1929.

As the names of these organizations suggest, the first concerted efforts toward standardization were in the fields of engineering and basic producers' goods. With the growth of the movement, however, the technique of standardization has been applied in an increasing number of fields. The *Yearbook* of the American Standards Association for 1931 lists the following as the more important forms of standardization: first, uniformity in dimensions necessary for interchangeability of parts and supplies and for the interworking of apparatus; second, standard nomenclature, covering definitions of technical terms used in specifications, abbreviations, symbols for quantities used in equations and formulae and graphical symbols; third, ratings of machinery and apparatus which establish test limits under specified conditions or requirements as to performance under operation; fourth, provisions for safety; fifth, rules for the operation of apparatus and machinery in industrial establishments; sixth, quality specifications for materials and equipment; seventh, methods of test; and, eighth, concentration on the optimum number of types, sizes and grades of manufactured products. This final type of activity is sometimes called simplification and thus differentiated from true standardization, since in the former case the criterion for the selection of types is relative commercial demand rather than utility or suitability for specific purposes as determined by scientific research. All standardization may be said to involve simplification, but not all simplification is in accord with the best technical practise. However, there is as yet no agreement upon terms; and some writers, particularly in England, use simplification to include all forms of standardization. There is some disagreement also as to whether grading (*q.v.*) should be regarded as a form of standardization; certainly it must be considered in any broad treatment of the movement.

Standardization has been most effective in the basic producers' goods industries. Even here the emphasis has varied from country to country. In Germany the standardization movement was closely tied up with the rationalization movement, and effort was devoted chiefly to the determination of optimum quantitative standards for goods and parts. In both Great Britain and the United States, under the influence of the scientific management movement, much attention has been directed also to the establishment of standards of performance; standard specifications, however, have tended to be fixed as a result of simplification rather than of scientific determination of optimum qualities.

Far less progress has been made in the standardization of consumers' goods than in that of other products, partly because individual con-

sumers have not been so well able to exert pressure in its behalf and partly because they have not been educated to appreciate its benefits or to make use of its results. Attempts to standardize products like sheeting or hosiery have fallen afoul of the reluctance of manufacturers to give up brand and trade names, covering unspecified and unstandardized products, without some assurance of a favorable reception of standardization by the consumer. The success of Henry Ford, however, is indicative of what can be done through mass production of highly standardized consumers' goods.

When it is most complete, standardization involves first research to determine exactly the qualities and attributes of the article best suited to the purpose in view, then the statement of specifications by which these attributes may be defined. Thus the basis is given for exactly comparable bids on goods of predetermined quality and competition is limited to price alone. When delivery takes place, the goods may be tested for compliance with the specifications. Both sides may benefit by the process, the buyer by a lower price for a given quality, the seller by the elimination of useless varieties and by lower costs in manufacture and selling. Nevertheless, it is obvious that this technique interferes with customary practises of salesmanship and advertising, the exploitation of brands and trade names and similar devices. For this reason the effort to extend standardization by cooperative and voluntary agreement of business agencies has made slower progress than it might otherwise have done. Most advance in this direction has been made where the buyers themselves are organized and powerful and able to exert pressure on the sellers, as in the case of governments or large industrial concerns. When this is not the case, standardization, if it occurs at all outside the individual concern, is likely to degenerate into mere simplification benefiting the manufacturers or dealers by a reduction of unnecessary varieties but failing to assure the purchaser that the varieties retained will best serve his needs.

Starting from its application in individual firms and plants, then through trade associations or other agencies over whole industries, standardization has tended to expand to national and even international scope. With wide variations in detail the national standardization agencies mentioned above have been organized on a common pattern. In general they represent a form of voluntary cooperation among business, professional and governmental agencies. For instance, the American Standards Association (organized in 1928 as an outgrowth of the American Engineering Standards Committee) was composed in 1933 of 37 member bodies, including 9 national engineering societies, 21 trade associations and 8 departments of the federal government. In addition there are a large number of sustaining bodies, chiefly trade associations, which cooperate in its support. Parallel with the work of such bodies are the activities of the central governmental standards bodies—such organizations as the National Physical Laboratory in Great Britain, the Physikalisch-Technische Reichsanstalt in Germany and the National Bureau of Standards in the United States. These bodies are concerned chiefly with the scientific research basic to the establishment of standards; some serve also as the agency for drawing up specifications and testing materials bought by government bodies. In contrast with that of the United States, other governments have done little in the way of attempting to secure the adoption of standards by industry, leaving such activity to the non-governmental committees. The United States Bureau of Standards, on the other hand, has devoted considerable effort to the promulgation of national commercial standards and to the development of a certification plan by which it is hoped that certain "master specifications" will be brought into general commercial use.

Much has been written of the gains and the costs of standardization. Until a more revealing system of cost accounting becomes standard throughout industry, it will be impossible to calculate even financial gains and losses with any accuracy. Undoubtedly demonstrable savings have been made by individual business concerns through standardization: savings in plant and equipment, savings due to reduction of inventories, to increased productivity, to elimination of breakdowns, to a widening of the market or the cutting of marketing costs. There remains the question as to how far such savings have been passed on to individual consumers in the form of lower prices. On the other hand, consumers, such as government bodies, universities and other institutions, who have been able to purchase standard goods on the basis of quality specifications have achieved immediate and great savings. From one point of view both the general benefits and the costs of mass production may be charged to standardization, since standardization is so essential a part of the process. It should be noted, however, that such identification is

more applicable to the earlier forms of standardization than to the recent planned attempts to introduce standards. It is by no means clear that the movement in its later stages has always worked to the disadvantage of the small scale producer. In so far as standardization does imply mass production, it may be charged with certain indirect results: the widening of markets with the consequently increased interdependence of occupations and areas, both socially and economically; the speeding up of technical change; the elaboration of plants, machinery, equipment and administrative staffs accompanied by a decrease in the direct labor required for each unit of product. These factors in turn cause an increase in the importance of overhead and fixed costs, a greater risk arising from fluctuations of output, more acute problems of unemployment and greater attention to the desirability of distributing purchasing power in such a way that the output of mass production may have a steady and growing market. At the same time within a particular industry or group of industries standardization may result in an appreciable regularization of employment and stabilization of working conditions.

Standardization raises both for the individual producer and for society the problem of the maintenance of balance between the introduction of improved methods and the conservation of old systems and ways. If applied in any but the most superficial way, it raises fundamental questions as to the ends toward which it is to be directed—for what it is best and for whom—questions which might lead to a revaluation of the entire concept of a standard of living for a nation or for the world.

GEORGE SOULE

See: CUSTOM; TRADITION; MACHINES AND TOOLS; WEIGHTS AND MEASURES; INDUSTRIALISM; LARGE SCALE PRODUCTION; SPECIALIZATION; SCIENTIFIC MANAGEMENT; COST ACCOUNTING; RATIONALIZATION; GRADING; BUSINESS, GOVERNMENT SERVICES FOR; WASTE; ADULTERATION; FOOD AND DRUG REGULATION; MEDICAL MATERIALS INDUSTRY; CAVEAT EMPTOR; CONSUMER PROTECTION.

Consult: Whitney, A. W., *The Place of Standardization in Modern Life* (Washington 1924); Robson, William A., *Socialism and the Standardised Life*, Fabian Tract no. 219 (London 1926); Harriman, Norman F., *Standards and Standardization* (New York 1928); National Industrial Conference Board, *Industrial Standardization* (New York 1929); American Academy of Political and Social Science, "Standards in Industry," ed. by R. H. Lansburgh, *Annals*, vol. cxxxvii (Philadelphia 1928); Taylor Society, *Scientific Management in American Industry*, ed. by H. S. Person (New York 1929); Weber, G. A., *The Bureau of Standards*, Institute for Government Research, Service Monographs, no. 35 (Baltimore 1925); Coles, Jessie V., *Standardization of Consumers' Goods* (New York 1932); Agnew, Paul Gough, "Technical Standards for Consumer Goods—a 'Five-Year Plan?'" in *Industrial Standardization*, no. 63 (1931) 15–18; Chase, Stuart, and Schlink, F. J., *Your Money's Worth* (New York 1927); Czolbe, Bruno, "Die wirtschaftlichen Funktionen der Normalisierung in der deutschen Maschinenindustrie," and Ehrenberg, Richard, "Anfänge und Ziele industrieller deutscher Normalisierung" in *Archiv für exakte Wirtschaftsforschung*, vol. vii (1915–16) 1–118, 119–70; Bücher, Karl, "Spezialisierung, Normalisierung, Typisierung" in *Zeitschrift für die gesamte Staatswissenschaft*, vol. lxxvi (1921) 427–39; Schiffer, Carl, *Die ökonomische und sozialpolitische Eedeutung der industriellen Rationalisierungsbestrebungen*, Wirtschaftsstudien, vol. xi (Karlsruhe 1928); Drees, Wilhelm, *Die Bedeutung einheitlicher Handelsklassen für den Absatz landwirtschaftlicher Erzeugnisse (Standardisierung)* (Würzburg 1929); Wüster, Eugen, *Internationale Sprachnormung in der Technik* (Berlin 1931); Nouvion, Georges de, "La standardisation" in *Journal des économistes*, 6th ser., vol. lxiii (1919) 188–202; Chisholm, Cecil, *Simplified Practice* (London 1927); British Standards Institution, *Interim Report*, nos. 1–5040 (London 1903–33); *American Standards Year Book*, published in New York since 1920; United States, Bureau of Standards, *Standards Yearbook*, published since 1927; Germany, Physikalisch-Technische Reichsanstalt, *Die Tätigkeit*, published in Berlin since 1887; United States, Bureau of Standards, "Bibliography on Standardization" in *Standards Yearbook*, Miscellaneous Publication, no. 83, vol. ii (1928) 353–72.

STANDARDS OF LIVING. The concept of standard of living has yet to be worked into definitive form. It was used by the classical economists largely in discussions of the cost of labor as one of the factors of production; the Austrian school gave formal expression to the importance of the standard of living for a theory of consumption; but it was not until the influence of historical and anthropological studies had led economists to adopt a broader approach that there occurred any real analysis of the concept itself. The difficulties of such analysis hinge largely upon the existence of two main contrasting aspects or definitions of standard of living. The distinction was suggestively formulated by Alfred Marshall (*Principles of Economics*, 8th ed. London 1920, bk. vi, ch. xiii, sect. i) in his discussion of the difference between the "standard of life . . . taken to mean the standard of activities adjusted to wants" and the "standard of comfort . . . a term that may suggest a mere increase of artificial wants, among which perhaps the grosser wants may predominate." The former term implies the individual's entire social and moral outlook; the latter emphasizes his

material well being, which may be related in a variety of ways to his manner of living. It is the standard of life which is the progressive force. The same distinction between a dynamic and a static standard was made, in very different terms, by Simon Nelson Patten. Patten resolved the classic dilemma as to whether high wages cause or are caused by a high standard of living by pointing out that the answer must depend upon whether the laws of production or of consumption are taken as the basis of reasoning. He himself conceived of the "enterprising or higher classes" as driven to exertion and invention just by their primary standard of consumption, in other words, by the stimulus of more ambitious wants; while the more intelligent laborers have only a secondary standard determined partly by their consumption and partly by their relations to the enterprising class, and the standard of the mechanical laborers depends wholly upon conditions objective to them. In spite of their different and limited historical perspectives each of these distinctions does go to the root of the problem of standards—the various ways in which wants and activities, consumption and production may be interwoven in the circle of economic life.

The concept of a standard of living has been elaborated in modern economics as a parallel to discussions of standards of value, especially the value of money. Just as commodity standards and labor standards of value are taken to mean the value of a unit or units of some currency as expressed in terms either of frequently demanded commodities or of average labor services, so the underlying idea of a standard of living would seem to be that of a particular system of wants as connected with a specific system of productive services designed to transform these wants into efficient demand in the market. It follows merely from this formal description that, contrary to much popular opinion, such standards of living, besides representing the natural or physical conditions of certain minima of existence, derive their greatest economic and social significance, first, from the ways in which these conditions are reacted upon and developed, so that they result in cultural instead of natural minima, and, second and even more important, from the productive contributions that societies or groups are able and willing to make in order to attain such minima. The concept of an absolute minimum for every society or for mankind generally involves an assumption of equal human wants and efforts, at best differentiated by property and education, and becomes the basis for an ideal of increasing the social product and dividing it with greater equality. On the other hand, to those starting from the recognition of unequal and mutually dependent human gifts and wants society will appear to be naturally constituted as a pyramid of relative minima, one of which can only with difficulty be raised unless at the same time the others also are raised or an entirely new equilibrium between wants and services is found.

Under static conditions of economic life therefore, whether in primitive societies or in those exhibiting the characteristics of the occidental Middle Ages, a stable standard of living is usually prominent in the public consciousness. It is not, however, a single and equal standard but rather a stable relation of different standards belonging to the diverse social groups placed in vertical or horizontal order. What has been called the mediaeval ideal of the sufficiency (*Nahrung*) to be won by each of several estates therefore by no means referred only to the adaptation, largely through limitation, of production and enterprise to definite immovable standards of living. It included a conception of immobility and consequent stability in the whole graded system through the coordination and interdependence of all productive services. Under such conditions the rule of "not spending beyond one's means" is never literally applied; on the contrary, the consumer credit enjoyed by the upper classes during the later Middle Ages has come to be recognized as one of the outstanding characteristics of feudalism. This in itself is an indication that the essence of the sufficiency ideal is not so much the complete correspondence between income and wants for each single estate or group—overconsumption of one having actually become the sustenance of others—as the conservation of the whole system by the prevention of sudden new forms either of consumption or of production.

The various ways in which such departures can bring about the break up of societies may be illustrated by two widely different examples: the rise of capitalistic enterprise and its extension to colonial areas. In the emancipation of enterprise from the mediaeval system a leading part, despite all theoretical arguments against the abstinence concept, was undeniably played by departure from sufficiency in the negative direction; that is, by voluntary neglect of traditional standards of consumption in favor of saving and investment. And, on the other hand,

the recruiting of the labor forces of early capitalism would hardly have been possible without the development of new standards of wants capable of attracting workers away from old surroundings and dependencies. This is the most general explanation of the continuing flight to the city not only of landless and depressed farm laborers but of farmers and their children, who are by no means necessarily in search of a quantitatively or otherwise absolutely higher standard of living but may move simply in response to higher nominal wages more than counterbalanced by higher costs of living and to the hope of "freedom"; in other words, they may be attracted by a qualitatively different arrangement of consumptive and productive acts.

The same development has occurred, in a fashion still more marked because of the existence of racial as well as social differences, in the process which capitalists have called "overcoming the inertia" of colonial natives, and which colonial politicians have more correctly referred to as raising their standard of living. The change generally takes place in several different stages. The recruiting of a labor supply in most cases involves serious changes in the existence of the natives, both as producers and as consumers. As producers they are ordinarily coerced through forced labor, the dissolution of their collective systems of landholding or other economic rights and customs and poll taxes, which force them indirectly into the money economy and the labor market. But no less important is the transition from coolie levels of habits and demands to more ambitious and civilized standards that usually follows. Here the wide range between healthy and artificial comforts and wants in the Marshallean sense, including the spread of intoxicants and other degenerating influences of civilization, offers a warning against the danger of overintensifying the problem of standards. At this point moreover a second stage appears, when the interest of employers in keeping wages low becomes definitely opposed to that of humanitarians who insist upon equalization of working class conditions; while the interest of white or otherwise superior groups of labor is divided between keeping outsiders down to lower standards and admitting competitors only on conditions of equality.

A final complication is introduced into the discussion of standards of living by the growing influence of what J. M. Keynes has called the money economy; that is, by the increasing reaction of unstable currencies on the relative position of social groups. The appearance of groups deriving their income chiefly from creditor or debtor relationships, from long or short term, rapidly or slowly moving labor contracts, introduces new and relevant social divisions cutting across the older divisions which correspond to the classical doctrine of the factors of production. The expropriation of a large part of the middle classes by inflation after the World War, the opposite interest of the small and middle sized entrepreneur and especially the farmer in easy money and rising prices, the position of the average laborer uncertain of his interests in the face of possible compression of the labor market through deflation and the effect on real wages of rising prices under inflation—these are only the most obvious instances of the multiplicity of conflicting standards so characteristic of the age of late capitalism as distinguished from the early capitalistic background of classical economic theory.

The theory of standards of living has acquired a peculiar significance for the theory of wages, because of the relation between the supply price of labor and objective and subjective standards. Here too it is hazardous to turn economic and social relations into absolute concepts. Thus the fight of social reformers for a living wage to be paid to every working man or woman, however useful in combating sweating systems, was based on neglect of the fact that a living wage can logically be related only to the person of the laborer and not to any particular piece or time of labor. This difficulty has been brought into particular prominence by post-war complications of the labor market, such as the shortening of hours because of unemployment and the effect of this on wages; the increasing combination of industrial with household, farming or gardening labor; and the question of cumulative employment, particularly the secret employment of those who receive unemployment benefits. Thus from the practical as well as from the theoretical side attention is being shifted from the idea of absolute and static standards to the concept of the standard of living as an organic element in the social process.

CARL BRINKMANN

See: WAGES; LABOR; CONSUMPTION; COST OF LIVING; PRICES; MINIMUM WAGE; FAMILY BUDGETS; POVERTY; NATIONAL INCOME.

Consult: Pipping, Hugo E., "The Concept Standard of Life" in *Economic Essays in Honour of Gustav Cassel* (London 1933) p. 505–19; Parsons, T., "Wants

and Activities in Marshall" in *Quarterly Journal of Economics*, vol. xlvi (1931–32) 101–40; Patten, Simon N., *The Consumption of Wealth*, University of Pennsylvania, Series in Political Economy and Public Law, no. 4 (2nd ed. Philadelphia 1901); Kyrk, Hazel, *A Theory of Consumption* (Boston 1923) chs. viii–xi; McMahon, Theresa S., *Social and Economic Standards of Living* (Boston 1925).

STANFORD, LELAND (1824–93), American railroad promoter and philanthropist. After studying law in New York and practising in Wisconsin Stanford was lured to California in 1852 by the discovery of gold. As a Sacramento merchant he accumulated a fair sized fortune within a short time. Captured by the dream of Theodore D. Judah, an engineer who was urging a transcontinental railroad, Stanford with three other Sacramento merchants, Charles Crocker, C. P. Huntington (*q.v.*) and Mark Hopkins, organized in 1862 the Central Pacific, the western part of the first transcontinental railroad, which was built eastward to join the Union Pacific at Ogden, Utah, May 10, 1869. While Huntington lobbied in Congress, using money freely, and secured a land grant and subsidy, Stanford, who in 1861 had been elected governor of California, used his political influence to secure state financial aid for the railroad project. In addition bonds were sold to the public and towns were levied upon for contributions. A separate construction company was organized, in which Stanford and his three associates were the only stockholders and directors; construction costs were excessive and the promoters' profits high. Stanford was also promoter of the Southern Pacific, the second transcontinental railroad, which became the center of his transportation empire. In spite of public opposition to many of its policies and struggles for control with Jay Gould and other eastern interests the Southern Pacific for years dominated California economically and politically. As a memorial to his only child Stanford in 1885 founded Leland Stanford Junior University, to which his large fortune was devoted. Without any well rounded philosophy of education he insisted that his university be non-sectarian, that it be designed for students of small means and that the education of the sexes be equal—the latter on the theory that as the early years of the child are intellectually the most important, the education of the mother must be adequate. As United States senator (1885–93) Stanford advocated government aid to education, legislation to promote cooperative societies and government loans to farmers on real estate mortgages. Although he was an ardent Republican, he often voted independently, and except for his opposition to the Interstate Commerce Act of 1887 he usually sided with the liberals.

HAROLD U. FAULKNER

Consult: Clark, G. T., *Leland Stanford* (Stanford University 1931); United States, Pacific Railway Commission, *Report* (1887) 69–96, and *Testimony*, 8 vols. (1887) vol. v, p. 2460–2671, 2729–2837, 2917–52; Bancroft, H. H., *History of California*, 7 vols. (San Francisco 1884–90), especially vol. vii, p. 555–67; Jordan, David Starr, *The Days of a Man*, 2 vols. (Yonkers 1922), especially vol. i, ch. xx; Myers, Gustavus, *History of the Great American Fortunes*, 3 vols. (Chicago 1909–10) vol. iii, ch. vi.

STANLEY, SIR HENRY MORTON (1841–1904), British journalist, explorer and empire builder. Born at Denbigh, Wales, Stanley was brought up in a workhouse. In 1859 he worked his way to New Orleans, where he was adopted by a cotton broker, whose name he assumed. After seeing service on both the Confederate and the Union side in the Civil War, Stanley developed a talent for journalistic exploitation of the adventures into which his strong bent for action led him. His assignment by the New York *Herald* in 1869 to "find Livingstone," the Scottish missionary who had disappeared in the Lake Tanganyika region, resulted in a memorable newspaper story and opened a career of exploration and acquisition in central Africa. Successive books chronicling his experiences, *How I Found Livingstone* (New York 1872), *Through the Dark Continent* (2 vols., London 1878) and *The Congo, and the Founding of Its Free State* (2 vols., London 1885), dispelled effectively the major geographical mysteries about the heart of the continent and stirred the imperialistic desires of the industrial powers. From 1878 to 1884 Stanley was agent for the Comité d'Études du Haut Congo (afterward the Association Internationale du Congo), King Leopold's device for achieving empire. He opened roads along the lower Congo, established commercial posts, wharves, administrative agencies, and concluded more than four hundred treaties with native chiefs, which formed the local basis for the authority of the Congo Free State. Stanley's expedition in relief of Emin Pasha in Uganda (1887–89) pursued even more complicated objectives with disturbing consequences. The negotiation of native treaties of which the British East Africa Company became beneficiary was the most positive of these.

Stanley's career, which was profitable to himself chiefly in its literary aspects, was attended by successive controversies as to his treatment of natives, his severity to subordinates, his connivance with slave traders and his gift for coloring statements of fact. No one has done more to diffuse the view that there are vast riches to be realized by the development of central Africa or to arouse international rivalry for their acquisition.

LELAND H. JENKS

Other works: *Coomassie and Magdala: the Story of Two British Campaigns in Africa* (London 1874); *In Darkest Africa*, 2 vols. (London 1890); *My Early Travels and Adventures in America and Asia*, 2 vols. (London 1895); *Through South Africa* (London 1898).

Consult: *The Autobiography of Sir Henry Morton Stanley*, ed. by Dorothy Stanley (London 1909); Masoin, Fritz, *Histoire de l'état indépendant du Congo*, 2 vols. (Namur 1912–13); Bourne, H. R. Fox, *The Other Side of the Emin Pasha Relief Expedition* (London 1891); Barttelot, W. G., *The Life of Edmund Musgrave Barttelot* (London 1890); Schweitzer, Georg, *Emin Pasha; His Life and Work*, 2 vols. (London 1898).

STANTON, ELIZABETH CADY (1815–1902), American feminist. Following her graduation in 1832 from the seminary in Troy, New York, where she studied under Emma Willard, Elizabeth Cady received thorough if informal grounding in the law in the office of her father, Judge Daniel Cady. In 1840 as the bride of Henry Brewster Stanton, the abolitionist, she attended the World's Anti-Slavery Convention in London, only to be excluded from active participation because of her sex. Together with Lucretia Mott, who had suffered the same fate, Mrs. Stanton in 1848 called the first woman's rights convention at Seneca Falls, New York, at which she secured the passage of a resolution demanding the franchise for women. For more than fifty years thereafter she was a recognized leader of the American suffrage movement, bringing to it her charm as a speaker, her ability to write easily, a legal training and a ready sympathy with the less popular phases of social reform.

In 1869 Mrs. Stanton founded the National Woman Suffrage Association (later the National American Woman Suffrage Association) and served as its president for more than a quarter of a century. She was editor of the *Revolution*, a woman's rights magazine, and joint editor of the first three volumes of the *History of Woman Suffrage* (6 vols., New York 1881–1922). Her contributions to the daily press and current periodicals as well as to the early feminist journals, her drafting of the convention calls, the resolutions and appeals at each phase of the suffrage campaign, together with her nation wide popularity as a lecturer, kept the feminist cause continually in the public eye. With Susan B. Anthony, her closest associate from 1852 on, she carried the suffrage cause to every corner of the United States. Her coworkers looked to her at crucial moments: in 1854, when the New York legislature was for the first time to hear a woman plead the cause of married women's rights, and at other times to present legal arguments before state constitutional conventions and legislative and congressional committees. The ultimate recognition of her leadership in the struggle for equality of the sexes—political, social and economic—far outweighed the ridicule she suffered in pioneer days.

HARRIOT STANTON BLATCH

Works: *Eighty Years and More (1815–1897). Reminiscences of Elizabeth Cady Stanton* (New York 1898), revised in vol. i of *Elizabeth Cady Stanton as Revealed in Her Letters, Diary and Reminiscences*, ed. by T. Stanton and H. S. Blatch, 2 vols. (New York 1922).

Consult: Harper, I. H., "Suffrage and a Woman's Centenary" in *North American Review*, vol. ccii (1915) 730–35.

STARČEVIĆ, ANTE (1823–96), Croatian politician and political theorist. After studying in the theological seminary of Pest, Starčević worked in a lawyer's office in Zagreb, engaging also in literary activities. He went into politics upon the revival of constitutionalism in the Austro-Hungarian monarchy in 1860: he founded the Croatian Party of the Right (*Stranka prava*) and was a member of the Croatian assembly in 1861, from 1865 to 1867 and from 1878 to his death.

During the early nineteenth century the idea of a Croatian nation was current only among the nobility and the clergy. Starčević became the mouthpiece of a new social class, the secular intelligentsia, which had sprung from the peasantry and the petty bourgeoisie; the contradictions in his political views reflect the equivocal position of that group. Accepting both patriarchal and liberal principles, he based his demands as much upon the ideas of 1789 as upon the law of legitimacy.

A fanatical pan-Croat and an extreme Austrophobe, Starčević took a leading part in the opposition to Magyarization, envisioning Croatia-Slavonia-Dalmatia as a triune, independent kingdom. His greatest concession was his expression of willingness to recognize the Haps-

burgs as kings on condition that they be crowned in Zagreb and to negotiate a defensive alliance with Hungary on an international basis. While his obstinate refusal to compromise gave a tremendous impetus to the movement for liberation, it rendered Starčević's parliamentary activity entirely sterile. The basis of his pan-Croatism was an untenable racial theory. The Slovenes were "mountain Croats" and the Serbs, as "orthodox Croats," were their brothers. Certain Serbs, however, he repudiated charging that these, as the descendants of Albanians, Rashkanians, Wallachians, Greeks, Illyrians and gypsies, were an inferior race. He was impatient both with the linguistic reforms of Vuk Karadžić and the South Slavism of Bishop Strossmayer. Nevertheless, since Starčević maintained that the peoples who had settled between the Danube and the Adriatic and from Carinthia to the Boyana were united in their history, blood, language and community of interests, his pan-Croatism reveals a basic conception of South Slav unity.

HERMANN WENDEL

Works: *Djela Dra Ante Starčevića* (Works of Dr. Ante Starčević), 3 vols. (Zagreb 1893–96).

Consult: Šegvić, Kerubin, *Dr. Ante Starčević* (Zagreb 1911); Skerlić, Jovan, in his *Pišci i knjige* (Writers and books), vol. vi (2nd ed. Belgrade 1923) p. 42–70; Wendel, Hermann, in *Südslawische Silhouetten* (Frankfort 1924) p. 94–106; Seton-Watson, R. W., *The Southern Slav Question and the Habsburg Monarchy* (London 1911).

STASZIC, STANISŁAW WAWRZYNIEC (1755–1826), Polish social philosopher and statesman. Staszic was born of a merchant family. He received his early education in a theological seminary and later studied philosophy and natural sciences, particularly geology, at the universities of Leipsic, Göttingen and Paris. At the Collège de France he came under the lasting influence of Buffon, whose *Époques de la nature* (2 vols., Paris 1778–90) he later translated into Polish. After his return to Poland he was unable to obtain a public post because of his humble birth and became a tutor and companion to the children of the famous Polish statesman and chancellor, Andrzej Zamojski, in whose home Staszic had an excellent opportunity to learn about the practical workings of the machinery of the state. An involuntary Prussian subject from 1772, Staszic became intensely patriotic; from his early youth his thought and effort looked toward the reconstruction of the disintegrating Polish state. His appeals to the ruling classes and his concrete constitutional proposals designed to strengthen the state evoked a powerful response from his countrymen, but they failed to halt the process of political disintegration. After the collapse of Poland Staszic was most active in the Towarzystwo Przyjaciół Nauk (Society of the Friends of Learning), which had for its aim the conservation of the cultural heritage of the Poles, now threatened by foreign conquest. Under the short lived Duchy of Warsaw, the diminutive Polish state created by Napoleon, Staszic was in charge of education. In the Kingdom of Poland which was established at the Congress of Vienna in 1815 he continued his educational activities, and as director of the arts and crafts division in the Commission for Internal Affairs he contributed to the economic and cultural development of the Polish provinces. Toward the end of his life he emancipated his serfs and organized them into a cooperative group as the collective owner of his land.

Staszic's intellectual career was shaped by two distinct forces. On the one hand, he was a typical product of the eighteenth century; he was a thoroughgoing rationalist, a utilitarian, an enthusiastic believer in the perfectibility of mankind and an adherent of the theory of social contract with all its republican, democratic and equalitarian implications. An ideal government, he held, reflects the general will of the people—the source of all sovereign power—and guarantees the right to liberty, property and pursuit of happiness. In descending, however, from the plane of theory and social philosophy to that of political realities, particularly as these obtained in contemporary Poland, Staszic did not hesitate to advocate measures which were in direct contradiction to his theoretical postulates if only they gave promise of saving Poland from the impending collapse. Thus Staszic the republican and advocate of peace urged a hereditary monarchy with strong executive authority and the maintenance of a permanent army powerful enough to withstand the annexationist plans of the neighboring states. He revealed a similar compromising attitude in his discussions of social reform: while he launched a severe attack on the privileged status of the nobility and presented an excellent defense of the rights of the peasantry, demanding at the same time broader civic rights for the mercantile classes, the provision of some measure of emancipation for the peasants and the granting of limited rights to certain categories of Jews, he stopped short of

demanding complete equality as envisaged by his social philosophy.

NATHAN REICH

Consult: For an extensive list of works of and on Staszic see *Wiek XIX; sto lat myśli polskiej* (The nineteenth century; a hundred years of Polish thought), 9 vols. (Warsaw 1906–20) vol. i, p. 10–13; Leśniewski, Czesław, *Stanisław Staszic*, Towarzystwa Naukowego Warszawskiego, Rozprawy historyczne, vol. v, no. i (Warsaw 1925); Gargas, Zygmunt, *Geschichte der Nationalökonomie im alten Polen* (Berlin 1925) p. 132–38.

STATE. The modern use of the word in the sense of a body politic first appeared in Italy (*stato*) in the early part of the sixteenth century; earlier meanings of *status* and its modern cognates had been estate, an assembly of estates, government or rulers collectively and constitution or form of government. The use of the term as a generic name for a body politic, whether republican or absolute, was probably fixed by Machiavelli (*Prince*, ch. i). Its earliest use in English in this connection occurs in Thomas Starkey's *England* (1538), a book based on Italian authorities. The meaning became common in France and England during the sixteenth century and was adopted into official language in the expression secretary of state, an office held by Robert Cecil under Elizabeth. During the seventeenth century *Staatskunst* became the German equivalent of *ragione di stato* and somewhat later *Staatsrecht* acquired the meaning of *jus publicum*. In English the use of the word was probably extended as the older commonwealth was limited to non-monarchical government; but, as Maitland has pointed out, state never became a technically precise term in English law. As a technical term it belongs to jurisprudence and political theory.

As a generic term the word included from the start a reference to a land, a people and a government. In its present usage it implies some lower limits of size and civilization, as compared with tribe or gens, and also some degree of political independence, although it is widely applied to governments which do not claim sovereignty. Its employment has been carried back beyond its date of origin to cover words such as *polis* or *res publica* and forward to federal and parliamentary governments, which did not exist in the sixteenth century. At the same time it is used rather indiscriminately for non-European political units which never had the historical development more or less common to the states of the European culture area. As a result the word commonly denotes no class of objects that can be identified exactly, and for the same reason it signifies no list of attributes which bears the sanction of common usage. The word must be defined more or less arbitrarily to meet the exigencies of the system of jurisprudence or political philosophy in which it occurs.

Even now the word state is occasionally employed by semipopular writers as synonymous with society, as when Spengler says "State is history regarded as at the halt"; but scholarly opinion agrees that this is a gratuitous confusion. In general the distinctions drawn have followed two main lines. Theorists with what may be called roughly a sociological background have conceived the state as a grouping or organization of persons acting together for common ends. Its extent would therefore be less than that of society and the definiteness of its ends would distinguish it from communal life in general, which can hardly be said to have any end beyond itself. This distinction is marked by MacIver with the terms association and community; the state is an agency for social control having as its object the regulation of "the outstanding external relationships of men in society." Such a view is now generally associated with some type of utilitarian theory of the state. Writers strongly motivated by considerations of valuation, whether metaphysical, ethical or juristic, are inclined to distinguish state and society as a matter of point of view rather than of grouping. The state would then be an aspect of society rather than a subdivision of it. Thus Hegel ascribed such everyday functions of government as police duties to civil society (*bürgerliche Gesellschaft*) and not to the state. The English Hegelians, who largely gave the word currency in English political theory, thought of the state as an immanent intelligence directing social change rather than as a social agency. The jurists, especially those with a Kantian point of view, have made this type of distinction most explicit. Thus Kelsen rejects altogether a sociological theory of the state; availing himself of a radical distinction of *sein* and *sollen* he identifies the state with the legal order or system of legal norms itself. The distinction would lie therefore in the difference between a causal system of human beings as biological and psychological entities and a system of obligations or norms of conduct.

Although the state included from the beginning the implication of a people as well as of a sovereign, it carried no precise indication of the relation between the two. The modern analogue

of people, the nation, is often used almost interchangeably with state, although the frequent existence of minorities with differing cultural nationality under the same government and the failure of a political unit to include all its nationals have prevented the terms from becoming identical. Where the terms are distinguished, nation refers to a unity of culture: a feeling of loyalty for a common land; common language and literature; identity of history and common heroes; and common religion. Most distinctive of all perhaps is an aspiration to political self-determination. State, on the other hand, refers to a unity of legal and political authority. Although state and nation have not become identical, the belief has grown steadily that national unity is the proper basis for political authority and that the national aspiration for self-determination creates the presumption of its own justice. National states may therefore be called the distinctively modern type, at least on the side of political ideals. It is impossible, however, to generalize about the incidence of nationalism on the actual structure of states. In its earlier history nationalism tended to aid parliamentary liberalism; at present it is more likely to be definitely illiberal.

The fact that the word state usually emphasizes political organization makes it especially difficult to draw a clear line between state and government. In the era of royal absolutism the distinction was not important, since the sovereignty of the state was embodied in the person of the monarch, while the land and the people figured as his patrimony. The distinction is of fundamental importance, however, for a juristic theory of the state. Indeed a series of German theorists from Seydel to Jellinek broke down the patrimonial conception largely by setting up the state as a juristic entity—a legal relation or a corporation—defined precisely by the possession of underived, although possibly non-sovereign authority. The monarch and his government are therefore merely organs of the state. In the most consistent form of juristic theory Kelsen has argued that even the juristic personality of the state is a confusion, the invention of a fictitious entity to embody what is really only a property of law itself. From this point of view a theory of the state would be distinguished sharply both from politics (social ethics or technology) and from sociology, the causal explanation of social fact. For theorists who regard the state as an association, on the other hand, its distinction from government has less importance. Thus to Laski "the State is, for the purposes of practical administration, the government."

Because of the uncertain meaning of the term it is unprofitable to attempt a classification at large of types of state; and because political institutions follow no generally fixed order of development, it is misleading to speak of the evolution of the state. If, however, the inquiry be limited to the culture area of western Europe and if choice be made in the light of what has been most important for political theory, several types of state which may be said to have characterized various periods may be distinguished.

Of these the first is the city-state of antiquity, within which began political theory, more or less as it has since been understood by Europeans. The special features of this type of state were closely connected with its small size and the consequent intimacy of its political life. This intimacy, on the one hand, resulted in a particularism too restricted for effective government at home and too belligerent to insure peace over the whole range of Greek commercial and social relationships. On the other hand, it produced the conception of free citizenship and free government founded on cooperation rather than force. The Greek theory of citizenship was ethical and educational rather than legal, since to Greek thinkers the state appeared as the arena in which alone a highly civilized life was possible. But the very richness of the ideal tended to restrict it to a small and selected class.

The inclusion of the city-state first in the Macedonian and later in the Roman Empire destroyed its political significance and produced a sense of isolation which for the first time made the individual as such an object of political thought. In the absence of national or class consciousness the correlate of the individual was humanity at large. In the Roman Empire citizenship became world wide, and the bond between citizens was the law rather than the highly cultural achievements of the city-state. The prevailingly legal cast which political ties still retain is a heritage of Roman thought. The warrant of the magistrate's authority and of the citizen's rights was law, and law was conceived both as cosmic in its applicability and as embodying justice and right. This ideal of relations within the universal state was perpetuated in the face of the fact that the emperor's authority often flowed from mere military power.

In the Middle Ages political institutions and thought about them were dominated largely by feudal relationships. The combination of po-

litical authority with the control of land tended to destroy any clear distinction between public and private relations. The relation of lord and vassal was more analogous to a contractual one than to that of sovereign and subject. The effective units of power tended to be estates, or classes having like social status and economic interests. A mutual responsibility of rulers and subjects and the right of the latter to assent to legislation and taxation were normal conceptions in such a society, and representation became the usual institution by which these conceptions sought realization.

The modern period of European political history has been characterized most obviously by a closer centralization of political and legal authority, correlated with an increasing range of commercial operations, the loss of local independence and the disappearance of guilds and ecclesiastical corporations. Such centralization was fostered by the need to offset divisions between hostile religious sects and by a growing sense of national unity, which provided a secular basis for political power. To this type of state the conception of sovereignty—the reduction of the political tie to the relation of sovereign and subject and the delegation of authority from a single source—was peculiarly appropriate. In its earlier stages the king was the chief beneficiary of this increase of power, but in England it proved to be compatible with the evolution of Parliament from an assembly of estates into a national legislature, which became the prototype of the sovereign lawmaking body elected by territorial constituencies and by virtually universal suffrage. With innumerable local variations this became the typical form of organization in the national democratic or liberal state.

Down to the present time it cannot be said that this type of state has been superseded, although it seems not improbable that some new type is in process of formation. A unitary state is obviously unsuited to a far flung imperial organization and in consequence the British Commonwealth of Nations, although keeping the form of parliamentary sovereignty, has reduced it to a legal fiction. Either a closer system of international relations will make national independence more fictitious than it is or social and economic relations will have to be curtailed to fit the theory of independence. On the whole, however, developments within modern states seem to provide the strongest forces making for changes of type. There is, on the one hand, the unavoidable necessity of governmental regulation—whether in the interests of owners, workers or consumers—of commercial, financial and industrial relationships and, on the other, the evident inaptness of legislatures as now constituted for dealing effectively with the problems thus presented. The question appears to be whether adequate agencies for such regulation can be created while a general function of coordinating and supervising is left to elective legislatures, or whether a still further centralization of authority is required, involving the disappearance or drastic curtailment of representative government as now understood.

The second alternative, given effect in the fascist governments of Italy and Germany, has produced what is called the totalitarian conception of the state, the doctrine that the state is not only sovereign in a legal sense but has also the function of regulating every department of social life—education, religion and art as well as capital and labor and the whole national economy. Communist government in Russia is not very different in its conception of the state, although it is by profession a dictatorship in the interest of the working class, while fascism seems to be in substance, although not avowedly, a capitalist dictatorship. Both systems involve the abolition of opposition parties and the substantial elimination of parliamentary institutions. Both, however, profess to retain the principle of representation through other agencies, chiefly confederations of producers, although it seems doubtful how far this is an important part of the systems. It is impossible to tell whether these experiments indicate the emergence of a new type of state. In the case of Russia it is possible that communism is dependent on conditions peculiar to that country, the absence of which makes it improbable that other states will develop along similar lines. In the cases of Italy and Germany it is difficult to say whether fascism is a new type or represents a reversion in modern disguise to the old type, dictatorship. What passes for a theory of the fascist state seems in part psychological compensation for social distress and in part an ad hoc mixture of nationalism, Hegelianism and Machiavellianism.

The crux of any general theory of the state has always lain in the relations to be assigned to fact and value. Ultimately there seems to be no way to establish any value except to postulate it and no way to bring value into a series of inferences except to derive it from another value. Yet political phenomena are a tissue of valuations in the light of facts or of facts which consist largely

of valuations. An uncritical combination of the two leads to scandalous examples of wishful thinking, and a radical distinction produces clarity at the cost of formalism. Effective political philosophies have usually been those which have clarified values obscurely postulated in popular thought or which have aided in adjusting valuation to new conditions of fact.

The traditional philosophy of the state addressed itself largely to an ethical justification of the coercion which all states practise either toward their subjects or toward other bodies. Although the older theories of contract and divine right have long been outmoded, the essential distinction between them has persisted. This distinction is to be found in the kind of intrinsic value postulated. If it be assumed to lie in some form of individual life, whether happiness or personality, coercion must justify itself in terms of welfare; if it be assumed to lie in some form of social life, freedom must be defended as contributing to social well being. The difficulty of being faithful to either point of view has led some thinkers to bridge them with a theory of corporate personality and a refusal to distinguish sharply between the liberty of individuals and that of groups. Following Gierke, Maitland together with the political pluralists has made this theory an argument for the limited authority of the state, which would be only a species of the genus corporation. Maitland does not seem to have convinced jurists of the juristic importance of this theory. Gray has argued that, so far as positive law is concerned, it makes no difference whether corporations have a real or a fictitious will and that jurisprudence is equally well served if the state is defined as an artificial entity presumed to give unity to the organ of government. Vinogradoff has urged that on any grounds the comparison of the state to a corporation is analogical.

A juristic theory of the state is a special case of the type of theory conceived in terms of value; it need have no reference to ethical valuation and may be wholly positivist so far as the reality of corporate will is concerned, but legal competence itself is evidently a value, having no necessary relation to actual power. The relation of the state to law assumed in such theories has been various and not very clear. Theories with a political bent, even though they admit a unique relation between the state and law, have commonly admitted functions to the state, such as policy making and administration, which are not strictly juristic. Theories that have regarded legislation as the distinctive function of the state have usually viewed law as a norm and the state as a personality, real or fictitious, corporate or otherwise, from which law emanated. In this type of theory it seems to be possible to say indifferently that law presumes a state and that the state presumes law; Vinogradoff asserted that it was idle to derive one from the other. The most advanced position and formally the clearest seems to be Kelsen's, that the origin of law in this sense is a fictitious and meaningless problem.

Even theorists interested chiefly in the validity of public authority have not as a rule distinguished such questions very sharply from factual and causal considerations. From the time of Machiavelli there have been scholars interested chiefly in the mechanics of political and legal relations; the prototype of all such studies is Aristotle's *Politics* (books IV–VI). Treatises of this kind have received enlarged importance from modern investigations into social and political psychology, cultural anthropology and the effects on institutions and ethical valuation itself of physical conditions and economic arrangements. While such studies are perhaps rarely undertaken without some oblique reference to valuation, their weight is on the side of description and causal explanation. Probably their most obvious effect has been to show the enormous variety that obtains in all branches of civilization, political organizations and institutions among the rest, and to indicate the need for caution in the extension of generalizations from one culture area to another. Even within a limited area wide discrepancies have been revealed between the categories commonly used for analytic purposes and those required for historical explanation.

In the political discussion of the recent past an especially important instance of these theories of social change has been the type which attributes them largely or wholly to the struggles of economic classes. This theory is associated with Marxian socialism, although it is not confined to socialists. Indeed the importance of this factor in politics is now generally admitted, although the weight attributed to it varies. From this point of view the state is an agency of the class in power whereby it protects its interests and exploits other classes—in modern times it is capital which exploits labor. It is a corollary of an extreme form of this theory that the state would disappear from a classless society, a bit of utopianism still cherished by some socialists.

A theory of social classes, however, is a highly complicated problem and a two-class explanation is obviously an oversimplification. Moreover the propaganda value of the class struggle is modified or destroyed when complicated with nationalism. The practical implications of the class struggle have given rise to many differences among socialists. The question was canvassed in all its phases in the controversy between orthodox Marxists and revisionists, and since the rise of communism in Russia the dictatorship of the proletariat and other revolutionary aspects of Marxism have had a renewed emphasis. The class struggle has figured equally as an explanation of social change and as the rallying cry of a party. From the standpoint of method the distinctive feature of Marxism is the claim that dialectic affords an intellectual device for uniting these apparently independent purposes. In this association of causal explanation with valuation Marxism retains at least one fundamental identity with the Hegelianism from which it originated.

GEORGE H. SABINE

See: POLITICAL SCIENCE; POLITICS; SOCIETY; GOVERNMENT; SOVEREIGNTY; AUTHORITY; COERCION; OBEDIENCE, POLITICAL; LIBERTY; SOCIAL CONTRACT; CITY-STATE; ABSOLUTISM; FEUDALISM; NATIONALISM; DEMOCRACY; DICTATORSHIP; LIBERALISM; ANARCHISM; SOCIALISM; FASCISM; NATIONAL SOCIALISM, GERMAN; INTERESTS; CLASS STRUGGLE.

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STATE BANKS, UNITED STATES. State banks are banking institutions operating under a charter issued by the state government as distinguished from national banks chartered by the federal government. On June 30, 1932, there were in the United States 6150 national banks and 13,013 state banking institutions. The latter group included commercial banks, trust companies, savings institutions and a small number of private banks. Their total resources were $34,877,420,000 as contrasted with $22,367,711,000 for the national banks. Capital, surplus and net undivided profits amounted to $4,961,603,000 and total deposits to $27,929,356,000 as compared with $3,130,929,000 capital, surplus and net undivided profits and $17,460,913,000 total deposits for the national banks. While state bank deposits were more subject to time restrictions than those of the national banks, their combined demand deposits actually exceeded those of the national banks by almost $1,000,000,000. Contrary to the general impression the state banks are not merely small institutions. In many cities the most influential banks will be found under state control. Geographically the state institutions show a marked concentration in the southern and middle western states, 8275 of the 13,013 banks being in these sections. The sharp functional differentiation which for a long time existed between state and national banks is passing away. Restrictions imposed upon the latter with respect to real estate loans, savings deposits and fiduciary functions gave the state systems opportunity for

growth; but at the present time national and state institutions carry on to a large degree the same kinds of business.

The dual structure of banking in the United States has been a result of political and historical factors. Until the Civil War, with the exception of the First and the Second Bank of the United States, all banking was under state control. During this period there was much bungling and inefficiency but also a great deal of useful experimentation. Smaller units and somewhat more personal control have made it possible to try out projects not feasible on a national scale. Much of present day fundamental banking theory and practise was hammered out in the state banking systems prior to the Civil War; since that time bank deposit guaranties, agricultural relations and many kinds of unofficial adjustments of struggling banks have been sponsored by the states.

In New England under the leadership of the Suffolk Bank there was worked out an effective plan for testing banknotes by frequent clearance. In New York the Safety Fund of 1829 tried out the plan of protecting creditors by a guaranty fund, and in 1838 there was initiated a system of charters under general law together with protection of note issues by deposit of bonds, a plan which was later to acquire country wide scope in the National Bank Act. The Louisiana law provided fixed reserve requirements and a type of supervision rigid beyond anything practised before or perhaps since. In Indiana the state bank developed a plan of central control which was subsequently to become the nucleus of the Federal Reserve regional organization. In Missouri a state bank demonstrated the possibility of conservative banking under a joint system of public and private ownership. And later in that state there grew up a branch banking system under private ownership which, except for the accident of the Civil War, might have given the country a great lesson in banking efficiency. In Mississippi, Kentucky and other states there were unforgettable examples of how banking ought not to be conducted. In all this pre-Civil War experimentation there was much variation but a considerable tendency to build state central banks on the model of the Second Bank of the United States. In general these were branch systems, often with a state wide monopoly of circulation. Some were owned wholly by the states; others represented both public and private capital. The practises of the best of these state banks, such as those of Indiana, Ohio, Virginia and Missouri, pointed the way to a solution of the banking problem much superior to the unit bank idea which developed during and after the Civil War.

The greatest defect of the state banking system, however, was that it failed to provide the country with a currency of uniform value; it was in part to remedy this defect that the National Bank Act was passed in 1863. The imposition of the 10 percent tax on state banknote circulation seemed to be a death blow to the state systems. The check book was not largely in use, and no one had conceived the possibility of satisfactory commercial banking without the note issue privilege. The immediate result was the concentration of banking under federal power, the state banks being either liquidated or converted into national banks. This process, although it provided a uniform banknote circulation, did not in other ways drive toward centralization, for the branch systems were destroyed and the new unit national banks were not subjected to such control as would abate substantially their independent action. Until the early 1880's state banking continued to be of minor importance. Gradually, however, it came to be recognized that note circulation was not a necessary part of every profitable bank, and the states began to make more and more liberal provision for state chartered institutions. In general the codes were modeled after the National Bank Act with note issue provisions omitted, and often with decidedly less control of original incorporation and subsequent operation. The unit bank idea became dominant, and in an effort to give facilities to the whole population units became too small for safety or efficiency. Not a little of the growth of the state systems is to be ascribed to an effort to evade even that modicum of capital investment and public supervision demanded by the national law. With every legislature working independently on the banking problem lack of uniformity was inevitable; but with continued copying of the banking codes from state to state and through the example of the better state systems and the national banks substantial progress was made before the passage of the Federal Reserve Act, and not a few states had arrived at a standard of banking efficiency comparable to that of the national banks. Since 1913 the Federal Reserve System has been able to bring considerable pressure for higher standards for both state and national banks. Unlike the National Bank Act, the Federal Reserve legislation was not intended

to destroy the state systems. Its facilities have been offered freely to such state institutions as can meet membership requirements comparable with those imposed on the national banks. It was hoped that in this way some semblance of uniformity might be brought into the banking system; but up to the present time, partly because of failure to meet requirements and for other reasons, the state banks have tended to remain aloof from the Federal Reserve System. At the end of 1931 there were only 878 state bank members and a substantial number, about 3200, were even refusing to use the check collection facilities of the system.

The state systems as they exist today are based fundamentally on the principle of free banking. In general any responsible group meeting the requirements of the law may organize a bank. Charters are granted under general laws, often but not always subject to the discretion of the supervisory authority. Notwithstanding the increasing caution in the organization of new banks, it seems fair to say that the states have offered charters much more freely than has the national government. As to the capitalization requirements, there has been a marked tendency to place the minimum low enough to make possible the existence of a bank at the smallest crossroads trading point. In larger towns more capital is required. Usually there will be found definite regulations providing for the withholding of dividends until a certain surplus fund has been created, and also in case their payment should impair the existing capital. In many cases, but not in all, double liability attaches to the stock. State commercial banks receive deposits subject to check and on time payment agreements. In some states, particularly in the east, savings accounts are in large measure carried in special savings institutions; but in other sections this business is done by commercial banks and trust companies. The states have engaged largely in plans for deposit protection. Beginning with Oklahoma in 1907 deposit guaranty schemes were set up by Washington, North Dakota, South Dakota, Nebraska, Kansas, Texas and Mississippi. These ambitious efforts have without exception ended in disaster, leaving behind millions in unsettled debts. Definite reserve requirements are generally imposed on state banks, and these on paper are often in excess of the requirements set for national banks. In many instances, however, the definition of what constitutes reserve is quite liberal. Restrictions on loans and investments are ordinarily less rigid than those of the National Bank Act, especially in respect to real estate loans. Public supervision varies considerably in effectiveness from state to state, but with a few notable exceptions it has not yet reached national bank standards. Generally examinations are greatly hampered by lack of funds, and in far too many cases political influence still affects the selection of examiners. In certain states, particularly California and Michigan, the unit bank is rapidly giving way to branch banking.

In other states where laws have been unfavorable to branch development there has been a large growth of group and chain organization. While many states are still officially committed to the maintenance of unit banks, branch, group and chain banking have found better opportunities under state than under national law. Group and chain banks, however, may cut across state and national systems, and therein lies an added opportunity for confusion in public supervision. When the Federal Reserve Act was passed, it was found that laws of most states usually required amendment before their banks could join the system. These changes were obtained without much difficulty, although some banking departments offered little cooperation. Aside from the larger institutions few state banks have cared to join. Many cannot meet minimum capital requirements; others object to various restrictions; while still others see no advantage which cannot readily be secured from correspondent banks.

The state banks have had a less favorable solvency record than the national banks. From 1921 to 1932 inclusive 10,484 state banks with deposits amounting to $3,738,624,000 and 1571 national banks having deposits of $1,143,857,000 were reported by the United States comptroller of the currency as having failed. In any attempt to account for the larger proportion of failures among state banks, however, it should be remembered that small unit size, less chance for diversification and concentration of location in agricultural sections with special and in recent years overwhelming hazard have been more characteristic of state than of national banks.

The future of state banking is uncertain. There has been insistent demand for concentration of all banks within the Federal Reserve System and under federal charter. Such demands will doubtless be strongly resisted by the states and will be slow of realization. In the opinion of some writers it is small scale unit banking rather than dual state and national con-

trol which has been a major cause of trouble. The state banking systems have played an important part in the economic development of the country, and it is not unlikely that they will continue to do so. While perhaps few competent bankers would advocate dual banking as a matter of abstract theory, it must not be forgotten that the system as it stands represents a historical development and that it is often more effective economics to improve and utilize what exists than to destroy and build anew.

J. RAY CABLE

See: NATIONAL BANKS, UNITED STATES; FEDERAL RESERVE SYSTEM; BANKING, COMMERCIAL; BRANCH BANKING; SAVINGS BANKS; TRUST COMPANIES; BANK DEPOSITS, GUARANTY OF; BANK RESERVES; BANKNOTES; BANKS, WILDCAT; AGRICULTURAL CREDIT.

Consult: Dewey, D. R., *State Banking before the Civil War*, United States, National Monetary Commission, Publications, vol. iv (1911); Barnett, G. E., *State Banks and Trust Companies since the Passage of the National Bank Act*, United States, National Monetary Commission, Publications, vol. vii (1911); Helderman, L. C., *National and State Banks* (Boston 1931); Tippetts, C. S., *State Banks and the Federal Reserve System* (New York 1929); Cable, John Ray, *The Bank of the State of Missouri*, Columbia University, Studies in History, Economics and Public Law, no. 232 (New York 1923); Dowrie, G. W., *The Development of Banking in Illinois*, University of Illinois, Studies in the Social Sciences, vol. ii, no. 4 (Urbana 1913); Preston, H. H., *History of Banking in Iowa* (Iowa City 1922); Starnes, G. T., *Sixty Years of Branch Banking in Virginia* (New York 1931). See also the *Annual Reports* of the United States Comptroller of the Currency, published since 1863; of the Federal Reserve Board, published since 1914; and of the various state banking departments.

STATE GOVERNMENT, UNITED STATES.

The governments of the states play a double role in the United States. From the point of view of the government of the union they are instruments of local government. From that of the peoples of the several states they are organs of separate bodies politic and instruments of central government. In the beginning this latter aspect was dominant. It was reflected in the description of the states in early state constitutions as "free, sovereign, and independent" commonwealths. It was confirmed in the distribution of powers between the states and the union under the constitution of 1787. Some carefully limited powers were delegated to the federal government and a few others were expressly denied to the states. All the remaining governmental powers were reserved to the states respectively or to the people. However, the identity of the people mentioned in the distributive clause of the federal constitution was not wholly clear. One opinion was that the people referred to were the peoples of the several states. In 1861 this opinion was explicitly incorporated in the Constitution of the Confederate States of America. Another was that the word meant the people of the United States. The logic of events dictated the ultimate acceptance of the latter opinion, which signalized the triumph of the national point of view. As a result the state governments have come to be regarded primarily as instruments of local government.

The powers of the states appear to be of great importance from either point of view. In the first place, they have the powers appropriate for the organs of vigorous bodies politic. These include: the power to make and alter institutions of government within the state, subject to the condition that they be republican in form; the power to regulate the suffrage in federal as well as state elections provided, since the adoption of the Fifteenth and Nineteenth amendments in 1870 and 1920 respectively, that no citizen be denied the right to vote on account of race, color, previous condition of servitude or sex; the power to levy and collect taxes, except upon interstate and foreign commerce and upon instruments of the federal government; the power to make and enforce police regulations of all kinds, provided, since the adoption of the Fourteenth Amendment in 1868, that no person be deprived of life, liberty or property without due process of law or be denied the equal protection of the laws; the power to promote the general welfare by fostering religion and education and supplying public services of every kind except the few, notably the postal service, which are entrusted to the federal government; and the power to deal with the whole subject of private law, including the regulation of the vital institutions of modern civilization, the family and the system of private property. In addition the state governments may exercise further powers as agents of the union through the adoption of suitable measures by the federal government. There is nothing in the federal constitution to prevent the utilization of the state administrative machinery for national purposes, as was attempted in the case of the first federal Fugitive Slave Law; and there seems to have been in the early years of United States history a widespread expectation that the federal government would use the officers of the state in this way.

Circumstances have prevented the state governments from maintaining an importance corresponding to the extent of their powers. As agents of the union they failed to give satisfaction because they proved incapable of administering national measures in a national spirit. The federal government has consequently been obliged to develop its own administrative agencies. As instruments of central government in the states they have been disappointing, because the tasks confronting them have tended to outgrow the boundaries of the states and to overtax their resources. At first the subject matter of government within the states was chiefly local business. The original state governments were comparatively inactive and inexpensive. At present the improvement of the means of communication, the rise of large scale capitalistic industry dependent upon a nation wide market, the development of interstate commerce, the growth of a national literature and a national self-consciousness, all contribute in giving the public affairs of the states a national character. In addition the state boundaries unfortunately have been determined by the accidents of history and the convenience of public surveyors rather than by the needs of the people. The financial resources of the states, although they have grown with the increase of population and of wealth, have not kept pace with the cost of state government. The practical capacity of the states to meet their responsibilities is consequently unequal to their powers. The state governments should be much more active and expensive than they have been or are likely to be.

The position of the states in the federal system has been greatly altered in response to changing circumstances. In recent years the federal government has taken over a portion of the burden of the state governments by means of grants out of the national treasury in aid of state activities. These federal grants-in-aid (*q.v.*) have been most generous in connection with the improvement of public roads and recently with the relief of the victims of economic depression. But the federal government has not shared the burdens of the state governments without also encroaching upon their powers. More important have been the inroads upon the powers of the state governments through the growth of the custom of looking to Washington for the solution of problems which the states have found too difficult. The fostering of agriculture and of urban industry affords numerous illustrations of this tendency, which has been confirmed by the practise of giving a broad interpretation to those provisions of the federal constitution which regulate the distribution of power between the federal and the state governments. Actual amendment of the federal constitution so as to restrict the powers of the states has been surprisingly infrequent. Apart from the reconstruction amendments adopted at the close of the Civil War, formal amendment has been of much less consequence in the development of the federal system than the informal changes resulting from the organization of national political parties and the domination of American politics, state as well as national, by the presidential elections. But the reconstruction amendments, especially the due process clause of the Fourteenth, have profoundly altered the position of the state governments in the American constitutional system.

The constitutional history of the states is closely connected with that of the United States. The original principles of American government were derived from three sources, the political philosophy of the English Whigs, the law and custom of the English constitution and the practical experience of the American people under the colonial governments. Hence arose the general belief in natural rights and written constitutions, the separation of powers, trial by jury, representative government and frequent elections. But there was little uniformity in the actual forms of government in the original states. Most of the original state constitutions provided no effective checks upon the authority of the legislative branch of the state governments, and the boasted balance of the constitutional systems was very imperfect. In all the states, despite the clamor about the rights of man, the owners of property, especially of land, possessed special privileges in connection with elections and the holding of public office. The dominant political ideas were worked out most logically in the original constitutions of New York (1777) and Massachusetts (1780), which in turn greatly influenced the framers of the federal constitution (1787). The latter established a standard form, which was faithfully copied by the framers of state constitutions; and at present, despite the increasing diversity in the circumstances of the states, there is an impressive uniformity in the structure of their governments. There is much more variation in the distribution of powers among the departments of state government. In general the constitutional history of the states, like that of the United States, has been

characterized by the strengthening of the executive and judicial branches at the expense of the legislative, and of popular control over them all. In most of the state governments, however, these developments have gone much further than in the federal government.

At present all the forty-eight states possess governments with bicameral legislatures and independent executives, and most of them also have an independent judiciary. The state senates differ from the more popular legislative chambers chiefly in the smaller number of their members. Members of the lower chambers are usually elected for terms of two years; senators, for two or four years. Governors and various other executive officers are elected at the same time as legislators for terms of two or four years; and in most states judges also are elected by the voters, although for longer terms. State elections are almost universally held on the same days as the federal elections. Unconditional universal suffrage exists in about half of the states; in the others there are literacy, property or poll tax requirements. The state governors generally possess a much more drastic veto power than that of the president and also wider powers over the appropriation of public money. In most states the state judiciary has a more extensive power than that of the Supreme Court of the United States to declare the acts of the coordinate departments of government unconstitutional. This results from the greater development of constitutional limitations upon legislative power in the state constitutions, limitations both of a substantive and of a procedural nature. The powers of the electorate are also more numerous and effective in the state governments. In nearly all the states constitutional amendments may not be adopted without the approval of the voters, and in about a third of them such amendments may be initiated directly by the voters and ratified by them without the intervention of their representatives. In a larger number the voters may initiate ordinary legislative measures and adopt them without legislative approval, or may require that such measures which have received legislative approval be referred to them for final action. In a few states the voters may call constitutional conventions without any action by the ordinary legislatures, and the whole process of constitutional amendment and revision is brought within the range of popular control.

The working of the state governments, like that of the federal government, is greatly dependent upon the operations of political parties. The rigid separations of the legislative and executive departments, the peculiar distribution of powers among them and the large number of public officers to be elected by the people create a need for more organization than is provided by the written constitutions. This need is increased by the decentralization of state administration and the independence of state administrative officers. The response is a system of elaborately organized political parties and the infusion of the spirit of partisanship into the entire political structure. The voters themselves are enrolled in the parties under the authority of law, and the whole electoral system, federal, state and local (with the exception of municipal elections in a growing number of cities), is dominated by partisan interests. The superior importance of federal, especially presidential, elections compels the subordination of state to federal issues and exaggerates the inevitable distinction between party government and popular government in the states. Party management becomes an essential element in the process of government and the recruiting of party workers and the financing of party activities become a kind of public enterprise. All the states have gradually assumed a greater responsibility for the conduct of elections and most of them have experimented with the regulation of party organization and party finance. But the profession of politics in the states continues largely to escape public control and the power of extraconstitutional political machines remains a striking feature of state government.

The product of government in the states is very unequal. The personnel in some is much superior to that in others and compares not unfavorably with the staff of the federal government, but in most states it is manifestly inferior to that of the federal government. Some states have shown initiative and enterprise in the making of laws and the administration of public affairs. Others have lagged far behind. In general the federal government has displayed greater resourcefulness and competence in dealing with the urgent problems of a changing world. Yet the states have demonstrated their usefulness as laboratories for experimenting with novel measures of social and industrial policy. Many are handicapped by their limitations as political and administrative areas. All are burdened with an ancient system of local government in counties and townships, ill suited to the requirements of a high powered machine age. The growing

centralization of local administration in the state governments, however, should bring them new opportunities of public service and tend to offset in some measure the loss of power and prestige which results from the steady encroachment of the federal government upon their original field of action.

ARTHUR N. HOLCOMBE

See: GOVERNMENT, section on UNITED STATES; LEGISLATIVE ASSEMBLIES, section on UNITED STATES, STATE LEGISLATURES; FEDERATION; CENTRALIZATION; DECENTRALIZATION; GRANTS-IN-AID; STATES' RIGHTS; CONCURRENT POWERS; INTERSTATE COMMERCE; POLICE POWER; ORGANIZATION, ADMINISTRATIVE; SEPARATION OF POWERS; BICAMERAL SYSTEM.

Consult: Institute of Public Administration, *A Bibliography of Public Administration*, by Sarah Greer (2nd ed. New York 1933) ch. ix; Holcombe, A. N., *State Government in the United States* (3rd ed. New York 1931), with extensive bibliography; Dodd, Walter F., *State Government* (2nd ed. New York 1928); Bates, F. G., and Field, O. P., *State Government* (New York 1928); Mathews, John M., *American State Government* (New York 1924); National Municipal League, Committee on State Government, *A Model State Constitution* (rev. ed. New York 1933); American Legislators' Association, *State Government*, published monthly in Chicago since 1926.

STATE LEGISLATURES. *See* LEGISLATIVE ASSEMBLIES, section on UNITED STATES, STATE LEGISLATURES.

STATE LIABILITY. The responsibility of the individual in contract and tort is almost an axiom of mature legal systems. State liability, however, still constitutes a distinct problem. As long as the state's sphere of activity was very limited, the problem was not pressing. But with the rise of the industrial era and the consequent necessity for expert regulation which a congress or a parliament could not supply and with the growth of governmental control and supervision of enterprise, there has come into existence a sphere of governmental activity known as administration, which embraces all three of the traditional aspects of governmental powers—legislative, executive and judicial. As administration has expanded to extraordinary proportions, the need for the protection of the individual against it has become intensified.

Starting from varying historical foundations and premises the German, French, English and American systems developed in the beginning of the nineteenth century different forms of control over those who wielded governmental powers. Encroachments upon individual liberty were in all these systems designed to be kept, in principle, within the limits of social necessity. Yet who was to draw the line? Who was to judge whether the line had been drawn properly? Here indigenous history and tradition determined the answer. In one country suspicion of the executive, in others suspicion of the legislature and in France suspicion of the courts produced varying institutions designed to achieve control over the governmental machine. Germany by statute and France by the practise of its Council of State have admitted governmental liability to the injured individual to a far greater degree than has England or the United States. Within the past few years, however, the last two countries have witnessed legislative movements designed to make the government suable for the torts of its officers and employees, as they had already been suable in contract. But while on the continent governmental tort liability is regarded as a belated recognition of a self-evident obligation, for the Anglo-American mind it constitutes something of a legal revolution.

On the continent jurists began with liberal premises. Steeped in juristic conceptions of corporateness, they construed legislative silence as the equivalent of consent to suit. Perhaps this continental development owed much to Roman political theory. Its most important advance over Greek thought lay in its conception of positive law, of legislation, of an abstract state as distinguished from society in general, the idea of legal personality or corporateness and possibly the idea of sovereignty. The state and the individual were distinct and their respective obligations and claims were the subject of legal regulation, practical administration and theoretical speculation. The state was deemed necessary to law and to social existence; but the individual and his protection, even against the group, constituted the principal *raison d'être* of the state—an idea at the basis of public law and of modern democracy.

There were also moral props of irresponsibility—royal prerogative, divine right, sovereign infallibility—but with their weakening there came into being in the eighteenth century two important political factors, the constitutional recognition of certain rights of the individual and the broadening activity of the state. To be sure, political and limited judicial guaranties had long been known in England; but up to the present time it has been assumed in England and the United States that in the main pecuniary protection against invasion of private rights on the part of officials was secured adequately by

conferment of a right of action under limited circumstances against the officer.

On the continent and indeed in most of the British dominions the obligation to assume liability in tort has long been recognized. The concern of the statesman in these countries has been with the scope and extent of the obligation the state should assume; the concern of the jurist has been with the legal explanation. It has been conceded universally that for highly important governmental acts, such as legislation, judicial decisions and exceptional executive determinations, state responsibility for error or injury cannot be assumed. Even within these fields the continental courts have sought to discover an administrative act within the broader state function and, apart from legislation, have thus made inroads on the area of irresponsibility.

But there never has been complete agreement on the theories supporting state responsibility. Continental jurists had been familiar with suits against the state in "corporate" matters, and in contract and property relations. In property relations unlawful acts of officers imposed liability, under the rules of the civil code whereby a principal is liable for the acts of his agent. But with the institution of eminent domain before them, requiring compensation for formal lawful acts imposing disproportionate sacrifice on the individual, questions began to be raised by the jurists as to the validity and rigidity of the classical distinctions between "corporate," or non-sovereign, acts on the one hand, and so-called "governmental," or sovereign, acts on the other; doubts were expressed as to the propriety of the distinction between acts lawful and unlawful, commanded and uncommanded, contractual and tortious. If the individual sustained an undue burden or loss at the hands of the governmental machine, it seemed to many, including both individualists and socialists, that the community rather than the individual should bear it. Thus it happened, mainly in the last generation, that legislatures and jurists began to break down traditional classifications and to regard at least the administrative activities of the state as subject to approximately the same legal rules and judicial control in behalf of injured individuals as applied to the activities of any other corporation.

The courts and jurists of the early nineteenth century found an adequate explanation for this conclusion in the customary rules of private law, particularly in the theory of agency. By characterizing the officer as an agent and the state, government or group as the principal, rules of private law readily supplied a theory of governmental responsibility for wrongful acts of the officer—either implied negligence in selection or supervision or the principal's guaranty of the good conduct of his agent or the rule which imposes automatic vicarious responsibility based on identification or representation.

The supposed inadequacy of the private law theories was suggested by those courts and writers who had become impressed with the intrinsic validity of the classical distinction between corporate and governmental acts. While private law conceptions were deemed sufficient for corporate acts, they were considered insufficient for governmental acts. Responsibility for the latter, indeed, usually depended upon express legislation. These views, based upon public law explanations, were strengthened by the decision of the French court in the celebrated *Blanco* case, in which it was held that responsibility could not be based on any general rule but was to be explained by the equitable reconciliation of the interests of the state and of the individual. As the courts began to assess damages upon the state for many injuries, such as stray shots by policemen and explosion of munitions, without proof that any officer was at fault, many jurists became convinced that the inelastic conceptions of the private law could not fit the new jurisprudence. Possibly they did the private law an injustice. At all events innumerable legal, political and philosophical theories were advanced from many quarters to explain or to rationalize the new developments. Thus there were advanced the theories of social contract, social insurance and quasi-contract, which either have been abandoned or else have been absorbed in the broader legal theories of "administrative fault" or "fault of the service" and governmental "assumption of risk"—theories in which the individual officer's tort becomes tenuous or fictional or is openly discarded with the greater emphasis upon the operative fact of individual injury inflicted by the governmental machine.

The cycle from eminent domain had now been virtually completed; and while the older tort theories still sustained most of the cases, the new developments concentrated attention upon the effort to find broader political and philosophical foundations to support this modern legal structure. Thus there were advanced the doctrines of "equality of burdens" or equal protection of the laws, of "vested rights," of "equity" and of "special sacrifice" regardless of

tort, all of which were designed to demonstrate that special sacrifices imposed upon or borne by the individual in the pursuit of the common aim, the administration of the public service, should be spread over the community as a whole instead of being made to rest, as is generally the case in Anglo-American practise, solely upon the injured individual.

The reason for this long continued and growing injustice in Anglo-American law is to be found largely in a mediaeval English doctrine that "the king can do no wrong," which without sufficient understanding was introduced with the common law into the United States and has survived mainly by reason of its antiquity. The fact that the theory of absolutism which kept it alive in England never prevailed in this country and has since been discarded by most monarchical countries of Europe has nevertheless failed to secure any effective legislative reconsideration of the propriety and justification of the rule that the state is not legally liable for the torts of its officers.

But whatever explanation, historical or unhistorical, may have justified the English crown in asserting and obtaining immunity in tort, no such monarchical aid could legitimately be invoked by American courts. Indeed in the famous case of Chisholm against Georgia (2 U.S. 419), decided in 1793, the Supreme Court of the United States held that the supposed grounds of immunity of a state from suit were without application in this country and that a state could be sued in the federal courts by a citizen of another state. As a result of this decision, which created consternation in the states, since they were heavily in debt after the revolution and feared that payment might be exacted judicially, the Eleventh Amendment to the federal constitution was adopted, prohibiting suit against a state in the federal courts by a citizen of another state. With this setback to democratic notions of responsible government there came a great revival of political metaphysics, and the American courts outdid those of England in emphasizing the validity and immutability of the antiquated maxims.

The doctrine of irresponsibility is not only a historical anachronism, but under present rules works gross injustice to all parties concerned and evidences an inefficient public policy. The nonresponsibility of the employing state, accompanied by the theoretical responsibility of the mistaken or wrongdoing subordinate employee —the limit of the vaunted "rule of law"—is unfair to the victim of the injury, to the subordinate officer or employee and to the community. If the underpaid, subordinate employee is alone responsible in law, the risk of accepting public employment is unduly burdensome upon all except the financially irresponsible, and the detriment to the public service is great. Small pay with large risks induces a fear to enforce the law. It is not a defense to the subordinate that he acted under orders of a superior, even the highest executive officer, if the order proves for any reason to have been illegal. It is at the same time obvious that the alleged remedy of the injured citizen will in most cases be altogether illusory.

The recognition of any liability of the state in Anglo-American jurisdictions has been very slow. The English system of subjecting the crown to suit by petition of right (Petitions of Right Act, 1860) has, however, been deemed a proceeding not of grace but of right, although in theory the fiat may be withheld at any time and is indeed withheld in claims arising out of tort. Practise has, however, developed the rule of law that the petition of right lies to obtain from the crown restitution of lands or goods; or, if this is impossible, then money damages for wrongful detention or damages for breach of contract, including goods supplied to the crown or to the public service. Curiously enough it was not until 1874 that it was definitely established that damages could be recovered for breach of contract [Thomas *v.* The Queen, (1874) L.R. 10 Q.B. 31, 36]. In England damages for torts were recoverable against the wrongdoing officer, who generally at least could not plead in defense either reasons of state or command of the crown, or king. But even this limited protection to the citizen has now been much qualified by the growth of administrative justice with its recognition of discretionary acts immune to judicial review.

As for claims against state governments in the United States, the conviction is deeply settled that only by the most specific language will the legislature be able to impose liability in tort. Indeed when the California legislature made an appropriation to pay compensation to an individual injured by a tort of its prison officials, the statute was held unconstitutional as a "gift" to a private individual [Bourn *v.* Hart, 93 Cal. 321, 28 Pac. 95 (1892)]. Special statutes, however, have occasionally been construed to admit the American state's liability for torts of its agents or officers. Constitutional provisions in four states (Alabama, Arkansas, Illinois, West Virginia)

prohibit any suits against the state, although this does not prevent the legislature from appointing a board of claims to pass upon claims, with recommendations to the legislature. On the other hand, in some twenty-one states suits against the state are authorized constitutionally, but with possibly two exceptions these provisions are not self-executing and in only a few of the states has the necessary legislation been passed. In most cases the determination of the board of claims is recommendatory only, requiring a legislative appropriation, although this is also necessary where the determination is final.

In the United States the reluctance to abandon the discredited doctrine of state infallibility may be due to the fact that it appears to be tempered by other rules of law permitting suit against corporate bodies created by the state for the conduct of state functions and, as has already been observed, against state officers as well, although the courts have long and unsuccessfully sought to determine when a suit against an officer is a suit against the state.

Not much more satisfactory results have been achieved in the attempt to decide when the governmentally owned corporation is the alter ego of the state and when it is not. While local subdivisions of the state, like counties, school districts and municipalities, are suable, this fact has not served generally to make them legally responsible to an injured member of the public. On the contrary, counties and school districts, having been held to be subdivisions of the state for governmental purposes, share the state's irresponsibility for torts, if not its immunity from suit. Cities, on the other hand, present to the courts the problem of determining when the function or activity in issue is governmental and when corporate, on the familiar theory that when acting in the former capacity the city is but the agent of the state and hence immune from the rule of *respondeat superior*, whereas in the latter capacity responsibility for torts is admitted. But the duty of stating when the function is governmental and when corporate, a distinction which in theory has a certain justification and is applied in Europe to all political groups and not merely to cities, has resulted in the United States in innumerable but metaphysical distinctions and in anomalies without parallel. There is a fair degree of unanimity that police duty and fire fighting are governmental, and that the supply of water, gas, electricity and transportation is corporate. But learned courts have differed as to whether the collector of garbage, the street sweeper or the driver of an ash cart is engaged in the sovereign governmental duty of caring for the public health or in the modest corporate function of caring for the streets and highways. Why the cleaning or management of the streets or the operation of public buildings or public improvements or utilities is less governmental than the operation of schools, parks, playgrounds, hospitals, city garbage dumps or vehicles or why the extinguishing of fires or the management of schools and public vehicles generally is less corporate than supplying gas, water and power is not easy for the layman to understand. Many courts have admitted that it is vain to attempt to resolve the problem and, refusing to indulge in metaphysical distinctions, have justified their decisions solely on the rule of *stare decisis* in the particular jurisdiction.

Thus the Anglo-American system is not impervious to considerations of social justice in imposing upon the community the risk and burden of certain types of loss and injury falling upon innocent individuals. This is evidenced also by the statutes which impose upon cities or counties liability without fault for losses sustained through mob violence (*see* RIOT). The New York Court of Appeals in 1933 conceded liability for injury resulting from stray shots by policemen, and three states, as will be shown, recognize liability for errors of criminal justice.

The federal government has to a limited extent opened the door to suit against itself, beginning with contract cases, and since 1922 in tort cases up to $1000. Although the constitution provides that private property shall not "be taken for public use without just compensation," there was no judicial means of making the requirement effective until 1855 and claimants were compelled to adjure Congress to redress their grievances. The defects of this system, both for the claimant and for the members of Congress, led to the establishment of the Court of Claims, with jurisdiction in claims founded upon a "law of Congress, or upon any regulations of an executive department, or upon any contract, express or implied." By the Tucker Act of 1887 there were added "claims founded upon the Constitution of the United States," a clause which has been held to be meaningless, and claims "for damages, liquidated or unliquidated, in cases not sounding in tort."

These jurisdictional clauses have been construed most strictly against the claimant. The owner of property taken by government officers

for public use must prove that it was taken under an express or implied promise to pay for it. Not only will a promise to pay not easily be implied, but the physical act of "taking" must interfere so seriously with the private use that the injury and deprivation are permanent and substantial and not merely temporary or consequential and therefore tortious, and there must also be an intent to take. Thus denial or questioning of the owner's right to the property—except in patent cases under statute, an exception created in 1910—by the government's assertion of an adverse claim or denial of an intent to pay will defeat recovery, for the taking is then tortious. Consequently the more flagrant and unjustifiable the government's act, the less its liability becomes. Moreover the circumstances must not negative the owner's open or tacit acquiescence, for otherwise the plaintiff will defeat that consensual relation which is supposed to underlie the implied contract. Mere evidence of governmental enrichment is insufficient to raise the implication of payment; a quasi-contractual obligation will not be recognized unless, as in tort cases, it is covered by a special act of Congress ad hoc conferring jurisdiction. There are many other legal hurdles placed by judicial construction in the way of claimants. Unless a claimant is fortunate enough to be able to surmount them all, he is likely to find his claim dismissed as "sounding in tort."

In recent years the force of circumstances has induced a growing disposition on the part of Congress to authorize suit in tort against the United States or to provide administrative machinery for the determination of legal responsibility under customary rules of law. Since 1900 special statutes have been passed with increasing frequency, either appropriating funds, after committee investigation, to compensate for tort injuries of various kinds or referring such claims to the Court of Claims or United States District Courts for determination and judgment. A federal Employer's Liability Act has been passed (*see* WORKMEN'S COMPENSATION). In taking over the railroads and certain collateral services during the World War, with the curious exception of the telegraph system, and in establishing a Shipping Board for the operation of merchant ships the government placed itself in the position of a private operator with respect to legal responsibility. On March 3, 1925, a comprehensive Suits in Admiralty Act was passed, authorizing suits against the United States in the federal district courts for damage caused by and salvage services rendered to public vessels of the United States; this extended materially the scope of the act of March 9, 1920, relating to publicly owned merchant vessels.

Congress has also passed a number of statutes, mainly since the war, conferring a limited administrative jurisdiction on the heads of the various executive departments to settle claims for tort injuries arising in their departments. Even prior to the general act of December 28, 1922, conferring power on the head of each executive department and independent establishment to settle claims for "damages to or loss of privately owned property" not over $1000, "caused by the negligence of any officer or employee of the Government acting within the scope of his employment," numerous acts had been passed conferring on the heads of certain departments, mainly War, Navy and Post Office, a limited power to settle tort claims. Some of the provisions of these acts, renewed in annual deficiency appropriations or otherwise, extend the scope of the act of December 28, 1922, to personal injuries and dispense with proof of negligence.

Since 1925 there has been before Congress a general bill to make the federal government suable for the negligent or wrongful acts or omissions of its officers and employees. The bill has undergone numerous changes, mainly procedural. Having now received the almost unanimous support of all the departments and the comptroller general, it seems likely soon to pass and receive presidential approval. Its main provisions are an admission of liability for damage to property, up to $50,000, and for personal injury or death, not exceeding $7500. In addition to negligence "defect or insufficiency" of "machinery, vehicle or appliance" is the source of liability for personal injury or death. Corporations in which the government owns 51 percent or more of the voting shares and securities are assimilated to the executive departments and independent establishments.

The procedure for settlement is administrative if the claimant accepts the settlement offered, and judicial if he does not. The General Accounting Office, headed by the comptroller general, is authorized to settle claims, in agreement with the claimant and after receiving evidence from the claimant and government department and, if necessary, subpoenaing witnesses. If the settlement is under $1000, the comptroller general can pay the claim out of the appropriation of the department whose em-

ployee is at fault. Settlements above $1000 must be certified to Congress for special approval and appropriation. If the claimant is dissatisfied, he can file an original suit in the Court of Claims, within one year of the unaccepted decision of the comptroller general or, if decision is delayed, within six months after filing the claim. Many types of tort claims are, however, excepted from the bill, including claims arising from loss or miscarriage of mail matter; assessment or collection of taxes; losses of persons in military or naval service; merchant marine and navy acts for which liability is provided by statutes of 1920 and 1925; acts of the Alien Property Custodian; administration of the quarantine laws, flood control and river, harbor and irrigation activities; injuries to vessels and cargoes passing through the Panama Canal; injuries by military or naval forces where relief is otherwise provided; injury to or death of a prisoner; negligence of physicians or employees of a government hospital, dispensary or institution; injuries or death arising from assault and battery; false arrest or imprisonment, malicious prosecution, libel, slander, misrepresentation, deceit, interference with contract rights or any criminal act or the alleged effect of an act of Congress or executive order. Tort claims not enforceable under the act must be directed, as of old, to Congress, where they are referred to the Committee on Claims. Contributory negligence, to which intoxication and wilful misconduct are assimilated, is a bar to relief. Lawyers' fees are limited.

The proposed English Crown Proceedings Act, presented in 1927 by a committee appointed by the lord high chancellor (Cmd. 2842), also involves revision and amendment of the law governing proceedings by and against the crown. Its most striking features are the proposed repeal of the Petitions of Right Act, 1860, the liability of the crown in tort and the provisions governing procedure. Suits against the crown are under the act to be assimilated so far as possible to suits against subjects. Suits, whether in tort or in contract, would no longer be dependent upon his majesty's fiat that right be done.

Most European governments have long recognized that when an innocent person has been erroneously convicted of crime, whether tortiously or by mistake, the state owes the injured person an indemnity. Several governments extend the liability to cases of wrongful arrest and detention. In the United States, as in England, the principle that judicial errors are in the highest degree governmental and hence cannot be made the subject of state pecuniary liability has prevented the admission of the liability of either state or judge, except in the states of California, Wisconsin and North Dakota. Yet in England a century ago Jeremy Bentham and Samuel Romilly led a movement for legislative recognition of the state's obligation to indemnify the victims of such errors in the administration of justice. While no general bill has thus far been passed, individual appropriations have been made by Parliament in numerous cases. American legislatures have done the same.

The American statutes are strictly limited. The California act of 1913 requires evidence that the crime was not committed at all or if committed that it was not committed by the accused. North Dakota (1917) and Wisconsin (1913) merely require that the claimant be "innocent." California limits the compensation to $5000 as a maximum, regardless of the length of the unjust imprisonment. North Dakota and Wisconsin provide that the rate of compensation shall not be greater then $1500 a year; in North Dakota there is a maximum administrative award of $2000 and in Wisconsin of $5000, but with provision in both states for recommendation by the compensation board to the legislature of a greater amount if the board considers the statutory limit inadequate in a particular case. In all three states the procedure for compensation is by petition to an administrative board with appeal, on questions of law if not of fact, to a court.

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See: SOVEREIGNTY; ADMINISTRATIVE LAW; COURTS, ADMINISTRATIVE; CONTRACT; TORT; LIABILITY; EMINENT DOMAIN; DUE PROCESS OF LAW; CONTRACT CLAUSE; RULE OF LAW; AGENCY; WORKMEN'S COMPENSATION.

Consult: Borchard, E. M., "Government Liability in Tort" in *Yale Law Journal*, vol. xxxiv (1924–25) 1–45, 129–43, 229–58, and vol. xxxvi (1926–27) 1–41, 757–807, 1039–1100, and "Government Responsibility in Tort" in *Columbia Law Review*, vol. xxviii (1928) 577–617, 734–75, and continental and Anglo-American works there cited; Great Britain, Committee on Ministers' Powers, *Report*, Cmd. 4060 (1932); Garner, James W., "French Administrative Law" in *Yale Law Journal*, vol. xxxiii (1923–24) 597–627; Watkins, Robert D., *The State as a Party Litigant*, Johns Hopkins University, Studies in Historical and Political Science, 45th ser., no. 1 (Baltimore 1927); Borchard, E. M., *Convicting the Innocent* (New Haven 1932).

STATE POLICE. *See* POLICE.

STATE PRESS. *See* PRESS.

STATE RESPONSIBILITY. *See* STATE LIABILITY.

STATE SOCIALISM. *See* SOCIALISM.

STATE SOVEREIGNTY. *See* SOVEREIGNTY; STATES' RIGHTS.

STATE SUCCESSION is the acquisition, by one or several states, of sovereignty over territory which previously belonged to another state. The record of changes in territorial sovereignty together with that of other changes in rulership constitutes the history of the major historical convulsions. State succession differs from revolution in that it concerns international, not domestic changes and from migration and naturalization because it involves jurisdiction over territory and all persons entering it, not merely over a certain number of individuals.

Since international personality requires rulership over territory, a state ceases to exist as a member of the family of nations if its entire territory is annexed by another state. The annexed state may either lose the qualities of independent statehood altogether, as in the case of the Napoleonic conquests of many western, central and southern European states; the absorption of small German states in 1801, 1815 and 1866 and of small Italian states from 1859 to 1871; the British conquest of South Africa in 1902; the incorporation of Montenegro into Jugoslavia in 1918; and the numerous annexations of native states in the several continents. Again, formerly independent states may become member states of federal states. Illustrations are the states of the United States of America in 1789, Texas in 1845, Switzerland in 1848 and Germany in 1866 and 1871. The same effect may be produced by so-called dismemberment, i.e. the simultaneous complete absorption of the territory of a state by several other states, which may result either from the disruption of a centralized state, for instance, Poland in 1795 or Westphalia and other Napoleonic states in 1815, or from the dissolution of a federation or real union, such as the Holy Roman Empire in 1648 and 1806, a few republics in Central America during the nineteenth century, Sweden-Norway in 1905, Austria-Hungary in 1918.

Partial losses of territory not affecting the international identity of the ceding state have represented the most common type of state succession. In the case of cession the surrendered territory is acquired by other existing states. Thus German territories were secured by France and Sweden in 1648, Belgian territory by France in 1697, Swedish Pomerania by Prussia in 1720 and Austrian Silesia in 1742 and 1763, Turkish and Polish territories by Russia and Austria at various times, French territories in America by Great Britain in 1713 and 1763. Other examples are the cessions to Napoleon and the retrocessions of 1815; the Louisiana and the Alaska purchase and the acquisition of Florida, California, the Philippine Islands and Porto Rico by the United States in 1821, 1848 and 1898 respectively; the acquisition of Austrian possessions by Italy in 1859 and 1866; of Schleswig-Holstein and Alsace-Lorraine by Germany in 1866 and 1871; of Peruvian territory by Chile in 1884. There may be cited also the Japanese gains from China and Russia since 1895 as well as the many cessions under the peace treaties of 1919, the numerous cessions by native states and the great number of minor boundary adjustments. A secession takes place when a part of a state's territory becomes an independent new state or a part of a newly formed state. This occurred when Switzerland withdrew from the empire, Holland from Spain, the United States from Great Britain, Belgium from Holland, the Latin American states from Spain and Portugal, the Balkan states from Turkey, and when new states emerged following the World War. In some cases less than full sovereignty is transferred and the ceding state may retain a restricted overlordship called suzerainty, as, for instance, Turkey in Bulgaria prior to 1909; or a whole state may remain partly independent under a so-called protectorate (*q.v.*).

Most major territorial changes have been caused by the single or joint operation of many factors. Proselytizing directed toward the spreading of religious or political dogmas and institutions was once important. Regionalism was partly responsible for the absorption of small feudal units into national states and may in the future account for the liquidation of intercontinental empires as well as the absorption of national states into larger and economically more efficient units, perhaps federations or empires of continental size. But nationalism combined with imperialism has been the most potent force in recent times.

The precariousness of the political equilibrium may be seen from the fact that hardly any decade since 1648 has passed without some major territorial change. While the results have usually been sanctioned by or embodied in treaties, most territorial changes of significance, with the

exception of some territorial purchases and several formations of federal states, have actually been effected by the use or threat of force and have in the main followed wars or insurrections; the desire of states to increase their territory is commonly regarded as one of the major causes of war. International regulation of state succession has remained inefficient and international attempts to prevent future territorial changes have been of limited effect and duration in the past, no matter whether they have been directed against international aggression alone or, as in the case of the Holy Alliance, against domestic resurrections and secessionist tendencies as well. Moreover international principles providing for territorial changes without force have on the whole remained restricted to demands for so-called self-determination and the application of local plebiscites. These demands are still doctrines, neither generally applied nor recognized nor possessing the force of international law. An international regulation of state succession based on a consideration of all just reasons and vital factors would hardly take cognizance of the desire of local populations as the only decisive factor, would lead to results which could not be embodied in a few abstract rules and would need for its application the machinery of a superior world body interfering with national sovereignty to a degree not regarded as admissible by the present members of the family of nations. This would seem to be true also of attempts to diminish the demand for territorial changes by the international regulation of migration, access to raw materials and sales possibilities. It is easier to envisage the desirability than the possibility of regulation of the occurrence of state succession in a calculable future.

International regulation of the effects of state succession has likewise remained limited in scope and effect. The successor state acquires jurisdiction in the transferred area, including legislative power. While customarily recognizing as valid the old common law of the area until it is expressly modified, the successor state is free to introduce its own laws or to create special laws at any time. The nationals of the losing state inhabiting the transferred area become subjects of the successor state, as a matter of course in the case of complete annexation or under special treaty provisions and the laws of the successor state in the case of cession, secession and dismemberment; former inhabitants domiciled outside of the transferred area are not necessarily affected by the change. Even resident inhabitants may be exempted by special treaty provisions or laws of the successor state; or, as has happened more frequently in recent times, the inhabitants may be given the right to opt for citizenship in either the ceding or the successor state. Whether or not the transferred population acquires full citizenship status in the successor state depends entirely upon the latter; nor does any rule of international law guarantee their interests against their new rulers: an international bill of rights exists for transferred populations as little as for other populations. Provisions in treaties safeguarding property rights have, however, been frequent, and until recently there was a growing tendency to limit the power of the successor state by so-called minority treaties designed to protect a variety of individual rights as well as special organizations; treaties containing minority provisions apply to a number of central and southeastern European states; but the system has not been extended to western powers or colonial areas.

The effects of state succession on relations with foreign states and individuals have been the subject of extended controversy. As to treaties concluded by the ceding or annexed state the general rule would seem to hold that such treaties cease to apply and that those of the successor state begin to extend to the transferred area or the annexed state; there is some precedent, however, for the continued application of treaties concluded by the ceding state and concerning specifically the transferred area. While the successor state may expropriate property of the transferred population—this is, however, contrary to usual custom—private property belonging to neutral foreigners remains protected under international law; the successor state acquires immediately or may appropriate the public property of the losing state situated in the transferred area; in case of cession the treaties sometimes provide for compensation to the ceding state for such property. According to the prevailing opinion, supported by established practise, the rules protecting foreign private property in the case of state succession apply also to property rights consisting of debts or contracts; debts must not be canceled because of state succession. It is not established, however, that the annexing state succeeds to the debts of a totally annexed state, and there is increasing objection to rules which would burden a territory forever with financial obligations regardless of amount, benefit derived from proceeds or consent on the

part of the population. If a debtor state loses a part of its territory, it is not mandatory that the successor state must contribute to the amortization; but such contributions have been frequent, and assumption of debts secured specifically on assets in the transferred area has been the rule rather than the exception. However, creditors have not infrequently incurred losses through the impairment of the paying capacity suffered by a debtor state through loss of territory. In the case of concessions frequent difficulties and controversies are caused by doubts concerning the private character of the right, its legitimate origin and the fulfilment of obligations incumbent upon the concession holders.

Theories according to which the acquiring state is the legal successor of a totally annexed state are increasingly abandoned on the ground that they fail to conform to the practise of nations; even the term "state succession" is being attacked and at times replaced by the more correct term "changes in territorial sovereignty." In reality the legal effects of state succession cannot be explained by the application of any general theory of a metaphysical character.

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See: RECOGNITION, INTERNATIONAL; DE FACTO GOVERNMENT; CONQUEST; CESSION; MANDATES; STATE LIABILITY.

Consult: Selosse, René, *Traité de l'annexion au territoire français et de son démembrement* (Paris 1880); Appleton, Henri, *Des effets des annexions de territoires sur les dettes de l'état démembré ou annexé* (Paris 1895); Huber, Max, *Die Staatensuccession* (Leipsic 1898); Keith, A. B., *The Theory of State Succession* (London 1907); Schoenborn, Walther, *Staatensukzessionen*, Handbuch des Völkerrechts, vol. ii (Berlin 1913); Gidel, Gilbert, *Des effets de l'annexion sur les concessions* (Paris 1904); Guggenheim, Paul, *Beiträge zur völkerrechtlichen Lehre vom Staatenwechsel* (Berlin 1925); Sack, A. N., *Les effets des transformations des états sur leurs dettes publiques* (Paris 1927); Feilchenfeld, Ernst H., *Public Debts and State Succession* (New York 1931).

STATE UNIVERSITIES. *See* UNIVERSITIES AND COLLEGES.

STATELESS. *See* EXPATRIATION.

STATES GENERAL. *See* ESTATES GENERAL.

STATES' RIGHTS. The phrase properly comprehends but one aspect of the autonomous sentiment that congeals around the nucleus of neighborhood or geographical proximity. The word rights indicates that a legal claim exists or at least may be assumed to exist. States' rights in any exact sense of the term are therefore associated with federal types of organization. The word state, derived from the peculiar terminology of government in the United States, indicates that the political units around which the autonomous sentiment rallies are substantial in extent and accordingly excludes the claims that are set up in connection with attempts to maintain semi-independence in local government, whether its basis is a statutory one bulwarked by long practise, as was true in Prussia, or, like "municipal home rule" in many parts of the United States, involves constitutional arrangements that are partly federal in character. States' rights of course need not be concerned primarily with the units of government in the name of which they are espoused. In the United States, for example, regions have been more important than states at all periods in the country's development. The rights of the latter have been utilized as the only available legal support upon which to rest the broader purposes of sections.

The emphasis that belongs to the geographical ingredient essential to states' rights must be qualified in the light of the disposition of competing groups of all kinds to look for legal pegs upon which to hang their claims and grievances. The history of any federal system offers many instances in which controversies that are ostensibly regional are found to involve geographical factors only secondarily and incidentally. States' rights in the full sense, however, require a quickening of the awareness of locality. The outlook of the region may be colored by the predominance of some economic or social element, but it is followed by class collaboration. This condition is apt to attend either the pioneering stage of a new society or, at the other extreme, the situation of some racial or religious group pocketed in a national environment to which it feels alien. Separatism of the latter sort usually rests upon bases that cut across the industrial and class stratifications of the general body politic. During periods of agitation and revolt, to be sure, the discontents of geography and of class may unite in a common cause. Thus the socialist movement in Spain in 1931 was aided by the long fermenting autonomous spirit of Catalonia. Despite concessions made in the revolutionary constitution this spirit survived to trouble and to weaken the new regime.

The federal experience of the United States has not only furnished most of the ideology of

states' rights but has also illustrated the slow interchange of sectional attitudes that accompanies the massing of personalty in a once predominantly agricultural economy. In the early stages of littoral colonization there existed incipient centers of what might have become genuinely divergent cultures. These were overlaid by rapid settlement in the nineteenth century. The sectional friction that remained was increasingly economic. Even as early as 1787 James Madison found reason to remark in the constitutional convention: "Look to the votes in Congress, and most of them stand divided by the geography of the country not according to the size of the states." At the same time he predicted that "the great danger to our general government is the great southern and northern interests of the continent being opposed to each other" ("Yates's Minutes" in Elliot, Jonathan, *The Debates of the Several State Conventions on the Adoption of the Federal Constitution*, 5 vols., 2nd ed. Philadelphia 1896, vol. i, p. 465–66). The rise of cotton culture, with its deepening dependence upon slave labor and the fixing of attention upon the export market, brought autonomous and finally separatist sentiment in the south. Facing a future in which north and west would command a majority in the country as a whole, southern spokesmen sought a legal basis of defense. The federal union was portrayed as a compact among the state populations as entities. A corollary early developed was the doctrine of nullification, under which state governments were attributed a veto on the enforcement within their borders of national acts deemed by them to be ultra vires. This was justified on the ground that no organ or group of organs within the central government was competent to construe the scope of its powers. Resort to nullification, at least in the form of non-cooperation, was not confined to one section. Jefferson's embargo program, for example, was declared invalid by three state legislatures in New England, and in 1809 Connecticut refused to aid in its enforcement by the use of militia; while in the War of 1812, following the same general tendency, the authorities of Massachusetts declined to comply with a requisition for troops. On the eve of the Civil War, at a time when national legislation for the return of fugitive slaves was still favorable to property interests in the south, views akin to nullification were officially proclaimed in Wisconsin.

It was in the south, however, that the theory was most thoughtfully reasoned and most dramatically asserted. The original provocation was not slavery directly but the policy of protective tariffs. This seemed prejudicial to the agricultural economy which southern leaders, especially after the second decade of the century, viewed as the destiny of their region. The congressional act of 1828 evoked the South Carolina Exposition (in original form a report drafted by John C. Calhoun for a legislative committee), which expounded the right of nullification; still higher duties in 1832 called forth the formal ordinance of nullification. In the years that followed Calhoun elaborated the idea, articulating it in a broader philosophy regarding the protection of minority interests. His theory treated the national government as the mere agent of associated states, in the population of each of which resided indivisible sovereignty. The compact by which the states cooperated through a common instrument was qualified by the right of withdrawal; secession was legal. Such a conception of states' rights, at once so drastic and so careful, has hardly had a counterpart in the literature of other federal systems. It was faintly echoed in the writings of the Bavarian jurist Max von Seydel; but although he denied that secession was treason, he was willing to describe it as breach of treaty.

When the north and west by arms successfully resisted secession, the intellectual edifice of states' rights collapsed. The vague slogan that survived, although still influential in constitutional interpretation, was political rather than legal. In the postbellum south white supremacy replaced slavery as the "peculiar institution." From this standpoint alone did the new alignment regarding states' rights resemble the old. The agricultural sections of the country were increasingly conscious of dependence upon the national Treasury. Confronted by industrial integration, they were more and more disposed to invoke the corrective of centralized governmental control. On the other side states' rights began to draw lip service in regions of concentrated personalty. The proclamation of the Sixteenth Amendment in 1913, permitting income taxation without apportionment among the states according to population, signalized more than a revolution in national finance. In conjunction with the unlimited "spending power of Congress," it was implicit with far reaching and bitter controversy. Although fundamentally a conflict of classes, the frictions were first manifested on regional planes of cleavage. It was significant that a state like Massachusetts should

break a lance in behalf of the new type of states' rights, when its legislature instructed the state's legal representative to bring an action in the Supreme Court in an effort to enjoin a congressional act of 1921 whereby financial aid, apportioned according to population, was offered to cooperating states in a combined attack on the maternal death rate. The resulting decision [Massachusetts *v.* Mellon et al., 262 U.S. 447 (1923)] apparently placed beyond effective challenge the power of Congress to support nonmandatory services, whether conducted directly or facilitated by grants-in-aid to state or local units of government.

Broadly therefore the uneven ripening of urban industry was reversing the position of the major economic elements regarding states' rights, bringing in its train a shift in the political attitudes of the geographical sections. Several incidental factors contributed to these tendencies in the decade after 1920. The osmotic disturbances engendered by national prohibition, especially in northeastern urban centers, threw humble people on the side of wealth in confused opposition to centralized government. In the same region and among the same elements also Catholic anxieties, beginning with concern for the safety of parochial schools in a preponderantly Protestant country, ramified obscurely into various issues connected with family and church influence; the result was an attitude that spread from agitation against any increase of national educational activity to a defensive position in federal relations generally. The confluence of all of these streams was illustrated in the wave of disapproval that engulfed the constitutional amendment for national regulation of child labor submitted by Congress in 1924.

Crisscrossing within regions, however, seemed likely to prevent the realignment on states' rights from becoming clear cut on either side. In the south, in addition to the inveterate preoccupation with the hazards of white control, the incipient manufacturing centers were disposed to view proposals to equalize the conditions of competition by means of national labor standards as evidences of the "covetousness of New England"—to recall a phrase from the allusion to child labor in the message of Governor Bickett of North Carolina in 1917; in another part of this same speech he referred to the good roads which the federal aid road act passed by Congress in the preceding year had at last put within reach of his state. In the urban states wealth in personalty, although glib in talking states' rights as a foil both to heavy taxation and to inconvenient regulation, had too much to gain from uniformity and from the promotional activities of the national government at home and abroad to attack centralization seriously. Least of all did those connected with this interest care to assail the most cramping restriction on state autonomy; that is, the due process clause of the Fourteenth Amendment. The rights talked of were less those of states to act than of individuals and of groups to be let alone both by nation and by states.

Still further elements of internal conflict may be traced. Thus while personalty was beginning to take up the slogan of states' rights, real property everywhere, in city as well as countryside, was tending to favor governmental forms and relationships that promised to alleviate the tax burden upon real estate by tapping new sources of revenue and by utilizing larger areas of administration. The situation in the public land states, comprising eleven in which the national domain still constituted a large part of the surface, further illustrated the blurring of sectional attitudes. Common problems and grievances had long made these states self-conscious as a group. They were at once irked by their dependence upon the central government and at the same time thoroughly confirmed in their close relationships with national administration. Such a question as the apportionment of the water resources of a single river basin, like that of the Colorado, moreover might lead the people of one state to favor development at the hands of Congress, while the spokesmen of a neighbor talked bitterly about the invaded prerogatives of sovereign commonwealths. These were some of the inconsistencies attending the broad shift in the basis of states' rights. The underlying pattern of the change was sufficiently marked, however, to constitute an important clue to contemporary politics and political theory.

The *volte-face* traced in the United States may be considered a normal expectation in any federally organized country that develops important concentrations of capital. These need not be industrial in the narrower sense of the term. Thus in Brazil the rich coffee growing section, centering in the state of São Paulo, was originally an axis of centripetal tendency in national affairs. In the constitutional revision under way in 1933 and 1934, however, this relatively advantaged part of the country revealed a spirit of defensive particularism. Special conditions of course may preclude such a de-

velopment. In Argentina, for example, the province of Buenos Aires has so preponderated in population as well as wealth that it has continued to favor action through the central government.

It may not be assumed that the growing sense of dependence upon the national government normally characteristic of the less developed or inherently poorer areas in federal countries is not interrupted on occasion by gusts of autonomous, even secessionist, feeling. The realization of dependence itself engenders irritation on the ground that the support given from the center is inadequate. An illustration has been afforded in Western Australia, where the circumstances of the protracted depression after 1929 led to official declarations in favor of withdrawal from the federation. The same phenomenon could be noted in lesser degree in the prairie provinces of Canada. It was the paradoxical result of the belief that the general government, if sufficiently energetic, might offset the disproportions of economic advance.

What has been said about the recrudescence of states' rights as a protective movement on the part of capital does not mean that it can be more than a gesture. Quite apart from the needs of industry and finance for large scale treatment, the sentimental forces of the modern world militate against parochial or even regional autonomy. The quickened national feeling that accompanied the World War and was further exacerbated by the peace drew the passions of men into larger vortices. Unless there was present some element of so-called race amounting to nascent nationality, centripetal movements seemed likely to prevail in any crisis. Proof of this may be read in the ease with which Bavarian particularism was overridden in 1933, despite the fact that its foundations were both cultural and religious and that it had long operated through a sectional party.

Where ethnic factors are strong, however, they cannot be lightly brushed aside. Contemporary socialism, although cosmopolitan in outlook and favorable to country wide action in its practical approach to functional organization, has learned to make terms with the autonomous spirit of language groups. It treats its compromises in this direction as a phase of the process of lifting submerged elements and thereby releasing self-respect and personality. Soviet Russia's federal scheme, with its several constituent republics, numerous autonomous divisions and council of nationalities represented in the central executive committee, has offered an object lesson in the integration of loyalties.

In all societies, as the activities of government grow, the problem of reconciling organization by function and by region increases in importance. The ideals of each, although both are largely preached by the same persons, have been advanced with little reference to the other. Their combination is a critical part of the vast administrative task of the future.

ARTHUR W. MACMAHON

See: FEDERALISM; FEDERATION; AUTONOMY; REGIONALISM; SOVEREIGNTY; GOVERNMENT; STATE GOVERNMENT, UNITED STATES; ARTICLES OF CONFEDERATION; JUDICIAL REVIEW; SUPREME COURT, UNITED STATES; CONCURRENT POWERS; GRANTS-IN-AID; INTERSTATE COMMERCE.

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STATESMANSHIP may be considered either as a branch of applied philosophy, involving knowledge of the true ends of political society and the means by which they may be attained, or as a practical art, the objects of which are the achievement and retention of political power. If for Plato statesmanship is part of the knowledge of the wise and virtuous man, for Machiavelli the necessary equipment for the would be statesman is *virtu*, the knowledge and successful practise of the art of becoming and remaining a ruler. The popular concept of statesmanship combines these two points of view.

Theory and practise both demonstrate the mixed nature of statesmanship as a science or an art. The great political philosophers all wrote with an eye on the subject—for Plato, Syracuse; for St. Thomas Aquinas, Cyprus; for John Locke, Carolina—and all were or hoped to be practitioners in the same sense that James Madison, planning a constitution for the United States, or Lionel Curtis, the beginnings of one for India, were practitioners. The test of a statesman has never been his power of analysis but what Cavour called his "sense for possibilities." When Solon said that he had given the Athenians not the best laws but the best laws they would stand, he exemplified the fundamental character of statesmanship; and when Cicero reproached Cato the younger for acting as if he were in the Republic of Plato instead of in the dregs of the commonwealth of Romulus, he illustrated the great sin against statesmanship, the making of the best the enemy of the good.

There are in every society not only institutions —religious, social, political—which must be utilized by the statesman, but persistent traditions and tendencies of action, what Pareto calls residues. These the mere theorist will assail, the mere politician slavishly serve, but the statesman use. He will, for example, consent to the survival of anomalies if the pain of transition to a new form of organization will thereby be assuaged. The early Tokugawa shoguns who preserved the dignity of the imperial house had their reward as statesmen if not as founders of a dynasty, when the great revolution in modern Japan was made easier under the plausible guise of a restoration. When circumstances are at all equal, the statesman will, in Jefferson's words, display "a decent respect to the Opinions of mankind," even when he does not share those opinions. Even a leader who makes a violent breach with the past will wisely pay attention to forces worth conciliating; like Lenin, he will adopt a New Economic Policy or, like Lenin's successors, make of the dead leader's mausoleum a shrine of a kind familiar to the national tradition. The putting of new wine into old bottles is a permanent task of a statesman.

On the other hand, statesmanship must be distinguished from mere politics. When Boss Tweed described himself on the prison register as a "Statesman," he was confusing a trade with a profession. A statesman, like a doctor, must have cure in mind as well as fees; and whether he is a consultant or a practitioner, he has a responsibility to his employers which is different from the obedience due from a servant to a master, from a courtier to a king, from a demagogue to a people. A statesman owes the ruler (king or electorate) not merely his voice but his opinion. This is not to say that he is excused from the duty of making his advice as palatable as is consistent with its character. The absolute monarch himself is never so absolute that he can forego the practise of the art of persuasion, the tactics of statesmanship.

The problem of responsibility in a democracy, ancient or modern, is far from being solved. If the people be regarded as the immediate source of political decision, like a jury before which politicians argue as does a lawyer, then the demagogue may be relieved of all responsibility. On the other hand, it seems fairly obvious that a statesman who allows his hand to be forced by outside pressure to do something which he thinks unwise, or even which he considers of doubtful wisdom, to some extent shares re-

sponsibility for the result. Thus a politician who voted for the Eighteenth Amendment because of political pressure is not entitled to transfer all responsibility to the Anti-Saloon League; and when a British statesman admits that he concealed his skepticism about the possibilities of making Germany "pay for the war" because he found expression of such skepticism resented, he cannot claim credit for his intellectual clarity in a time of passion. That he knew the better although he said the worse is an aggravation not a palliation of his failure to meet the reasonable claims of responsibility in a democracy.

What, apart from the general duty to give the best possible service in advice and action, is to be expected of the statesman? A specific answer to this question will depend of course on the historical context. There are, however, certain general concepts of a statesman's duty which are, if not permanent, very long lived. Chief among these is what has been called the concept of expansionism. A philosopher might think that a city or state could be too big or too rich or too powerful for its moral health, but most men approve of the test of statesmanlike greatness which Bacon drew from the anecdote of Themistocles at the Persian court, who when "desired at a feast to touch a lute, said, He could not fiddle, but he yet could make a small town a great city." The rise of nationalism has both intensified this view and given added chance for the display of capacity in its realization. Men will indeed prefer to belong to their own national group in a small state rather than to be members of a great but alien community, but they are few who rejoice in the smallness of their own state as a good in itself or who are not willing to pay a high price for its extension.

This general test of expansion or the narrower criterion of success or failure which it was possible to apply to limited tasks of statesmanship, such as fell to the lot of a Greek *aisymnetes*, a Roman *dictator* or a mediaeval Italian *podestà* or as fall at the present time to a high commissioner of the League of Nations or an American city manager, does not suffice for an assessment of the success of a statesman in the task which is now generally imposed on him, that of securing economic growth. There has never been a time indeed when the prosperity of a state has not been regarded as a test of political skill. But today most statesmen must profess to find their chief glory in real or apparent economic successes. That foresight which Thucydides thought marked Themistocles as a statesman of genius is still in demand, but it is the foresight of Joseph preparing for the seven lean years of the trade cycle which is now wanted, more than the old foreknowledge of "what the Swedes intend and what the French." Whether the statesman is the servant, the ally or the master of the great economic forces of the state, he must stand to them in a closer relation than was possible in the days when he could choose between a policy of power and a policy of plenty. Indeed he now dare hardly admit that he separates them in his mind.

The success of the statesman has thus far been discussed pragmatically, as judged by the standards of his own age. It is convenient for a ruler to be able to assert with some possibility of being believed, as did Seleucus I, that that "is always just which is decreed by the king"; but in the Hellenistic and later Roman worlds, with the growth of independent ethical standards, the problem of the morality of statesmanship began to arise in a new form. Statesmanship was no longer, as it had been to Plato and Aristotle, necessarily ethical in character. To Marcus Aurelius and to St. Augustine alike the duty of a statesman was a part of his general duty as a man, to be performed "ever in the great taskmaster's eye." It was indeed an especially dangerous sphere of activity for the Christian, since a ruler had duties to perform and a statesman advice to give which might involve what were for a private citizen sins: the making of war or the execution of criminals. There might easily be a clash between his necessary duty as a Christian and what seemed the obvious interest of the community he ruled or served. Out of this dilemma arose the doctrine of *raison d'état*, with its rigid discrimination between the public and private life of the statesman. When Richelieu on his deathbed said he had had no enemies save those of the state, he had advanced a little beyond Sulla, whose epitaph boasted that the dictator had done more good for his friends and evil to his enemies than any other man; there was still an implication that the Ciceronian maxim "the safety of the state is the supreme law" was a valid rule for the public man. When Philip II or Queen Elizabeth planned the private "removal" of inconvenient subjects or enemies, the moral problem became acute. It is in reaction against such doctrines that attempts have been made to bind the statesman to the same rule of conduct as the individual. This in its turn leads to excesses and to the assertion of a more rational view, that the circumstances of a states-

man alter cases. "Political probity," says Croce, "is political capacity." The moral obligations of a statesman are not merely those of a private individual writ large; it is vain to assert that justice must be done though the sky fall if in fact society has adopted a utilitarian view of justice in which support of the sky is the first consideration. One who believes with St. Thomas or with Jefferson that certain essential values or inalienable rights are attached to the individual and that the state exists to foster and protect them will regard it as obvious that a state which can survive only by their destruction has failed in its primary object. But if it is held that a state or society is the vehicle of values and rights which do not exist outside it, then the duty to the whole may override the duty to the part. Today, with the assertion of the supremacy of class or national justice, there is small enough danger that the evil which Henry Taylor reprobated, of the conscience of a statesman being tender rather than strong, will be too widespread.

There is a danger, however, lest the role of statesman appear too onerous or insufficiently attractive, in spite of the fact that political ambition, in the western world at least, has long been regarded as legitimate to a degree that would be considered excessive in the case of another appetite. The Platonic guardians were, as Plato knew, part of a pattern laid up in heaven; and Utopia, Sir Thomas More knew, was nowhere; but man must live in an irrational and imperfect world. If there is a common inclination to despise the best that the most fortunate and wisest statesman can do, it would be profitable to reflect upon the works of rulers neither wise nor fortunate.

D. W. BROGAN

See: POLITICS; LEADERSHIP; PROPAGANDA; PUBLIC OPINION; DEMOCRACY; DICTATORSHIP; OPPORTUNISM; COMPROMISE; REASON OF STATE.

STATICS AND DYNAMICS. The terms statics and dynamics serve sometimes to divide the fields of economics or sociology into two major fields, and sometimes to mark off two stages in a certain method of approach. The conscious use of the distinction began in the middle of the nineteenth century—a time when mechanical analogies were freely used in social thinking—but types of study whose assumptions or limitations were of a static character were in existence much earlier. The eighteenth century idea of the natural order gave a prevailingly static tone to the social thinking of which it formed the background. Such thinking became a search for the conditions of an order in harmony with fixed external nature and basically fixed human nature, and hence permanent. This was supposedly found in the static mechanism of free exchange, to which was added a conception of the material conditions of a "stationary state" in which quantitative progress, under the free exchange system, would have gone as far as it could go.

How this static color spread through the treatment of different problems may be seen in the case of Adam Smith. His first interest lay in the economic system best adapted to promote "the wealth of nations"; and here he looked to continued quantitative improvement in efficiency of production within an unchanging framework of private property and whatever approach to "natural liberty" humanity might achieve. Next in point of emphasis was his search for the "natural levels" of price and of its "component parts"—a clearly static problem presupposing the existence of such natural levels. Departures from these levels received secondary attention. The origin and justification of private property he discussed in terms of "hypothetical history" rather than of evolutionary development. Even the order of development of different forms of production he found to run surprisingly parallel to the order of their natural superiority. Ricardo's treatment shows far less historical perspective than Smith's. His economic laws are conceived as timeless, and in the main as independent of human institutions. Bentham's "felicific calculus" was based upon the conception of a static human nature adapted to a system of free exchange which seemed to require no radical alterations.

There were of course early exceptions to this static view of economic institutions and processes. Sismondi did notable pioneering work in the evolution of economic institutions, which, as he treated it, was far from suggesting a mere process of groping toward the fixed, predestined and beneficent system of natural liberty as the ultimate term of the process. But the significance of Sismondi's work was not appreciated, especially by economists, until much later.

It was Comte who made the idea of evolution a "master idea" in the science, or philosophy, of human society. He envisaged an orderly development proceeding by discoverable laws. Statics he distinguished as the abstract theory of social order as distinct from social progress: the

structural nature of society as distinct from its laws of development. This structural nature is common to all times and places and is founded on the "social instincts"—sociability, benevolence, labor, family life, cooperation. Dynamics and statics tend to unite; the laws of order are explained by those of progress and the laws of progress by those of order.

Herbert Spencer, like Comte, made evolution a dominant idea and marked off statics as a field of abstract theory. He conceived it as the study of the equilibrium of a perfect society, dynamics that of the means of advance toward perfection. Lester F. Ward gave still a different turn to the distinction. For him statics had as its problem "the condition or status of society at the present time or at any past time." And he distinguished two kinds of dynamics: passive or negative dynamics, dealing with the purely spontaneous changes which society has undergone; and positive dynamics, dealing with purposive change. John Stuart Mill applied the term statics to the first three books of his *Principles of Political Economy* (2 vols., London 1848); he described them as dealing with the economic laws of a stationary and unchanging society and added, "We have still to consider the economic condition of mankind as . . . undergoing progressive changes." In what follows, however, Mill seems to devote his main attention to one aspect of change, its effects on prices and the shares in distribution.

Very different was the contribution of Karl Marx, who not only made trenchant studies of the past development of western institutions but propounded a law of development, the boldest as well as the most potent in its influence, of any similar effort of the human mind. This law of the inevitable catastrophe of capitalist society was not presented as indicating a development toward perfection, but rather as an unavoidable eventuality. To Marx the economic laws which others accepted as those of the natural or perfect society were merely the laws of a particular set of institutions.

The most rigorous use of statics as a conscious methodological device was made by J. B. Clark. The classical laws of the "natural levels" of prices and shares in distribution he found to be static in the sense that they describe not what comes to pass in any actual society, but what would come to pass in an unreal society devoid of change. He held this to be not only a justifiable but a necessary step in approaching the study of actual (dynamic) society. With John Stuart Mill he believed in isolating causes in a complex situation, studying them one at a time, since what is true in the abstract is true in the concrete, with the proper allowances. "The world from which change is excluded is unreal, but the static laws which can be most clearly discerned by creating such a world have reality" and are in fact "as efficient in a society which is undergoing rapid transformation as in one that is altogether changeless" (*Essentials of Economic Theory*, New York 1907, Preface, p. vi, vii). Apparently he considered that it was because they had not used this approach that early dynamic studies were descriptive and historical rather than in the form of laws. Having worked out static laws of value and distribution, he proceeded to take account, one by one, of increasing population, growth of capital, improvements in technical methods and in industrial organization and the development of consumers' wants. He failed to treat the evolution of underlying institutions in his later and larger works, although his early *Philosophy of Wealth* contains suggestions in this field. It was the omission of such studies and the large attention given to effects of change (new levels of equilibrium), as compared with causes or processes, which led Veblen to characterize Clark's dynamics as only a modified statics. Indeed it did not purport to be exhaustive, and was confined to material which could be treated by the method of proceeding from static laws and making allowances for one dynamic factor after another. The far reaching qualitative changes involved in the evolutionary process in which Veblen's main interest lay are hardly suited to this method of treatment.

While Alfred Marshall's economic views were very similar to those of Clark, he did not create a thoroughgoing static system separate from the dynamic, preferring short chains of deduction to long ones. In place of one set of static norms, he spoke of different norms applicable to different periods of time. He distinguished broadly three grades of periods: those too short for the supply of goods to be materially altered; those permitting adjustment of output but not of the supply of the productive factors; and those long enough for effective adjustment of factors of production. Prices necessary to equate normal supply and demand over these longest periods are for practical purposes identical with J. B. Clark's static norms. Shorter periods exhibit what Clark called "dynamic friction."

Conceptions of normal differ not only in respect to length of period involved, but according

to whether normal is conceived as an average of fluctuations or as a level toward which prices are tending to "gravitate" (i.e. move under the influence of selected forces which would if isolated produce equilibrium). This latter, or tendency-goal, type of norm may logically differ from any observable average, and it is, as above defined, a static concept. A dynamic norm of this type, itself necessarily moving without definable limit, is such a difficult concept, to say the least, that it has not yet appeared as a working tool of analysis. Classical norms were of the average-of-fluctuations type, while those of J. B. Clark are tendency-goals.

It is to this latter type of norm that W. C. Mitchell refers when he says that he has discovered no evidence of its existence in his studies of business cycles. In other words, he finds no evidence of forces which act toward some equilibrium level and stop when this is reached. But he does find certain characteristic relations between prices and expenses of production on the average of prosperous and depressed periods. Both these results might be said to be inevitable in the nature of the case. Since both prices and expenses are moving, a normal of the average type must be expressed in terms of trends and departures from trends, although the average relation between prices and expenses of production might be stable over long periods.

There has lately been a movement to put the abstract mathematical formulation of conditions of equilibrium in such form as to permit it to be filled in by quantities derived from statistical studies. A demand schedule, for instance, becomes a surface of three dimensions, produced by a momentary (or in that sense static) demand schedule moving through time, usually with an upward secular trend. Only one point of any one momentary schedule can be observed. The rest are deduced from observations made at different times, on the assumption that the shape of successive momentary schedules remains the same. If the effect of price on demand is to be isolated, the effect of the observed trend through time must be eliminated. Thus departures from trends take the place of absolute quantities in this modified formulation, the dynamic factor being measured and eliminated before the static schedule can be isolated.

While the demand curves revealed by such methods may be little if at all different from those conceived as operating in a completely static state, the same could not be said of the results which would be yielded by similar studies of such things as volumes of production and employment. In the complete static state plants would work at full capacity and there would be no unemployment. Such a condition is obviously far from any possible average of actual fluctuations in prosperity and depression. In this field, then, these two types of normal differ radically and fundamentally, so that theory approached via inductive study of business cycles and other dynamic processes must needs differ from theory approached via rigorous static standards with subsequent offsets and allowances.

One result of dynamic changes in economic conditions is that they bring into prominence the inelastic character of many costs of production, sometimes spoken of as overhead costs. The result is a wide divorce between long term normal price and the normal short term results of competition, the latter often tending to cut-throat levels and leading to conditions intermediate between complete monopoly and free competition and not obviously conforming to any kind of static norm.

The discussion thus far has dealt with quantitative departures from static norms, leaving untouched questions of qualitative evolution of the basic legal institutions of property, personal liberty and contract, of forms of business organization and of competition; or dynamic changes or long run evolution in human nature itself. These matters, emphasized by those sometimes called institutionalists, may be regarded as a second level of dynamics, more far reaching than the quantitative effects of movements within the market framework. Or if the mechanical connotations of the term "dynamic" make it seem appropriate to limit it to quantitative changes, then the more qualitative changes may be called evolutionary. In either case, an economics which takes these latter conditions as fixed is still working within limitations of a static character. For many purposes this may be necessary and legitimate so long as the limited or provisional character of the results is fully realized. But these static conceptions so work their way into the groundwork of the student's thinking that they are likely to be carried over unconsciously into fields where different conceptions are called for. Utilitarian standards of evaluation persist, despite the fact that they are based on a static view of human nature and should be radically modified or superseded when a dynamic view is adopted. Private property is too often judged as

if it were a fixed unit character instead of an evolving thing. The student may easily fail to recognize that the concept of capital as a self-replacing fund of material means of production is a static concept and needs to be broadened into a whole family of related concepts for purposes of dynamic study. Here discrepancies between savings and investment in capital goods may be vital to a theory of cyclical movements, while pecuniary yield and physical productivity may be well nigh divorced from one another. Criteria of evaluation and judgment need to be searchingly scrutinized to see that they are not invalidated by implicit static assumptions.

Quantitative changes may be analyzed into fluctuations—sometimes catastrophic—and relatively slow secular trends, usually thought of as capable of continuing without definable limits. Qualitative changes do not easily fit into such a scheme; and there is always the question as to how far they can go without necessitating a basic shift in the institutional system. The Marxian theory of inevitable cataclysm is not widely held outside of Russia; but Veblen's views point toward what may be called (after his biological leanings) a social mutation; while Sombart's theory is framed in terms of a limited number of organically possible economic systems, the new growing up within the framework of the old, becoming dominant and then declining while a still newer system develops within its obsolescent framework.

Some modern economists regard static systems of theory as discredited, since they furnish neither a true picture of the economic world nor a useful approach to dynamics. Only the latter criticism of course is pertinent. It seems evident that for certain problems the static approach persists while for others a fresh inductive start is necessary, both to give more accurate pictures of actual behavior and to suggest fresh component factors in the situation which may serve to interpret the more dynamic features of observed behavior. Dynamic conditions are too complex for deduction to yield a complete and definitive pattern of behavior to which they must necessarily lead, as static conditions bring about the equating of prices with the supply prices of productive factors. The role of the deductive process is commonly, although not always, reduced from that of designating the necessary results of certain isolated or assumed factors to that of suggesting natural and probable results. A beginning is being made, however, in the deductive treatments of rates of change in market quantities; in this field there are certain mathematically necessary relationships which can yield a useful type of dynamic law.

Demarcation of the line between statics and dynamics inevitably depends largely on the investigator's discretion. There may be dynamic problems of some importance within a state which is, in its main outlines, static. Statics refers to unchanging patterns of action, of which economic "levels of equilibrium" form a special class of cases. It might be defined as concerned with movements which are repetitive within such compass that the observer can sense them —as he feels the vibrations of a musical note— merged in some such concept as a "level" of price. But the observer may easily focus his attention on elements which merge and ignore others which do not. Different patterns have different durations, and the longer disturb the shorter. A market as a whole may show a stable pattern while its parts do not. The important question may be whether the individuals or businesses affected can absorb the changes into a regular and predictable scheme of life or of trade and industry. The harvest season gives rise to a fairly regular pattern of labor; but the casual harvest worker is not able to adjust himself to it so that his labor shall follow an unchanging pattern without serious uncertainties. As a result the labor market as a whole contains elements of a casual character not contemplated in any thoroughgoing "static state." Business cycles, less regular than the seasons, a fortiori, give rise to dynamic instabilities. And any study may be termed dynamic which focuses attention on processes of change, even if these are of the sort supposed to tend to an ultimate static equilibrium.

JOHN MAURICE CLARK

See: METHOD, SCIENTIFIC; ECONOMICS; BUSINESS CYCLES; PRODUCTION, section on THEORY; PRICES, section on PRICE SYSTEM.

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STATISTICS

HISTORY ..... WALTER F. WILLCOX
STATISTICAL PRACTISE ..... ROBERT M. WOODBURY
STATISTICAL METHOD ..... OSKAR N. ANDERSON

HISTORY. The term statistics is derived from the debased Latin phrase *ratio status* and its Italian equivalent *ragione di stato*, both of which were coined in the later Middle Ages to designate the study of practical politics, or the statesman's art, as distinguished from the history and philosophy of the state. One of them gave rise to the word *statista*, signifying a person versed in public affairs or, in Elizabethan English, a statist; and from *statista* Achenwall in the mid-eighteenth century coined *Statistik* as the German equivalent of *ratio status*. The exact connection between the two, however, is not quite certain.

Lectures describing the states of contemporary Europe were delivered in Latin by Hermann Conring at the University of Helmstedt as early as 1660 under the title *notitia rerum publicarum*, and a book on the subject by H. Politano called *Microscopium statisticum* appeared in 1672. Two generations later Martin Schmeitzel offered a course of university lectures which he termed *collegium politico-statisticum* and in 1748 Gottfried Achenwall, often called the father of statistics, began to lecture at the University of Göttingen on the same subject. In the preface to his *Abriss der Staatswissenschaft der europäischen Reiche* (Göttingen 1749) Achenwall defined statistics as "the political science of the several countries," and in the body of the book he described Spain, Portugal, France, Great Britain, the Netherlands, Russia, Denmark and Sweden. Lectures on statistics soon came to be offered also at other universities, especially in Germany, and many books on it were written by university teachers. The entire Conring-Achenwall tradition, systematized into a form appropriate to academic lectures and almost devoid of figures, is now known as German university statistics.

At the close of the eighteenth century *Statistik*, Anglicized as statistics, spread to England and to the United States. The earliest reported instance of the use of the English word is to be found in W. Hooper's translation of J. F. von Bielfeld's *Elements of Universal Erudition* (3 vols., London 1770), one of the chapters in which, entitled statistics, defines that word as "the science that teaches us what is the political arrangement of all the modern states of the known world." This book had little influence; but when John Sinclair in *The Statistical Account of Scotland* (21 vols., Edinburgh 1791–99) endorsed the term because he thought "that a new word might attract more public attention," it was quickly accepted. Sinclair's new word crossed the Atlantic along with his idea as early as 1811, when Timothy Dwight's *Statistical Account of the City of New Haven* was published as the first of a projected series of statistical accounts of the towns and parishes in the state of Connecticut by the Connecticut Academy of Arts and Sciences.

Statistics as understood today is far removed from the applied political science of the early statisticians. The content of the discipline, like the definition of the term, underwent profound changes during the nineteenth century and cannot be regarded as fixed even at present. In 1869 at the International Statistical Congress held at

The Hague the German statistician Engel declared that he had collected 180 definitions of statistics and that no one at the congress could explain its meaning. Since then definitions have continued to multiply, but there has been some progress toward agreement. Today the word has at least two significations, in both of which, unlike all the early definitions, it is conceived as essentially numerical. The addition of that characteristic excludes the whole series of writings in the Conring-Achenwall tradition, because they had little if any numerical content. It eliminates also definitions by Quetelet, probably the most influential statistican of the nineteenth century, who wrote in 1829 that "among the elements which statistics should comprise, some can be expressed in figures and others can in no way be reduced to a numerical expression. To adopt only one or the other of these two types of elements is to see only one side of statistics" (*Recherches statistiques sur le Royaume des Pays-Bas*, Brussels, p. v–vi). These ideas of Quetelet were reflected in the original definition of statistics by the Statistical Society of London as the ascertaining and bringing together of those "facts which are calculated to illustrate the conditions and prospects of society" and in the almost identical definition offered by the American Statistical Association at the time of its organization. This type of definition survived for about fifty years; thus the president of the London Statistical Society proposed in 1885 to define statistics as "the science which treats of the structure of human society." That conception has not since reappeared and may now be regarded as obsolete.

It was not until the term had been used on the continent of Europe for nearly a century that modern definitions began to introduce the numerical element which later became dominant. This element derived from political arithmetic, which may fairly be regarded as the taproot of modern statistics. Political arithmetic originated in the scientific spirit fostered in England soon after the middle of the seventeenth century by the Royal Society. Its main source is a tiny book by John Graunt, *Natural and Political Observations* . . . (London 1662), which was not an attempt at state description but rather an honest and intelligent effort to interpret by inductive methods the figures showing the number of deaths in London during the preceding third of a century. The data were in many respects crude and defective but the study was informed by the spirit of modern science. Graunt's friend William Petty named the new study political arithmetic and increased its popularity, but far from giving it a firmer basis he led it aside after strange gods. In 1692–93 the astronomer Edmund Halley brought it back to safer paths by publishing the first life table ever made (in the *Philosophical Transactions* of the Royal Society of London). The new study spread to the continent of Europe, especially to the German states. The Berlin pastor J. P. Süssmilch, who derived his inspiration from Graunt, presented in the second edition of *Die göttliche Ordnung* (2 vols., Berlin 1761–62) an admirable systematic compendium of what was known at the time about vital statistics. In the following century political arithmetic, supported by such continental writers as were then using figures, competed with statistics in the German university tradition. The former won, slowly displaced the latter and even usurped its name.

With this change of content came a change of definition. It was demanded on theoretical grounds by Karl Knies (*Die Statistik als selbständige Wissenschaft*, Cassel 1850), who argued that the statistics of the Conring-Achenwall school had no intrinsic connection with political arithmetic, that the two should be divorced and the name statistics reserved for the latter. Gradually this conviction found expression in the modern definitions of statistics, beginning with that of A. C. Moreau de Jonnès in 1847 ("the science of social facts expressed in numerical terms" in *Éléments de statistique*, Paris, p. 1) and the transitional one of K. F. W. Dieterici in 1851 ("a statement in figures and facts of the present condition of a state"). As the idea of number received increasing emphasis the idea of the state or of society receded into the background, until there was formulated a series of modern definitions according to which statistics is the numerical study of groups or masses through the study of their component units, whether these units be human or subhuman, animate or inanimate. At present statistics has a broader meaning, the numerical study of groups, and a narrower one, the numerical study of social groups; whether both will survive or one will supplant the other is still a matter of conjecture.

Statistics is not only a methodological science like microscopy or spectroscopy but also a practical art which is much older than either the science or the term. As such it has always

stressed the importance of enumerating every member of the group; if the group is numerous, the cost of this procedure is such as only a government can support, and that only if it greatly needs the information. For this reason the history of the art of statistics must concern itself mainly with its practise by governments primarily for purposes of administration.

Whenever a populous and well organized state has arisen, statistics have been used. In antiquity they consisted usually of lists of citizens liable for taxation or military service; but for the Middle Ages, although local and irregular enumerations of inhabitants were common, emphasis must be laid on registers of landholdings or land transfers. These records indicated the liability of the subject to the state and conditioned the amount and regularity of state revenues; the state therefore had a primary interest in the accuracy and completeness of each of them. But the few summaries of these records made at the time are much less trustworthy than the individual entries. Sometimes they were exaggerated to gratify the ruler, as in a notorious case in China in 1775 when the annual population returns increased over those of the preceding years by 48,000,000, apparently because the emperor had expressed surprise that the population was not greater. Little weight can be attached therefore to the early reports of Chinese, Japanese or East Indian populations unless the supporting evidence has been subjected to critical analysis. But for Egypt, where records were kept on papyrus or parchment, and for Babylonia, where clay tablets were used, the many original documents which have been preserved may probably be trusted. For these countries as well as for Greece and Rome the main problem is whether the records which have survived are a representative sample of the whole. Often the motives of the writers must be taken into consideration. Thus the Helvetians needed to know the number of their fighting men and used a sound method by which to estimate it. Caesar, on the other hand, sought to exalt the glory of his victory; and perhaps in this case, as certainly in many others, he exaggerated the reports he had received or selected the most impressive among them. The significant statistical data for any country outside of western Europe and for western Europe itself before the seventeenth century are meager. Few have been interpreted adequately, although great progress has been made through the work of Karl Beloch and his school for antiquity and in recent years economic historians have been paying increasing attention to a proper evaluation of mediaeval price records.

While Graunt more than any other deserves the title of founder of statistics, it must not be forgotten that he needed straw for his bricks The registration of christenings, marriages and burials upon which he drew began with the dawn of the sixteenth century. Starting with Augsburg (1501) and London (1517) registration quickly extended to the better organized states of Europe—France (1539–79), England (before 1547), Brandenburg (1573) and the Netherlands (1590)—being carried from the last named country to the New World (Massachusetts Bay, 1638). But the records are not in every case unbroken from the earliest date, and in several places the evidence does not show whether it was the birth or the christening, the death or the burial which was registered.

In America the early efforts at registration apparently were almost abortive. The oldest continuous record in the western hemisphere is believed to be that of New York, beginning in 1804. That city was followed closely by New Orleans in 1810 and by Boston in 1811. The first state to start effective registration was Massachusetts in 1843; a registration law had been passed in that state in 1842, in frank imitation of the English law of 1837. The results of the latter had begun to be interpreted by William Farr in a series of letters which, with his comments on the results of the decennial censuses of 1851, 1861 and 1871, make up a statistical output perhaps equal to that of any other nineteenth century statistician.

The early interest in vital statistics sprang from a widespread fear of the devastating epidemics and a belief that population is the most important element of state power, particularly of its military strength. Somewhat later with the general adoption of mercantilist policies attention was directed to economic questions and attempts were made to obtain statistics on such subjects as foreign trade, food supply, manufactures and the like. Whereas facts of birth and death are comparatively simple, so that in observing them governments might rely upon the parish clergy, economic phenomena, which are much more complex, easily escaped the scrutiny even of the most conscientious French intendant or Swedish provincial governor. For this reason the more satisfactory early statistical records of an economic character are those relating to imports and exports, which in England date back

to 1696. In the following century much progress was made in gathering statistics pertaining to agriculture. In addition to enumerations of livestock states like Saxony and Prussia undertook to collect annual data on areas planted to various crops and on yields and stocks. Prussia introduced also the so-called historical tables, which attempted to summarize within the space of twenty-five columns information on the industrial pursuits and taxable capacity of the population in each administrative division.

The transformation in the economic and political structure of Europe during the generation following the French Revolution and again in the period 1848–71 furnished a tremendous impetus to the accumulation of all kinds of statistics. With the democratization of government the popular distrust of statistical inquiries abated and the method of exhaustive enumerations which previously had yielded unreliable results was employed with greater confidence not only for demographic but also for economic investigations. Treatment of statistical information as a state secret gradually gave way to wide publicity, an important factor in improving statistical records and enhancing their practical usefulness. Rationalization of official statistics was aided by the organization of special statistical bureaus, which although limited at first to the collation of material gathered by the regular administrative agencies, in some countries slowly extended their control to the primary stages of investigation.

Statistical progress in the nineteenth century was aided by statistical societies and international statistical organizations. Many of the earlier associations, some of which were rooted in the agricultural societies of the eighteenth century, made it their main purpose to describe particular localities or countries, largely but not entirely in numerical terms; others were concerned with factual studies to assist in the solution of social problems like poverty and alcoholism. In some instances, as in Saxony in 1831–50, the society, which consisted of a central organization with many local branches, actually had charge of government statistics. Also in the Netherlands in 1884–92 a private association of statistical experts took the place of the official central bureau of statistics abolished some years earlier.

In Great Britain statistical societies became numerous in the 1830's. The movement was started by Quetelet, who attended the 1833 meeting of the newly organized British Association for the Advancement of Science. Dissatisfied with the rule that the inquiries of the statistical section of the association should be restricted "to facts relating to communities of men which are capable of being expressed by numbers," he proposed the organization of a separate statistical society not limited to numerical facts. The suggestion was adopted and the Statistical Society of London was established in 1834. A few months earlier a statistical society had been organized at Manchester, which still survives although with diminished importance. Other and less enduring societies were set up at Bristol, Leeds, Birmingham, Liverpool, Glasgow, Aberdeen and Belfast. The American Statistical Association, organized in 1839, apparently was initiated also by one man, Lemuel Shattuck, in real though not open imitation of the London society.

International statistical organization first took definite form in the International Statistical Congress held at Brussels in 1853. This congress too owes its existence to Quetelet, who at the London international exhibition in 1851 conferred with a number of British statisticians and later proposed an international congress. The congress was attended by many leading statisticians, who discussed their common problems, above all the production of uniform, contemporaneous and comparable statistics. The Brussels congress was the first of a series of nine held between 1853 and 1876 in the various capitals of Europe. These made a notable start in attacking their problem, but its solution still lies far in the future. The congresses in deciding on their main purpose did not reject the minor aim of fostering a widespread interest in international statistics, perhaps the best that could then be done. Because of this, however, the few technical experts were lost in the increasing number of amateurs or interested bystanders. To remedy this situation a Permanent Commission was set up in 1872, but within a few years the international jealousies bred by the Franco-Prussian War ended the activities of both the congresses and the commission.

The attempt at international organization was renewed at London in 1885 at the Jubilee Meeting of the Royal Statistical Society, when the International Statistical Institute was created to succeed the short lived Permanent Commission but freed of governmental entanglements. Its membership is limited to 250, its meetings are biennial and its recommendations have only such weight as the governments choose to assign

them. The work of its committees has been very uneven and lacking in focus. Perhaps the chief service of the institute has been to foster friendly relations among official and academic statisticians in the various countries. These relations proved intimate enough and the structure to which they gave life sufficiently vital to keep it from foundering with the other wreckage of the World War. Holding meetings since the war in Cairo, Tokyo and Mexico city as well as in various European capitals, it has become much more truly a world organization, although it may have purchased its increase in range with some loss of thoroughness.

International statistics are now published not only by the Permanent Bureau of the International Statistical Institute, established in 1913, but also by the International Institute of Agriculture, by the statistical division of the League of Nations and by the International Labor Office in cooperation with the supporting governments. During the 1920's these offices cooperated with existing international associations in the appointment of a number of mixed commissions to report upon statistical problems of common interest. How far and in what ways these two types of international statistical organization will continue to cooperate is not yet clear. Perhaps the institute will come to hold a relation to the statistical offices at Geneva and Rome somewhat similar to that of various national statistical societies with respect to the statistical offices in their own countries.

WALTER F. WILLCOX

STATISTICAL PRACTISE. There has been an enormous increase in the scope and variety of statistical inquiries, which steadily expanded during the nineteenth century as the promotive, regulatory and control functions of government grew in number and extent. A powerful stimulus was given by the World War, which placed a new emphasis upon economic and industrial statistics as an aid in planning for the requirements of the army and of the civil population. Since the war much attention has been devoted to statistics of business in the search for methods of predicting and controlling business cycle fluctuations. In the Soviet Union statistics have been recognized as a fundamental instrument in planning and control and are closely coordinated with the central planning agency. In the United States the creation of the National Recovery Administration, the Agricultural Adjustment Administration and similar instrumentalities expressive of the partnership of government in business has called for more intensive statistical surveillance to provide an adequate check on current performance and a basis for long range planning.

Along with this development there has been a rapid growth in the number of agencies gathering statistical material. Each new government bureau organized to deal with a specific problem or group of problems has had its own statistical office and staff to supply its administrative arm with basic information, to keep it posted on current developments and to collate data for periodic reports on its own operations. Not only the agencies of the national government but also local bodies have created their own statistical offices to keep themselves informed about the problems they face and the effects of their efforts in meeting these problems. This holds true not only of autonomous units, such as states in a federation, but also of administrative divisions in a centralized state. Even the cities, especially the larger ones, have a whole series of statistical offices in the departments of health, education, housing and the like, whose work is sometimes coordinated and brought to the attention of the public by a central statistical agency of the municipality, which may undertake also independent inquiries. In addition the numerous special purpose associations which have sprung up since the beginning of the nineteenth century—trade unions, trade associations, cooperative organizations of all kinds, professional societies—collect statistical information about their internal operations and the status of their membership, which in the aggregate furnish a comprehensive statistical reflection of the contemporary pluralistic society at all its levels. The large business corporations—railroads, steamship companies, banks, insurance companies, public utility concerns and the gigantic industrial combinations—also gather and often publish data summarizing their activities, which by reason of their great economic importance are of considerable public interest. Finally, the gaps in the field of economic or social information are sometimes filled by research organizations, operated for profit or attached to foundations and educational institutions, which not infrequently collect statistics at first hand.

Although the statistics published at the present time in the United States have a few significant lacunae, such as data on morbidity, old age, invalidism and unemployment, yet they are as comprehensive and detailed as in any other

country, with the possible exception of the Soviet Union, the statistics of which are probably less accurate. The following account of American statistics will illustrate therefore the variety of information available and the multiplicity of agencies engaged in its preparation.

Data on population, its geographical distribution, its settlement in the open country or in towns and cities of various sizes, its composition by sex, age, marital conditions, color, nativity, citizenship and occupation, as well as on school attendance, illiteracy and tenure of home are gathered in decennial censuses by the federal Bureau of the Census. The population census was first taken in 1790, although on a much shorter schedule than is indicated above. A number of states have also carried out censuses in their territory during the federal intercensal period; some of them, notably those of New York in 1855 to 1875, of Massachusetts in 1875 to 1905 and of Michigan in 1874 to 1904 have constituted significant statistical investigations. The registration of births and deaths is in the hands of the civil subdivisions of states, but the Bureau of the Census obtains copies of the records for compilation on a national scale.

The agricultural censuses, which have been quinquennial since 1920, cover crops, personnel, farms, farm families and equipment and are taken by the Bureau of the Census with the assistance of experts from the Department of Agriculture. Except for the annual data on production and ginning of cotton collected by the Bureau of the Census, current agricultural statistics are concentrated principally in the Bureau of Agricultural Economics of the Department of Agriculture. It provides estimates of crop conditions, prospects and production; it gathers statistics of stocks, compiles market information, engages in price analysis and attempts a statistical coverage of the social aspects of farm life. Many of the states have departments of agriculture, which collect and publish relevant data. Some state offices are responsible for significant statistical studies; California, for example, has published a series on special crops. Privately gathered statistics in this field are limited mainly to stocks and production data for particular commodities compiled by commercial agencies.

Statistics on manufactures have been gathered at the decennial censuses of 1810, 1820 and 1840; since then they have been collected decennially and great advances have been made in wealth of detail and classification. From 1900 to 1920 the censuses of manufactures were quinquennial and after 1920 biennial. Statistics of mines and quarries also are obtained in connection with the decennial censuses; current production data are published by the United States Bureau of the Mines. Surveys of individual industries have been conducted by the Bureau of the Census, the Federal Trade Commission, the Tariff Commission and commissions created for specific purposes, such as the Coal Commission and the Industrial Commission. Reports on current activity of individual industries are compiled by trade associations and journals, commercial agencies and in some instances by the Bureau of the Census, the Bureau of Foreign and Domestic Commerce or the Bureau of Labor Statistics.

Statistics of foreign trade are gathered by the Bureau of Foreign and Domestic Commerce. The first census of domestic distribution was carried out in 1930 by the Bureau of the Census. Private sources of statistics in this field include trade associations and chambers of commerce, besides the statistical offices of certain large corporations. An important field of market statistics is the statistics of prices. These are collected by the United States Bureau of Labor Statistics for its compilations of retail and wholesale price indices and for its cost of living studies. Extensive analyses of agricultural prices with reference to factors in price variation are prepared in the Bureau of Agricultural Economics. Valuable collections of price data are made also by various trade associations.

Transportation statistics, especially in relation to railroads and electric railways, are centralized in the Interstate Commerce Commission. Private sources of similar data are the railroads themselves; the Bureau of Railway Economics, a private organization financed by the carriers, publishes some statistical material. Statistics of shipping are collected by the Bureau of Navigation of the Department of Commerce. Shipping on internal waterways is treated in reports of the chief engineer of the War Department. Data on motor vehicle registrations are published by state bureaus charged with this duty and are compiled by private associations.

Statistics of banking are centered in the United States Federal Reserve Board, the twelve Federal Reserve banks and the office of the comptroller of the currency. Statistics on money and currency are issued by the Treasury Department. Data on state banks and other financial agencies operating under state charters are collected and published by the state depart-

ments charged with their supervision. State supervisory offices publish also insurance statistics. The division of agricultural insurance in the Department of Agriculture has carried out special studies of these branches of insurance. Private sources, notably the insurance companies themselves and the rating bureaus, provide a relatively important part of the available data in these fields, especially all information relating to the application of insurance principles, coverage, risks and loss ratios.

The principal source of income data is income tax statistics gathered and tabulated in the Bureau of Internal Revenue of the Treasury Department. Data on wealth (the value of tangible property) are compiled decennially by the Bureau of the Census mainly from state reports on property assessments for taxation purposes. Another source of property statistics is the federal estate tax returns for estates exceeding a minimum figure (formerly $100,000); other inheritance data are available in local county probate courts, but no central collection of data is provided. Statistics of farm mortgages have been gathered in connection with the agricultural census, and statistics of mortgages on homes were collected in connection with the population censuses in 1890 and 1920. An estimate of national income and wealth was made by the Federal Trade Commission in 1926 and of national income for 1929–32 by the Bureau of Foreign and Domestic Commerce. A more important source is the National Bureau of Economic Research, an unofficial body which has made estimates of national income for a series of years supplementing available data by special studies of its own. Similar estimates have been compiled also by other private agencies.

Business cycle statistics are summarized in the *Survey of Current Business*, published monthly by the Department of Commerce. Industrial production series, commodity price series, statistics of construction, of employment and of factory pay rolls and similar data drawn from numerous public and private sources are brought together to provide a statistical description of the movement of business. A considerable part of these basic data is prepared in the statistical offices of the Federal Reserve Board and in the Bureau of Labor Statistics. University bureaus of business research have made important advances in this field, notably the Harvard Bureau of Economic Research, which publishes current data on economic conditions in the quarterly *Review of Economic Statistics*.

Statistics relating to all phases of labor are concentrated mainly in the federal Bureau of Labor Statistics and in the labor departments of the industrial states. The bureau collects wage data for a list of specified industries by special investigations of pay rolls in selected establishments. Current changes in pay rolls are collected monthly in cooperation with state labor bureaus for selected industries. Union rates of wages are published once a year. Data on wages for selected occupations, including common labor, are published from time to time. The bureau also compiles data on the cost of living, on the basis of which an index of real wages is computed. Wage data are secured also by certain state labor bureaus, notably that of Ohio, which takes a weekly wage rate census every few years. Extensive inquiries into wages and wage changes have been made from time to time: the Census Office published in 1885 a special report covering mainly the years 1860 to 1880, followed in 1905 by an important survey of certain industries between 1890 and 1900. Similar extensive studies have been made by the Bureau of Labor Statistics, the United States Coal Commission and the Immigration Commission. Other wage data are secured by the Children's Bureau and the Women's Bureau, both in the Department of Labor, through special studies for children and women respectively; by the Department of Agriculture for agricultural labor; and by the Interstate Commerce Commission for railroad labor. In addition a mass of material is collected by private agencies, notably the trade unions. The National Industrial Conference Board, an employers' association, collects and publishes data on wages and cost of living, showing trends in real wages in selected localities for different occupations and industries. Similar data are gathered by certain trade associations for use in negotiations with labor.

Employment statistics presenting the number of persons employed on the fifteenth of each month are included in the biennial censuses of manufactures. Monthly employment data are gathered by the Bureau of Labor Statistics, working through the state labor bureaus, for a current index of changes in employment in selected industries and states. In 1930 the Census of Occupations included also a question relative to lack of occupation or unemployment. Some unemployment data are collected by the trade unions with regard to their own membership.

Statistics of industrial accidents are collected

by the Bureau of Labor Statistics by special investigations in selected industries, notably iron and steel manufacture, by state labor bureaus usually as a by-product of the administration of workmen's compensation acts, by the Interstate Commerce Commission for railroads and the Bureau of Mines for mines and quarries.

Child labor statistics are derived from state employment certificate offices and from the decennial census, which includes data on occupations of children classified by ages. Numerous statistical studies of problems in the field of child labor have been made by the Children's Bureau. Similarly statistics on the labor of women are included under occupations in the decennial census, while numerous special studies are made by the Women's Bureau.

A considerable body of social statistics is compiled by federal agencies, state departments of health and of correction and by private foundations. Thus the Bureau of the Census publishes annual data on the insane, feebleminded and epileptics in state and federal hospitals and on inmates of federal and state prisons; it also covers in special surveys the population of almshouses and in decennial censuses the work of child care institutions (including juvenile reformatories) and of child placement agencies. State offices publish data on insanity, feeblemindedness and pauperism. Data on federal prisoners and persons on probation are presented in annual statistics compiled by the Department of Justice, which also publishes a series covering state offenses derived from reports of city police departments. Annual statistics of child dependency in a number of cities and of cases brought before juvenile courts are collected currently by the Children's Bureau, which compiles also data on mothers' aid and has published important special investigations on institutions for child care and a report on illegitimacy. Data on the latter topic are collected by the Bureau of the Census and the local offices of vital statistics. Data on prostitution are available through private agencies, such as the Bureau of Social Hygiene, and through local enforcement offices. In the general field of statistics of social work important contributions are made by the Russell Sage Foundation.

Statistics of churches were collected at the decennial censuses from 1850 to 1870. In 1890 a census of religious bodies was taken in connection with the population census, and since 1906 investigations, even more comprehensive in character, have been repeated at decennial intervals. The Institute of Social and Religious Research deserves mention in connection with this and other topics in the field of social statistics. Data on education are centralized in the United States Office of Education, which publishes biennial surveys on the basis of reports of state and local boards of education as well as numerous studies on special topics.

This brief survey of American statistics may give the impression of haphazard development. In fact, however, several distinct trends can easily be discerned in the field of federal statistics. One is the tendency to concentrate major statistical undertakings of a censal character in the Bureau of the Census, which was established as a permanent organization in 1902 and which has at its disposal a large permanent staff adequately equipped with efficient tabulating machinery. The other tendency exemplifies the familiar principle of natural growth. Each bureau or office entrusted with administrative or research duties requires statistical data, and the natural course is to set up a statistical office to provide this material; these statistical branches begin usually in a small way but frequently develop into large independent offices. A final development is the trend toward centralization. A central statistical body was established during the World War; and in July, 1933, an executive order created the Central Statistical Board, which consists of representatives from the principal statistical offices and is authorized to make recommendations in relation to all statistical schedules and inquiries.

In many countries the organization of the statistical services of the national government is subject to greater centralization than in the United States. In a number of them—the Netherlands, Denmark, Sweden, Italy, Spain, Germany, several Balkan and South American states—central statistical offices were created in the third quarter of the nineteenth century. At first these may have been limited to statistics of a general character, and special statistics easily gathered as a by-product of administrative operation were left in the hands of the several ministries. Nevertheless, such offices exercised a coordinating influence over the entire sphere of government statistics and mainly through two channels. One was the statistical commission or council, the chairman being in many instances the head of the central statistical bureau and the membership including representatives of the principal statistical services as well as outstanding statisticians and economists in private life.

Moreover the central offices enjoyed a certain amount of power through the publication of annuals or series collating the statistical output of all government divisions. An important decentralizing tendency became apparent at the end of the nineteenth century and the beginning of the twentieth, when separate departments created to handle labor problems and to administer social legislation took over or organized de novo the collection of a considerable variety of labor statistics. A late manifestation of this trend was the transfer of labor statistics in Germany from the central office to the Ministry of Labor in 1920. In general it may be observed that the smaller the country and the newer its political organization, the greater has been the extent of statistical centralization. Most of the states created after the World War, for instance, have entrusted the statistical function to a central authority accountable in many cases directly to the cabinet and operating either through local branches or through the statistical divisions in the several ministries under its direct control. Yet no matter how centralized the statistical organization, certain subjects remain as a rule outside the competence of the central office; these are generally the statistics of banking, transportation and communication.

The account here presented of American statistical organization also raises the question as to the relation between the federal statistical services and those of the states. The statistical competence of the United States government has been circumscribed from the outset because of its limited powers. The states have had a much wider sphere of action; in providing for statistical services they have sometimes duplicated the work of the federal government, as in state censuses, and sometimes paved the way for it, as in the creation of bureaus of labor statistics, the first of which preceded by fifteen years the organization of the federal Bureau of Labor. As the federal government acquired an increasing number of departments with functions overlapping those of state agencies, two tendencies became apparent: one is that toward cooperation, notably between the United States departments of Labor and Agriculture and the Bureau of the Census and the corresponding agencies of the state governments; the other is the atrophy of state statistics where the federal statistics cover the ground more fully and expertly, as in the case of state censuses. In other federated states, such as Germany and Canada, the degree of geographical centralization tends to be greater than in the United States. The German Statistisches Reichsamt collects statistical data either directly or through the state offices upon forms approved after consultation with state statisticians and uniform for the entire country; considerable scope is nevertheless afforded the state statistical offices for state or local studies in connection with or independently of national investigations. In Canada the Dominion Bureau of Statistics has charge of the major statistical work for the country as a whole—the census, imports and exports, agricultural, manufacturing and mining production and so on. In Australia, on the other hand, less centralization prevails and there is a certain duplication of work between the commonwealth and the state offices, each of which publishes a yearbook of statistical data.

The material required by statistical offices is obtained through registration of the relevant facts as they come to light or through enumeration at a particular moment of time. The results of registration are usually summarized for fairly short periods and yield current statistics. These may also be derived from enumerations, if the latter are repeated frequently. Enumerations may attempt to include all cases which fall within the definition of the subject of enumeration (census); an alternative procedure is to take merely a large enough sample of the cases to give a sufficient basis for statistical conclusions. The difficulty with sampling, however, is that unless great care is taken the sample may not be representative; a random sample does not insure an unbiased selection. For example, in a survey of current manufacturing employment and pay roll changes it is not sufficient merely to accept returns from 20 percent of the total manufacturing concerns; these concerns must be so selected as to represent fairly the several industries, the several parts of the country and the large and small establishments in each industry. Even then a sample of material selected so that it shall be representative for some characteristics may or may not be representative for others. It is so difficult to insure representativeness of the sample that in most inquiries relative to population complete enumeration is preferred. In the field of economic data and in many social problems exhaustive enumeration is, however, out of the question; here therefore care as to the methods of obtaining data is of primary importance for the validity of the results.

Whether obtained by registration or by

enumeration, most statistics of the present day derive from the individual schedule, which may be a separate card or sheet or in some cases, as in the population census, a separate line on the enumerator's sheet. The preparation of the schedule is a very important phase of the work of any statistical undertaking. Each question on the schedule must be considered very carefully with respect to its form; in an inquiry of any magnitude the number and complexity of the questions are matters of profound influence upon the expense of collecting the data and tabulating the material. The questions must be so phrased that neither the enumerator nor the person interrogated can misinterpret them or give an answer based upon misunderstanding. For example, the age question may be asked either as age at last birthday or as age at nearest birthday or as date of birth; the first form is commonly used in census statistics, although the last was recommended by the International Statistical Congress of 1872 and is often employed in European countries. The questions must be phrased more clearly or explanations must be appended to the questions if the subject is to fill in the answers himself. Even where trained enumerators are employed, they must be given definite instructions, which in order to insure uniformity of interpretation should attempt to clarify any doubtful points in regard to the specific questions. These instructions therefore must be as complete as possible and yet brief, for if the instructions are too lengthy and detailed they will not be read or remembered.

In conjunction with the preparation of the schedule must go the precise delineation of the coverage and methods of the inquiry. It must be determined in exact detail for whom the schedules shall be taken. Thus in censuses of population schedules may be required only for residents (de jure population) or for all persons present on the day of the census (de facto population). In the case of enumerations it must be decided whether the schedule is to be filled out by the individual interrogated, by trained enumerators or by selected correspondents. In the German census it is the custom to distribute the census blanks in advance; the enumerators merely collect them, filling them out only where doubt is raised as to the meaning of the questions. In the case of agricultural inquiries in many countries schedules are sent to selected correspondents, whose replies report the facts for a whole country or other area. However the schedules are filled, they are usually checked at the field office or at the central office for completeness and consistency; if omissions or obvious errors are discovered the schedules may be returned for correction.

When the schedules are all in hand, the subsequent processes include editing, coding and tabulating. Editing consists in reviewing the answers which will be used in tabulation and translating them into such terms as will be useful in the particular inquiry. Since most of the major statistical offices now work with mechanical tabulators and punch cards, the editing usually is closely connected with the mapping out of the punch cards, which consists in dividing the cards into fields, each assigned to a particular topic, and with coding; that is, writing the entries in code for subsequent punching on the cards. In deciding upon the divisions for editing, coding and on the punch cards the final tables and hence the purposes which these tables will serve must be kept in mind. The planning of the tables therefore must precede or go forward concurrently with the editing.

The planning of the tables includes the provision for suitable correlations between the various items on the schedules, such as age and sex, age and occupation and the like. It requires also decisions as to the particular classification to be shown; whether, for example, it is to be by individual years of age, by five-year age groups or by ten-year age groups. In many cases a preliminary study of the schedules or of a sample group of schedules may be necessary for a decision as to the appropriate classifications. Thus if practically all the schedules for a particular study fall in the older age groups, the code and the punch card can be adapted to this fact. In general the classifications should be so adjusted as to give uniform intervals (if of a continuous variable) and a reasonable distribution over the field: the limits of the class intervals should not be so far apart as to cause a heavy concentration in one or two classes nor so close as to give an uneven result with alternate classes full and empty.

In the publication of the results of an inquiry a number of questions must be settled, particularly how much derivative material in the form of percentages and ratios is to be included and how comprehensive the textual interpretation of the tables should be made. A growing tendency has been to publish basic tabular matter as promptly as possible with a minimum of text and to follow it later with an adequate analysis. One feature which should be empha-

sized is that essential details about methods of collection and material relevant to appraising the margin of error should be presented with the results. Elaborate statistical analysis which goes far beyond mere relatives and averages has become of increasing importance for government statistics in many fields. In the publication of price and wage data and of other economic time series the use of index numbers is widespread; and in many statistical offices correlation and similar advanced techniques are coming into increased favor. It remains true nevertheless that with the great mass of official statistics attention is still centered primarily on collection, tabulation and publication of the basic data.

ROBERT M. WOODBURY

STATISTICAL METHOD. Modern statistical method derives from the work of seventeenth and eighteenth century political arithmeticians and from the calculus of probability developed at about the same time by a number of distinguished mathematicians. The first practical statistician of note who fused the two into a theory of statistical method was Quetelet. He envisaged statistics as a tool whereby social disciplines could be turned into exact sciences aiming at the discovery of natural laws relating to man. These he believed were expressed in relative numbers and averages measuring the characteristics of the "average man" whom nature tends constantly to produce; the individual deviations he traced to the presence of numerous but unimportant disturbing factors whose influence on the empirical data could be eliminated with the aid of the law of large numbers and the theory of errors adapted from probability theory.

Quetelet, however, was only a pioneer. His phraseology about "nature" and "laws of nature" sounded suspiciously like a secularized rendering of Süssmilch's "divine providence" and "divine order." Nevertheless, he was fairly circumspect in dealing with the problem of free will; in one passage he even maintained that events depending upon free will would show a greater regularity than those governed by physical causes alone. But his disciples went much further and came to regard the statistical conformities to law, which of course have not the slightest bearing upon this problem, as evidence in support of absolute determinism. Queteletism met with very violent opposition, mainly on the part of German theologians, economists and statisticians, which was largely an expression of moral indignation against its extreme determinism. Of the statisticians Wilhelm Lexis alone approached Quetelet's doctrines from the objective standpoint of probability theory; he pointed out the analogy between the stability of statistical numbers and the stability of certain relationships in purely accidental phenomena, such as the results of the drawing of balls from an urn. For practical purposes the controversy was ended in the 1870's with the defeat of the school of Quetelet. The following twenty years were a period of stagnation for theory but one of marked improvement in the technique of statistical observation and rapid accumulation of concrete statistical material; only Lexis and his few pupils continued the study of stability of statistical series. In this period statistics came to designate the science of mass phenomena in social life.

The new era in statistical theory dates from the last quarter of the nineteenth century. A group of English biologists engaged upon certain aspects of genetics came to the conclusion that mass observation was necessary for a successful solution of their problems and turned to the statistical method. Fortunately they found in Karl Pearson a scholar combining high mathematical ability with a taste for meticulous empirical investigation. Probability calculus, which had made no progress virtually since Poisson, now began to advance and became in Pearson's hands the principal tool of statistical methodology. He attracted numerous pupils and followers, among whom there soon appeared statisticians as well as biometrists. His ideas steadily gained in ascendancy and at present may be said to dominate statistical theory in the English speaking world. Their influence has also largely shaped the progress of statistical thought in the Latin countries, especially in Italy, and in the Scandinavian states, although in some of them the importance of certain national tendencies must not be underestimated. Germanic countries, despite the work of Lexis and his eminent pupil Ladislaus von Bortkiewicz, still continue under the influence of Georg von Mayr's empirical school, whose outlook is characteristic of the period which followed the discard of Quetelet's system; only in very recent years has a faint start been made toward the acceptance of the English theories and, in economic statistics, of American methods. In Russia A. A. Chuprov made a brilliant attempt to synthesize the ideas of the English school and of Lexis-Bortkiewicz with the philosophical system of Wilhelm Windelband and Heinrich Rickert. This approach has been influential in Russian theoretical sta-

tistics and is becoming important in a number of other Slavic countries.

Biology is not the only natural science in which the statistical method is used at present; it is coming to be increasingly employed in physics and there is a fair prospect of its extension to other exact disciplines. As in other fields, progress in statistical theory is conditioned in the last resort by practical requirements; the growing popularity of the statistical approach therefore stimulates a rapid though not entirely coordinated advance in statistical methodology. Under these circumstances no more can be attempted than a tentative statement of the general outlines of the theory of statistical method.

In his *Essai philosophique sur les probabilités* the French mathematician Pierre Simon Laplace offered the following classical formulation of the ideal of scientific knowledge: "Given for one instant an intelligence which could comprehend all the forces by which nature is animated and the respective situation of the beings who compose it—an intelligence sufficiently vast to submit these data to analysis—it would embrace in the same formula the movements of the greatest bodies of the universe and those of the lightest atom; for it, nothing would be uncertain and the future, as the past, would be present to its eyes" (tr. by F. W. Truscott, New York 1902, p. 4). The attainment of this ideal obviously depends upon three conditions: a perfect knowledge of all "forces," or laws, of nature; an equally perfect knowledge of the distribution of all "beings," that is, of all elements of the universe at some given moment past or present; and an infinitely powerful reason capable of embracing all this in one formula and submitting it to calculation. The first type of knowledge has been called nomographic (by Louis Couturat), and the second idiographic (by Windelband). At present it is generally accepted that the nomographic type and the idiographic are equally indispensable and hence equally legitimate elements of science; without either of them no prediction or, more generally, no practical application of science is possible.

Since no exhaustive knowledge, whether nomographic or idiographic, is attainable, scientific investigation is selective, concentrating upon what is presumably of the greatest interest. In practise the necessity of selection is reenforced by the limited amount of ability and material resources available for scientific work. In idiography the selecting interest, according to Chuprov, may be directed toward the individual traits of a particular object in all their multifarious complexity and change through time or it may center only upon such properties as the object has in common with others. Furthermore the interest in common attributes may refer to a specific position of the object in space and time, in which case stress is laid upon the most precise determination of these coordinates; or the space-time reference, while not entirely eliminated, may be comparatively broad. The resulting types of idiographic knowledge are historical, geographical and statistical, these terms being used in their broadest sense.

The subject matter of a statistical study is thus not a particular object but the entire collection of objects distinguished by certain properties, and its method is one of enumeration. The characteristic steps in all statistical investigations are: the assignment of broad but clearly marked space-time limits to the area of observation; the definition of the unit of observation by certain external attributes; the enumeration of all such units within the area and the recording of a limited number of attributes for each of them. The units may be counted up either for the area as a whole or by several groups; in the latter case the definition of the unit of observation must be supplemented by a statement of the group criteria. The enumeration itself may consist merely of ascertaining the number of units falling into each group or else of cumulating into a group total the measurements of the quantitative attributes for the several units. The groups so enumerated may be either natural, in the sense that they represent real associations of individuals—a household, a city, a prison—or they may be pure constructs of the statistician, having no existence outside his tables, such as the group of inhabitants of the United States who reached the age of forty in 1930.

Statistical knowledge always refers not to particular individuals but to the "universe," or "population," of individuals having one or more attributes in common as well as a number of other attributes specific to each individual or to smaller subgroups. No matter how large the number of groups in the field studied and the number of attributes recorded within each group, the statistical observer deliberately overlooks a vast amount of information about each of the units of observation. Every person comprised in the population of a given country is unique in the complexity and individuality of his characteristics; to the census statistician, however,

that person is of interest only as a peg from which may be suspended the ten to twenty specific attributes with which the census schedule is concerned. The statistician is of course quite aware of the fact that each person possesses in addition a vast number of other traits and qualities; but all these lie outside the boundaries of statistical observation and hence beyond the ken of the statistical method. The fact that this type of simplification is necessarily implied in every application of the statistical method is important, since it justifies the reliance of statistical inference upon the theory of probabilities. The punched card, which incorporates the data collected in the course of a statistical survey and constitutes the raw material of statistical tabulation, affords a perfect analogy to those numbered tickets or balls the drawing of which from an urn so often absorbs the attention of the probability theorist. Here too each of the balls has its own individual attributes and "personal" history; wooden balls, for instance, may have come from different trees or have been turned on different lathes.

As a purely idiographic method statistics is concerned with two sets of problems. The first involves such questions as how to form groups, how to enumerate units comprised therein and how to compile the data so obtained into statistical tables. Logically these questions appear to be simple enough; in practise, however, they present many difficulties whose solution must be uniform if statistical totals are to have any value and if their comparison over time and space is to be made possible. Moreover, in view of the magnitude of many statistical undertakings, such practical considerations as economy and efficiency loom here much larger than abstract analysis would lead one to believe. Problems of the second type relate to the condensation of statistical data for purposes of scientific analysis, the transformation of long statistical arrays into relatives, averages, measures of stability, graphs and the like. Whereas in the first stage of statistical work a universe of units of observation is transformed into a pile of statistical schedules and later into volumes filled with statistical tables, in the second stage these are compressed into a much smaller number of figures and pictures easy to survey and memorize.

Statistics is not an exclusively idiographic discipline. Its nomographic aspects have been steadily gaining ground and at present the value put upon statistical generalization is probably greater than that attached to statistical description. The statistical method involves elements of nomography because statistical enumeration is seldom exhaustive. In order to establish even so elementary a datum as the size of a country's population the political arithmeticians were compelled to resort to complicated calculations based upon data which covered only a minute portion of the population. As statistical observation was extended during the nineteenth century, indirect methods became superfluous. For a time it was believed that any type of statistical study could be organized along the lines of an exhaustive enumeration; thus a scholar as eminent as Mayr incorporated the principle of exhaustiveness in the very definition of statistics and regarded non-exhaustive observation, or sampling, as merely a substitute, the use of which should if possible be avoided. The subsequent development of statistics, however, did not follow the course anticipated by him. It became apparent that even in the social sphere there are many instances in which exhaustive observation of mass phenomena is dispensed with, most often because merely approximate results are adequate for practical purposes or because a complete enumeration would be too costly and time consuming; the latter consideration is of particular relevance to economic statistics. Moreover the statistical method of mass observation has come to be applied in the natural sciences, such as biology and physics, where the statistical universe often comprises an infinite number of units and is therefore not susceptible of exhaustive enumeration. The greater part of the statistical material now available is thus secured through non-exhaustive observation. The principal exception in this respect is population statistics, the data of which are obtained through general censuses. It is important to note in this connection that even census figures lack absolute precision, inasmuch as certain elements of the population, for reasons best known to themselves, escape observation altogether or supply misleading information; the margin of error in exhaustive enumeration may be as high as 10 percent or more.

It is clear that one of the main tasks of statistical theory is to devise methods for inferring from a comparatively small number of observations conclusions as to larger universes of which the observations in question form a part or a derivative. These larger universes may comprise an infinite number of units (open universes), a finite but very large number or only a limited number. If the number of units drawn into the

sample is large in relation to the total number of units in the universe, then, regardless of the methods used in selecting the sample, it is not difficult to ascertain the highest arithmetically possible limits of deviation of the characteristics of the sample from those of the universe. In all other cases only special rules of sampling will secure satisfactory results. The simplest of such cases is that where the units in the universe have been thoroughly mixed before the sample is taken; then the drawing of units into the sample will closely resemble probability experiments with balls drawn from an urn. If, however, such preliminary mixing does not occur automatically in the process of formation of the universe or cannot be induced artificially, the selection of units for the sample must be so organized that the result shall be as representative as that obtained in the previous case. The larger the number of units drawn into the sample, the more frequently and the more closely, in accordance with the law of large numbers, will the various characteristics of the sample approach the corresponding characteristics of the universe.

It is to be noted that under the theory of sampling may be subsumed also such cases as are usually treated with the aid of the theory of errors. It may be asked, for instance, what the wheat crop of the United States would have been in 1933 if it had not been affected in that year by accidental deviations of climatic conditions from the "normal." If it be assumed that the wheat acreage, the methods of its cultivation and in general all factors other than climatic conditions which influence the size of the crop remain constant, then the annual crop fluctuations may be regarded as the resultant of climatic variations only. If it be assumed further that climate is not subject to secular change and that observation has been extended over an infinitely long period of years, then the mean of the wheat crop series would furnish the answer to the question posed above. An empirical approximation to that mean is the average for the several years centering about 1933, which may be considered as a sample. It should be emphasized, however, that conclusions based upon this type of hypothetical sampling vary according to which factors are assumed to remain constant and which do in fact remain unchanged during the period included in the sample.

Directly connected with sampling is the complex of ideas associated with the application of the theory of probability. Since 1654, when the chevalier de Méré submitted to Pascal his famous questions, probability theory has had a long history; from a calculation of hazards in the various games of chance it has evolved into the logical foundation of statistics, actuarial science and many of the natural sciences. The traditions established in its early stages, however, can still be traced in certain elements of the theory, such as the concept of probability itself, which has been the subject of lively controversy. The more prominent of the several views represented in the literature are those of Laplace, the German physiologist Johannes von Kries, the English logician John Venn and the English economist J. M. Keynes. Laplace regarded probability as a substitute for causality where knowledge of underlying objective relations is insufficient. Kries, although admitting in general the subjectivist basis of probability, maintained that a judgment of equal probability must be supported also by knowledge that the events in question are actually equal in extent and are not directly derivative. Venn went even further in the direction of objectivism by identifying probability with empirical frequency. And Keynes shifts the discussion to a different plane by asserting that probability arises out of the existence of a specific relation between premise and conclusion in those cases where it is not possible to argue demonstratively from the former to the latter. It is worthy of note that the differences described above scarcely affect the mathematical content of the theory, more particularly the mathematical aspects of its theorems—a striking indication of the lack of congruity between the logical foundation of the science and the mathematical structure erected upon it. The elimination of this fault has generally been attempted along philosophical logical lines. Another approach to the problem, more congenial to the professional statistician, is that of mathematical axiomatization; that is, the selection of a necessary and sufficient number of definitions and axioms to afford the easiest and the most convenient way of deducing all theorems by means of "tautological transformations." From this point of view the most acceptable definition of mathematical probability—allowing the widest scope for the application of probabilities in statistics and approximating most closely the statistical formulation of problems—resembles the construction offered by Venn, adopted by Pearson and in recent years improved by Richard von Mises. It identifies the probability sought for in the study of a sample as the corresponding frequency in the universe

from which the sample has been derived; and it regards the mathematical expectation of a characteristic in a sample as the weighted arithmetic mean of all values of the characteristic in the universe. The "axiomatic" concept of probability seems to be best suited to the requirements of theoretical statistics; whether it is also the most adaptable to the requirements of other disciplines is still uncertain. Even in application to statistics it is not yet completely developed; for instance, no definite solution has been evolved thus far for the case, which occurs frequently in economic statistics, where the number of units in the universe is not infinite as is generally assumed but finite and not very large. Nor does axiomatization touch upon the philosophical problem as to the meaning of mathematical probability in general and particularly as to its potentially profound significance in connection with certain epistemological questions pointed out by Chuprov.

The universes which are approached by the study of samples may be transitory and unique or stable and recurrent. In the first type the task of statistics is more or less idiographic; only in the second type is statistics faced with nomographic problems, one of the most obvious of which is that of classifying such universes into several homogeneous groups, of establishing separate kinds of recurrent universes. Further inquiry into the internal mechanism of their recurrence, however, is outside the field of statistical theory in the proper sense of the term.

The characteristics of stable universes are also stable and may therefore be regarded as a "law," or "norm," which the characteristics of the successive samples drawn from such a universe will tend to follow, in accordance with the law of large numbers. The first of the laws of each stable universe is its law of distribution; that is, a table of all possible numerical values of its units together with their frequencies (which figure as probabilities in relation to the samples drawn from the universe). It is sometimes possible to proceed one step further and to devise a simple equation in which the numerical value of the units comprised in the universe is related to their frequency. The best known example of such an equation is that of the normal curve. A further development along the same line is to be found in the method of moments and in such attempts to devise distribution equations of other than the normal curve type as have been made by Pearson, T. N. Thiele, C. V. L. Charlier, F. Y. Edgeworth, Heinrich Bruns, "Student," R. A. Fisher and others. The problem of so utilizing the samples as to arrive at the best possible approximation to the characteristics of the universe is one of "stochastics" in Chuprov's sense and is closely related to the problem of inverse probability. It is in this field especially that intensive scientific inquiry is proceeding at present, a prominent part being played by R. A. Fisher. He has achieved notable results also in dealing with the problem of small sampling, a topic of prime importance for biometry and vital statistics.

Apart from universes of a transitory and stable type there is also an intermediate type of universe which appears to change in time more or less rapidly and more or less regularly in a certain direction. Such evolving universes occur most frequently among social phenomena and find their statistical reflection in time series. In dealing with the latter a question always arises as to the nature of the successive items: are they samples drawn from the same universe or has the universe been developing with the passage of time? There are several devices which facilitate the answering of this question, such, for instance, as the Lexis criterion of stability and certain generalized forms of the variate-difference method. The attempt to formulate a single law of distribution for the entire time series may be compared to the rearrangement of the several pictures of a motion picture film in accordance with some criterion which has no direct relation to time, such as the postures of the characters. This procedure overlooks an essential type of information, a knowledge of the sequence of variation which is usually not at all accidental. Another problem peculiar to time series is that of segregating the several types of variation which are reflected in its figures.

A special complex of problems is involved in the utilization of statistical procedures for the establishment of causal associations. For a long time these procedures were identified with the classical methods of induction as expounded in textbooks of logic. Gradually, however, it became clear that "in the empirical sciences the statistical method comes into play only where induction, the inference from one typical instance to other instances, fails" (Rümelin, Gustav, *Reden und Aufsätze*, 2 vols., Tübingen 1875–81, vol. i, p. 267). The fundamental peculiarity of the statistical search for causal associations arises from the fact that it relates cause universes to effect universes, both of which include in addition to cause elements and effect

elements other components having no bearing upon the cause and effect relationship. Moreover, since it is of the very essence of the statistical method that separate elements or individual units in the universes are disregarded, interest is centered entirely upon their common, or "average," interactions. These considerations account for the fact that statistical inferences as to causal associations belong to the realm of probability and lack the incisiveness of classical induction.

In the natural sciences statistical methods of establishing causal associations are becoming ever more prevalent. This is particularly true of theoretical physics, certain of whose divisions are already purely statistical in character; in recent years the very law of causality has come to be questioned here, and physical laws are being revised along the lines of the statistical theory of gases. In the social sciences, however, the statistical approach to the study of causal associations remains subordinate. Much greater importance is still attributed here to the idiographic functions of statistics; it is as descriptive statistics that the statistical method is now being extended to history, social psychology, political science and similar disciplines. A possible explanation is that most of the universes in the social scientific field as well as their characteristics are comparatively unstable. This would account also for the uncertainty as to the accuracy of results achieved by extrapolating time series, an indispensable procedure for practically every type of business forecasting. It is scarcely to be doubted, however, that even in the social sciences the use of nomographic-statistical methods for the establishment of causal associations can be greatly expanded if they are applied correctly and cautiously.

The social science in which the nomographic aspects of the statistical method loom largest is economics. Here the relation between statistical analysis and economic theory is analogous to that between experimental and theoretical physics, which is indeed quite unlike what Bacon once imagined it to be. In physics conclusions deduced from hypotheses, which may be formulated on the basis of experimentation or a priori considerations or even analogy and intuition, are verified with the aid of experiments. In economics the place of physical hypotheses is taken by the several special theories, such as the quantity theory of money; while for experiments are substituted statistical investigation and analysis which "verify" theory and give it concrete substance by means of averages, index numbers, combination tables, correlation coefficients, trends and the like. It should be noted, however, that the results of physical experiment are as a rule much more precise and subject to much smaller errors of observation than those of its statistical substitute in economics; and that the stability of statistical measures in physics exceeds by far that in economics or in the social sciences in general, because physical universes consist of an incomparably greater number of units than economic collectives. This, by the way, signalizes a complete reversal in current thought as to the function of statistics in the natural and social sciences; not long ago the mass character of social phenomena was contrasted with the typical character of individual phenomena in the natural sciences and statistics was generally regarded as a method peculiar to the social sciences, because in the social field generalization based on individual cases was considered impossible. By virtue of the roughness and instability of results in social statistics an inquiry into causal relationships among social phenomena usually implies distinct questions concerning the existence of a relationship between the series compared, the form of that relationship and its distortion by extraneous and disturbing factors. The answer to these questions in most instances is supplied by the theory of correlation and association. The formulae derived by this theory serve also to describe the law of distribution of correlated attributes for the members of a universe; in these instances coefficients of correlation appear as universe characteristics of the product-moments type.

However inexact statistical verification in the social sciences may be, it is better than none. A consideration of the several antagonistic tendencies always operative in the social field, with no attempt to measure the intensity of their pull, can lead to no definite conclusions. When conclusions are reached, the soundness of the quantitative comparisons that must be implicit in them will be much more certain if they are grounded in statistical observation and analysis serving as a check upon intuitive and biased judgments.

OSKAR N. ANDERSON

See: METHOD, SCIENTIFIC; PROBABILITY; FREQUENCY DISTRIBUTION; TIME SERIES; AVERAGE; INDEX NUMBERS; CORRELATION; CURVE FITTING; ANTHROPOMETRY.

CENSUS; DEMOGRAPHY; BIRTHS; MORTALITY; CHILD, section on CHILD AND INFANT MORTALITY; MATERNITY WELFARE; MORBIDITY; POPULATION, section on HIS-

TORY AND STATISTICS; CROP AND LIVESTOCK REPORTING; PRODUCTION, section on STATISTICS; CONSUMPTION, section on PROBLEMS OF MEASUREMENT; PRICES, sections on PRICE STATISTICS and PRICE HISTORY; FORECASTING, BUSINESS; HOURS OF LABOR; WAGES, section on HISTORY AND STATISTICS; UNEMPLOYMENT; ACCIDENTS; ACCIDENTS, INDUSTRIAL; MINING ACCIDENTS; RAILROAD ACCIDENTS; COST OF LIVING; FAMILY BUDGETS; CRIMINAL STATISTICS; AGRICULTURE, GOVERNMENT SERVICES FOR; AGRICULTURE, INTERNATIONAL INSTITUTE OF; BUSINESS, GOVERNMENT SERVICES FOR; CHAMBERS OF COMMERCE; TRADE ASSOCIATIONS; LABOR, GOVERNMENT SERVICES FOR; INTERNATIONAL LABOR ORGANIZATION.

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STATUS is essentially a legal term and connotes the sum of the legal capacities of an individual, his powers to enforce legal rights and obligations either for himself or for others. The term has its fullest meaning in societies in which law has been more or less differentiated from religion, morals, politics and economic organization. Since that differentiation has never been complete, however, the status of a member of a community is never wholly distinguishable from other group relations; and the terms citizen, paterfamilias, patrician, villein and clerk are often used to describe both legal status and a political, religious or domestic relationship.

Equalitarian states may be described as those which recognize only one status—membership in the community, or citizenship. The equalitarian theory has never been realized fully in practise and even as a theory has been accepted only in such purely ideal constructions as the stoic cosmopolis or the primitive concept of the Christian church, in which membership was open to all, no distinction being drawn between freeman and slave, Jew and Gentile, man and woman. Historically all known communities have at times and in varying degrees admitted and generally emphasized differences in status. These differences have had certain correlations with other systems of classification. They have depended upon membership in age grades, common descent from known or supposed ancestors or initiation into specific cult organizations. Such systems of classification have had widely differing origins and functions, but they have sometimes involved what is in effect a legal status or have played a predominant part in determining it. Most frequently, however, it is economic class which is found to be correlated with status, although only rarely does this correlation approach anything like completeness, if only because changes in legal status tend to lag behind changes in the social system.

Pure timocracies are not common, but they do exist among some primitive peoples. Property qualifications for the exercise of private and political rights, however, appear frequently. Under the Solonic constitution and the older Roman constitution privileges, in effect legal, depended in part upon the amount of property possessed. The controlling factor was possession of certain types of property, such as herds, slaves and land. This is also quite common, although not universal, among primitive peoples. The property on which classification depends may occasionally be highly specialized and from the modern point of view quite overvalued. As late as the nineteenth century the possession of land in England gave real legal prerogatives that other forms of wealth did not create.

But economic class lines are not necessarily reflected directly in status. The influence may be indirect, and de facto situations must be distinguished from the legal theory that creates and recognizes status. Almost everywhere in the

European culture areas the owners of great herds became almost automatically the masters of broad lands and many men and inevitably the masters of the state as well. There seemed nothing morally objectionable in associating legal privilege with economic power. But a moral objection arose when wealth was acquired by former members of the lower orders. A new test, that of good birth, established itself and the status of the well born became different from that of the lowly born.

When birth becomes a test of status, two conflicting tendencies appear. Good birth and wealth are still commonly associated, but impoverished members of the privileged classes are frequently forced into the lower rank. On the other hand, wealthy members of the unprivileged group push their way up. In fact in any status system there is a fairly constant tendency for the members of any one grade to attempt to enter the grade immediately above them and to strengthen the barriers which block the grade immediately below. Only in rare instances do such grades with their concomitant status succeed in creating really insurmountable barriers. When that happens, there is developed a caste system such as that which has long prevailed in India.

In a caste system the primary idea of status exists in its most complete form: possession of a particular status is conditioned by birth or external assignment, not by choice. In some societies with similar castelike tendencies there still remains an element of preference for the individual. Thus in mediaeval Europe a man became a clerk usually by his own voluntary act, and the status of clergyman consisted of a complex of peculiar legal relations fixed by law and custom and different from those of other statuses. Again, in the monarchy of Diocletian the compulsory guilds were at their height, but in the army a new status might be obtained by deliberate choice.

Differences in status were taken for granted in older communities. A very ancient analogy likened the body politic to the human body, in which there was obviously a high degree of specialization among the constituent members. Most of the Greek communities except the pure or nearly pure democracies recognized several grades: a privileged citizenship, which alone was eligible to the council or the magistracies; an unprivileged citizenship; and the slaves. Frequently there was another grade, that of clientage, higher than slavery and ordinarily composed of emancipated slaves or resident aliens. Each of these grades conformed with a real status, since legal rights depended upon the classification. Private slaves were theoretically without rights; aliens and freedmen, while they enjoyed certain well defined private rights, could exercise them only through a patron. Citizens alone were accorded full legal rights (*soma*). But there were in fact many more gradations than those mentioned. Free women had regularly a subordinate and limited status as compared with men. There were further total or fractional degradations which were imposed on public debtors, on certain types of offenders and on persons engaged in infamous callings. Moreover privileges and immunities were granted to particular groupings of persons.

Caput was the term used in Rome to designate full legal status and was at first synonymous with citizenship. *Caput* consisted of *libertas*, *civitas* and *familia*—freedom, citizenship and membership in a family. A loss of *caput*, a *deminutio capitis*, was equivalent to what at Athens was called total or partial *atimia*, that is, degradation in status. Toward the beginning of the empire three stages of such a loss of *caput* were noted and each stage was separately named: *capitis deminutio maxima*, *media* and *minima*. In each the person affected lost some element of his full legal status. Later schematists said that he lost one of his three *capita*. The idea of three *capita*, however, does not appear in contemporary discussion, where *capitis deminutio*, *maxima* and *media*, like *atimia*, are thought of generally as penalties, while *capitis deminutio minima* was often not a reduction but a change and frequently an improvement in legal status.

In Rome, just as in the Greek states generally, there were also minor degradations for citizens, involving changes in the complex of legal capacities and consequently in status. One of these changes made a man *infamis*, excluding him from certain political positions and from entering into specified contracts. Another made him *intestabilis*, whereby he could not be a witness to or a beneficiary under a will or a witness to other transactions; and perhaps could not make a will.

Such developments took place against a background which continued theoretically to be timocratic. The Roman census listed classified citizens by their property holdings, which still created a real political status. In the last century of the republic only the first three census classes and under Augustus the first four census classes

possessed the valuable privilege of being *judices* and as such had important functions in the judicial process.

Again, at Rome, as in Mediterranean societies generally, free women were under disabilities which, while less severe than the tutelage imposed on women at Athens, were still not wholly insignificant. While most of these disabilities became obsolete in practise, newer ones were established during the empire, notably the restriction on a woman's right to become surety, so that there continued to be a definite status for women as such. Slaves, of which there were many, had no private rights, but the later law afforded them a limited protection.

Outside of the census classifications and the possession of *caput* the status of freedmen was a special one; for although freedmen might enjoy citizenship, they suffered from political disabilities, could not marry a free born person and had duties which might occasionally prove extremely burdensome. There were further legal as well as political disabilities attached to Latin as distinguished from Roman citizenship. The colonary Latins were governed by the Roman law but could not contract a Roman marriage or enjoy the rights of succession arising from such marriages. The members of the Latin-Junian rank were even more restricted in their rights.

The difficulties of administering an empire under a complicated system of political statuses led to the gradual elimination of grades of citizenship. The last surviving class of limited political and civil status, that of the *deditícii*, seems to have been specially saved by an enactment of Caracalla which granted Roman citizenship to all freemen within the empire and was not abolished until the reign of Justinian. This class, with which the *capite censi* of the eastern provinces have been somewhat rashly identified, acquired a definitely legal and social rather than a political status, and membership in it amounted in effect to almost complete loss of civil rights. It was the status particularly of freedmen convicted of crime.

During the empire, however, a new form of status was created by the differentiation of people into *honoratiores* and *humiliores*, a classification important chiefly for criminal law; the *humiliores* were regularly more severely punished. There were also marriage restrictions which prevented a senator from marrying a *humilior* and there were further procedural privileges accorded the *honoratiores*. The distinction was accordingly not a vague concept of upper and lower classes but a real and substantial discrimination of status.

The eastern provinces, especially Egypt, had from time immemorial known an agricultural class attached to the soil. The *colonus* was theoretically a free person and a citizen having all rights not expressly barred. His status was hereditary; from it there was practically no release. This status spread in the later empire and fitted in very well with the system of compulsory guilds into which citizens were assembled. The latter system broke down in the west during the decay of imperial authority in the fifth and following centuries, but the *colonatus* took firm root and was developed into the villeinage of the Middle Ages.

In the centuries after the barbarian invasions status was almost lost in the welter of national laws. To know a person's real position it was first of all necessary to know "the law by which he lived." But within these national laws distinctions of status also existed and were incorporated into the feudal system, when the personality of law receded and the basis of society became more and more territorial.

Generally speaking, the prevailing distinctions provided for three classes: the free, the half free and the slave. The half free formed a group in a dependent relationship to some superior. As the feudal system formed, enormous variations in the actual complex of rights of groups and individuals, which were at first based on the voluntary or apparently voluntary agreement of the persons affected, became transmitted to their descendants; and status could be said to be a man's position in a complicated network of relations that were generally but not strictly hierarchical. To these were added as a separate rank the ministerial officialdom of administration and the great landowners, who together formed the new nobility. There were also the clergy, whose status was determined by their special membership in the supranational corporate church and who were subject only to its laws. The clefts between these various groups were often talked of as impossible barriers. In fact they were far from being so, largely because of the church organization, in which secular rank was to some extent ignored. In the later Middle Ages, when feudal displaced territorial law, the early divisions according to degree of freedom gave way in general to groupings of knights, burgesses and peasants, which were real blood estates based upon occupation. Ser-

vile restrictions, however, remained and were associated primarily with the peasantry.

Status in the feudal system was of course dependent upon membership in the Catholic church. Christian non-conformists were heretics and as such criminals, so that the only important mediaeval status dependent on religion rather than on position in the feudal arrangement was that of the Jews. The position of the Jews differed from all others. In all Christian communities they were aliens but not in the same sense as other foreigners. Frequently they were, as in England, classed as "personal serfs" of the sovereign or of the corporate community, but this serfdom apparently attached itself only to their property rights and not to their bodies. In many instances they were protected by royal or papal charters, which generally ran for short periods and could be renewed only on payment of considerable sums. The right to "have Jews" might itself be granted by charter to feudal lords or to towns. In nearly all cases, however, the status of Jews was precarious and could be terminated arbitrarily by a general edict of expulsion. They were not, properly speaking, members of the state at all.

The breakdown of the feudal system as a form of political organization was not immediately accompanied by the abolition of feudal status. A real break in the mediaeval idea of elaborate classifications and minute discriminations was initiated by the Enlightenment of the seventeenth and eighteenth centuries, which stressed natural law and with it the hypothetical equality of mankind. A strong emotional tone was given to the movement by such philosophers as Rousseau, and equalitarianism became a powerful solvent of categories during the revolutionary movement. It was generally assumed that progress in political reforms moved only toward a state in which there would be but a single status. The prerevolutionary state had a hierarchy of ranks; the new communities would know only the status of citizen and comrade.

In France the revolution saw the end of the servile restrictions and disabilities of the peasants, which had been in process of disappearance for a number of centuries. The north German peasants did not cease to be serfs until the reforms of Stein and Hardenberg in 1807; and it was only in 1861 that the emancipation of the Russian serfs was decreed. Other vestiges of mediaeval status lasted even longer. Not only did the division of clergy and laity remain, but in countries which, like England, resisted and finally overcame absolutism the status of noble was still marked off from that of commoner by slight legal differentiations. More important, a de facto status founded on the possession of land carried with it the almost exclusive privilege of active and passive electoral franchise and eligibility to judicial function.

With the revival of equalitarian doctrines in the period of the Enlightenment religion seemed, even more than birth or property, an irrational criterion of status. After the Reformation very few states succeeded in being totalitarian in religion. In most of them there was a state church and in theory no one could be a full citizen who was not a member thereof, a situation which obtained until recently in a number of the South American republics as well as in Spain. In fact, however, every state tolerated a number of religious dissidents; and in some cases their status was fixed by law, independently of the fluctuating discretion of administrative officers. As a rule religious non-conformists were possessed of only limited rights. In most cases, when there was an electoral franchise, non-conformists were not included in the privilege and nearly always were debarred from public office, sometimes by specific regulation and sometimes because the duties of public office involved participation in the rites of the official religion.

The reform movements of the nineteenth century struggled, not for toleration but for comprehension. It became axiomatic that religious conscience must be free, and that subject to limitations of morals and public security it was fundamentally inadmissible that a citizen's legal rights should depend upon the rites he practised or the religious beliefs he entertained. Before the World War this theory was accepted either entirely or with some modifications everywhere in Europe except in Russia, Turkey and Spain.

But while the single status system was developing in Europe, a severe setback was given to the movement when the conditions presented by the exploitation of newly discovered areas in America, Africa and Asia revived in a particularly cruel form the status of unqualified slavery. The usual shock of the process was softened by the fact that the new class of slaves were members of races differing in unmistakable physical characteristics from those of the white exploiters, so that their common humanity could conveniently be disregarded. Considerable sophistical dialectic was expended to show that Negro and Indian slavery did not really contravene the principle that in nature all men are equal. But

the humanitarianism which had been one of the main constituents of the Enlightenment ultimately triumphed, and after a struggle of some centuries the institution of slavery and with it the status of practical rightlessness was abolished almost everywhere. Slavery still exists, however, in Abyssinia and various corners of Asia and Africa, sometimes with the shamefaced recognition of various western powers.

The development of a single status system has progressed fairly steadily in democratic countries. Legal classifications which depend upon heredity or into which persons are regimented have become fewer, but the process has not been uniform. Status based upon social class has virtually disappeared; and although the laborer today, by reason of his pecuniary situation, may be unable to avail himself fully of his legal rights, his position in the law is the same as that of every other citizen. Vestiges of older status arrangements affecting political rights, such as property qualifications for the franchise, have become relatively unimportant. Limitations upon or special provisions for the private rights of aliens have also diminished to a great extent; the mediaeval *droit d'aubaine*, by which the property of a deceased alien escheated to the king, was abolished by the eighteenth century. The chief restrictive features affecting the status of the alien at present touch upon his ownership of property, especially landed property, and upon his political rights. The inferior legal position of women has persisted perhaps longer than that of any other group; and although great progress has been made toward equalizing their rights with those of other citizens, numerous disabilities are still retained in continental and American law.

Certain complexes of rights, obligations and privileges determined by present law exist of course, but the acquisition of such complexes is voluntary. Thus a marital relationship affects the legal position of the parties in private law, and there is accordingly a status of being married. Those who assume the status, however, do so voluntarily. Again, workmen's compensation, minimum hour and wage laws seem to make the status of employment a definite one; but it too depends upon a contractual relation and terminates whenever the relation ceases.

Special positions in the law for certain categories of persons are inevitable. In a state in which individual rights can be asserted and individual responsibilities assumed, the presence of persons who are mentally incapable, in whole or in part, of such assertion or assumption must be recognized as a fact. Children therefore as well as mental incompetents must be given a special status for their own protection. Similarly a great many forms of limited or reduced status are established as penalties. The assertion of rights and privileges moreover is restricted when their exercise appears to constitute a general danger.

Since the World War there has been a revival in antidemocratic countries of the older principle of status based on economic class, occupation and other criteria. In Soviet Russia merchants, persons living on income and others not in the working class are disfranchised and subjected to restrictions; nor is it easy for their children to attain the status of a worker. In Germany classifications based upon race are again creating a special status for the Jew. The status of non-workers in Russia does not in principle conflict with the ideal of a single status enjoyed by all adult, sane citizens, for the denial of rights to particular groups is predicated upon a belief that they will either be absorbed or eliminated. The position of the Jew in National Socialist Germany is in popular feeling, if not in official pronouncement, justified by the hope that the Jews will ultimately migrate. The proposal to embody two types of citizenship in the new German constitution, limiting to a small privileged group the right to hold office, does, however, seem to be in direct contravention of unitary status. The attempt to revive corporate status in the corporative state of fascist theory is still in an incipient stage. But essentially the type of status which seems likely to become most widespread is the secondary type, in which economic or social relations voluntarily entered into will be grouped in clusters, so that many of them will have correlatives of which those who are affected will not always be conscious.

MAX RADIN

See: SOCIAL ORGANIZATION; CLASS; CASTE; WOMAN, POSITION IN SOCIETY; SLAVERY; SERFDOM; FEUDALISM; MOBILITY, SOCIAL; CIVIL RIGHTS; PROPERTY; CONTRACT; OCCUPATION; SOCIAL DISCRIMINATION; EQUALITY; EMANCIPATION.

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dique offertes à Paul Frédéric Girard, 2 vols. (Paris 1912–13) vol. ii, p. 275–335; Fischer, Herbert, *Die verfassungsrechtliche Stellung der Juden in den deutschen Städten während des dreizehnten Jahrhunderts*, Untersuchungen zur deutschen Staats- und Rechtsgeschichte, no. 140 (Breslau 1931); Heck, Philipp von, *Beiträge zur Geschichte der Stände im Mittelalter*, 2 vols. (Halle 1900–05), and "Die friesischen Standesverhältnisse in nachfränkischer Zeit" in Tübingen Universität, Juristische Fakultät, *Festgabe für Friedrich von Thudichum* (Tübingen 1907) p. 47–230, and *Die Standesgliederung der Sachsen im frühen Mittelalter* (Tübingen 1927); Hübner, R., *Grundzüge des deutschen Privatrechts* (4th ed. Leipsic 1922), tr. by F. S. Philbrick as *A History of Germanic Private Law*, Continental Legal History series, vol. iv (Boston 1918) bk. i, ch. ii, p. 87–102; Holdsworth, W. S., *History of English Law*, 10 vols. (3rd ed. Boston 1922–32) vol. iii, ch. iv; Debuisson, R., *Étude sur la condition des personnes et des terres d'après les coutumes de Reims du XIIe au XVIe siècle* (Reims 1930); Blanchard, G., *De la législation de classe en droit civil* (Paris 1922); Brissaud, Jean, *Manuel d'histoire du droit français*, 2 vols. (2nd ed. Paris 1908), pt. ii tr. by J. W. Garner as *A History of French Private Law*, Continental Legal History series, vol. ix (Boston 1915) p. 130–42; Grasshof, Richard, "Die Mängel des heutigen Statusrechts" in *Festschrift Albert Pinner* (Berlin 1932) p. 30–54; Aramburo y Machado, M., *La capacidad civil* (2nd ed. Madrid 1931); Fauchille, P., *Traité de droit international public*, 2 vols. (Paris 1921–26) vol. i, pt. i, p. 888–986.

STATUTE OF FRAUDS. *See* FRAUDS, STATUTE OF.

STATUTES OF LABOURERS. *See* LABOURERS, STATUTES OF.

STATUTES OF LIMITATIONS. *See* LIMITATION OF ACTIONS.

STEAD, WILLIAM THOMAS (1849–1912), English journalist. Stead is one of those most responsible for the "new journalism" in Britain. He was educated by his father, a Congregational minister, except for two years at a small boarding school, and then apprenticed to a Newcastle merchant. He contributed to the *Northern Echo* of Darlington, was appointed editor in 1871 and made that newspaper known for its advocacy of Gladstonian Liberalism. From 1880 to 1883 he served as assistant editor of the *Pall Mall Gazette* under John Morley and was editor until 1890. Although under his editorship the circulation rose only to about 13,000, the "P.M.G." was read by people of influence and had a profound effect upon British journalism. Stead made it the vehicle of his moral zeal and wide range of interests but shocked his public with many of his topics and methods, notably his campaign against prostitution. He emphasized the interview, the signed contribution, the special article, maps and illustrations and the journalism of the "stunt," with its moral excitement, discontinuity and human interest. Thus he agitated for sending Gordon to the Sudan and espoused an imperialism that led him to a close friendship with Rhodes; yet he opposed the Boer War. He led the press in a "big navy" campaign but advocated the cause of peace and the calling of the First Hague Conference; and he interpreted sympathetically subjects as varied as Russian policy, the Vatican and civic regeneration in Chicago. He became a believer in and advocate of spiritualism. In 1890 he founded the *Review of Reviews*, a new type of magazine of short articles on current events; American and Australian editions were established in 1891 and 1892 respectively. Characteristic of Stead's writings are his "Letters from Julia," "Truth about Russia" and "The Maiden Tribute of Modern Babylon."

JOHN M. GAUS

Consult: Whyte, Frederic, *The Life of W. T. Stead*, 2 vols. (London 1925); "The World Pays Its Tribute," and "A Great Pacifist" in *Review of Reviews*, vol. xlv (1912) 473–94, 609–20.

STEEL INDUSTRY. *See* IRON AND STEEL INDUSTRY.

STEELE, SIR RICHARD (1672–1729), English journalist. Although his reputation rests in part on his essays, plays and political pamphlets, Steele is notable chiefly as one of the pioneers of eighteenth century social journalism. Between 1709 and 1720 he founded, edited and in large part wrote nearly a dozen periodicals, of which the most important were the *Tatler* (1709–11), the *Spectator* (1711–12), the *Guardian* (1713), the *Englishman* (1713–14; 1715) and the *Theatre* (1720). An ardent party man, he could not refrain from frequent excursions into political controversy, and in the *Tatler*, which began to appear while he held the post of gazetteer under the Whig ministry, he maintained for a time a department of news. But from the first he took as his special province the everyday life, manners, morals and tastes of contemporary middle class society. Some of the possibilities of this field had been realized by earlier journalists, notably John Dunton and Daniel Defoe; but Steele bettered nearly all their hints and in the end, thanks partly to his own ingenuity and partly to the assistance of able collaborators

(especially Swift and Addison), he succeeded in developing a new technique of periodical social comment which, imitated widely both in England and on the continent, influenced journalistic writing to the end of the century.

In the history of social ideas Steele's role was less distinctive. But the energetic propaganda which he conducted in his periodicals and elsewhere for such causes as the abolition of the duel, the purification of marriage, the improvement of the moral tone of the theater and recognition of the dignity of trade undoubtedly had a share in forming the new public opinion on these and similar questions which prevailed in the eighteenth century.

R. S. CRANE

Consult: Aitken, George A., *The Life of Richard Steele* (London 1889), with bibliography of Steele's works; Routh, Harold, "Steele and Addison" in *Cambridge History of English Literature*, vol. ix (Cambridge, Eng. 1912) ch. ii; Blanchard, Rae, "Richard Steele and the Status of Women" in University of North Carolina, *Studies in Philology*, vol. xxvi (1929) 325–55; Graham, W. J., *English Literary Periodicals* (New York 1930) ch. ii.

STEFAN DUŠAN (1308–55), the greatest of the Serbian monarchs. Like Theodoric the Great, Stefan was educated at Constantinople, living there in exile until 1320. When his father, Stefan Dečanski (Uroš III), was crowned king of Serbia in 1321, Dušan was crowned as underking of Zeta, and ten years later when the father was deposed (with no clear evidence of the son's participation) the latter became king and reigned for a quarter of a century. His policy of territorial expansion was inherited from his predecessors; he was among the first of the Christian rulers to realize the gravity of the Turkish menace and he sought to forestall it by occupying Constantinople and effecting an alliance of the other eastern nations against the Turk. His death, in the midst of intensive preparations for the final move on the imperial city, changed the course of history.

But Stefan's activities were not exclusively military or external. Indeed his achievements as lawgiver and statesman were more permanent. To appease his turbulent kingdom he made efforts to raise the status of the serfs and to establish the reign of law. In 1349 he laid before the Sabor (National Assembly) the first draft of the celebrated code which has since borne his name, the *Zakonik Dušana*. In its very arrangement it shows evidence of the use of Byzantine models. In beginning with provisions relating to the church and clergy it imitates the Byzantine *Basilica*, from which, it may be assumed, it copiously borrowed. In certain respects its provisions are noteworthy: thus it anticipated modern ideals by declaring that justice should be done according to "law and the Christian religion" and that it should be equal to all. The provisions governing judicial organization and procedure show an attempt to give the Serbs a centralized system of royal justice.

Nevertheless, there must have been much dissatisfaction with the course of judicial administration, for in 1354 Stefan submitted to the Sabor a supplement to his code containing provisions relating to crimes and criminal procedure; later hands have added other articles. Although the *Zakonik* is notable as constituting a long step toward the reception of Roman (Byzantine) law in Serbia, much of its material was doubtless basically native. Moreover it proved to be one of the most enduring of compilations. Despite the Turkish conquest it continued to be observed in old Serbia down to 1830, when the code adapted by Vuk Karadžić from the *Code Napoléon* displaced it. In Montenegro it remained the basic law until Bogišić's code of 1888.

CHARLES SUMNER LOBINGIER

Consult: GENERAL: Jireček, Constantin, *Geschichte der Serben*, Allgemeine Staatengeschichte, pt. i, no. 38, 2 vols. (Gotha 1911–18) bk. iv, ch. iii; Temperley, H. W. V., *History of Serbia* (London 1917) chs. iv and v. FOR CODE: Sigel, F., *Zakonnik Stefana Dushana* (St. Petersburg 1872); Florinski, T., *Pamyatniki zakonodatelnoi deyatelnosti Dushana* (Monuments of the legal activity of Dušan) (Kiev 1888), reviewed by F. Sigel in Imperatorskaya Akademiya Nauk, *Zapiski*, vol. lxiii, no. 3 (1890) 57–113; Sigel, Feodor, *Lectures on Slavonic Law* (London 1902) p. 21–23; Novaković, Stojan, *Zakonik Stefana Dušana, tsara srpskog, 1349 i 1354* (The legal code of Stefan, Tsar of the Serbs, 1349 and 1354) (2nd ed. Belgrade 1898); Jireček, C., "Das Gesetzbuch des serbischen Caren Stephan Dušan" in *Archiv für slavische Philologie*, vol. xxii (1900) 144–214; Markowitch, L., "Duschan's Gesetz" and "Die Grundbesitzverhältnisse in Serbien nach Duschan's Gesetz," and Djoritsch, S., "Verbrechen und Strafen im Gesetzbuche des serbischen Zaren Stephan Dušan" in *Zeitschrift für vergleichende Rechtswissenschaft*, vol. xxii (1909) 129–39, and 161–88, and vol. xxx (1913) 337–437; Dolenc, Metod, *Dušanov Zakonik* (Ljubljana 1925).

STEFFEN, GUSTAF FREDERIK (1864–1929), Swedish sociologist and economist. Steffen studied chemistry in Aachen and was an instructor at the Bergakademie in Berlin from 1885 to 1887. In Berlin he attended Schmoller's lectures and became definitely interested in eco-

nomics. As foreign correspondent for Swedish newspapers from 1887 to 1902 Steffen traveled and studied economics in England, Italy and Germany. In 1902 he received the degree of doctor of philosophy from the University of Rostock, offering as his thesis *Über die Kaufkraft erwachsener männlicher Arbeiter in England (1760–1830)*. The following year he was appointed professor of sociology and economics at the Göteborg Högskola.

Steffen served from 1911 to 1916 as a socialist deputy in the upper chamber of the Riksdag. He was a great asset to the Social Democratic party, for the rich background in economics which he had acquired as a foreign correspondent strengthened his reputation as an enlightened interpreter of the social scene and added to his prestige in parliament. Like other Swedish liberals who had joined the Social Democrats in order more effectively to further social reform, Steffen did not accept orthodox Marxism. Instead he advocated the adaptation of socialism to the existing social order. Private initiative should be retained but the evil effects of capitalism should be corrected by social legislation. At the outbreak of the World War Steffen unequivocally supported Germany and defended that country in his *Krig och kultur* (4 vols., Stockholm 1914–17; vols. i–ii tr. into German, Jena 1915). The Social Democratic party by expelling him in 1915 publicly expressed its adherence to Branting's policy of opposing all pro-German activity. Steffen was later reinstated and became a member of the Swedish Commission for Socialization.

Steffen was one of the leading Swedish sociologists and the author of a number of scientific studies, many of which reflect the influence of Bergson's theories. In *Sociologi* (4 vols., Stockholm 1910–11) he defined society as the psychological relationship between individuals, envisioning sociology as a science very similar to social psychology. His *Sociala studier* (7 vols., Stockholm 1904–12) was a critical sociological study of special problems connected with modern culture, including democracy. In the field of historical sociology Steffen wrote *Världsåldrarna* (3 vols., Stockholm 1918–20), a study of the evolution of fundamental types of social organization from the earliest period to modern times.

GERHARD MAGNUSSON

Consult: Helander, S., in *Kölner Vierteljahrshefte für Soziologie*, vol. viii (1929–30) 350–53; Magnusson, G., *Socialdemokratien i Sverige*, 3 vols. (Stockholm 1920–24) vol. iii, p. 53–54.

STEIN, FREIHERR HEINRICH FRIEDRICH KARL VOM UND ZUM (1757–1831), German statesman. In 1780 after several years' study of jurisprudence, political science and especially history Stein entered the service of Prussia, attracted by the dominant personality of Frederick the Great. In his administrative activity in Westphalia he made significant contributions to the development of mines and forests, the building of roads and the stimulation of commerce and industry. His true career as a builder of the state began, however, when King Frederick William III transferred to him the ministry of commerce and shortly afterward that of finances. Because of his outspoken objection to the king's "cabinet administration" he was abruptly dismissed, but after the Jena disaster he was unanimously recalled. He devoted his entire skill to the internal regeneration of the state through unprecedentedly broad legislation, which was attacked by older factions as "revolutionary." The "king's subjects" became "citizens of the state," the serfdom and hereditary subjection of the peasants were abolished, the jurisdiction of the landed proprietors was revoked and self-government was provided for the cities. No less significant was Stein's role in foreign policy as organizer of the struggle for freedom against Napoleon. As minister of finance he made repeated efforts to settle the enormous reparations with which France had saddled Prussia, but at the same time he was intent upon throwing off the foreign yoke. At this time a letter was intercepted in which Stein urged spiritual preparation for the liberty which was to come. The king, who in his distress had made an alliance with France, was forced to dismiss the great statesman. Napoleon ordered him to be exiled and his property confiscated.

Shortly afterward Stein went to Austria; and when in 1809 that country was also subjugated, he accepted an invitation of Czar Alexander I and went to Russia to serve German interests in the impending Russo-French war. In St. Petersburg he organized a German Committee, to which Ernst Moritz Arndt was appointed; it was from Russia that Arndt dispatched to the German countries his songs which kindled enthusiasm for the War of Liberation. When the French forces were defeated on the icy steppes of Russia, Stein returned to Germany to become the herald of German freedom and union. In the headquarters of the allies he sought constantly to preserve the harmony between them and demanded the overthrow of Napoleon. Far beyond the borders

of Germany he was hailed as Europe's deliverer from French tyranny. After Waterloo he urged the reunion of Alsace with the German mother country. At the Congress of Vienna he insisted, likewise to no avail, upon a strong centralized Germany. Disappointed he retired to his country estate. Stein did not live to see the fulfilment of the great desire of his life—a united strong German empire. But his ideas continued to exert an active and widespread influence, and in 1871 they were partially realized.

MAX GRAF MONTGELAS

Consult: Seeley, J. R., *Life and Times of Stein*, 3 vols. (Cambridge, Eng. 1878); Ford, Guy Stanton, *Stein and the Era of Reform in Prussia, 1807–1815* (Princeton 1922); Lehmann, Max, *Freiherr vom Stein*, 3 vols. (Leipsic 1902–05); Ritter, Gerhard, *Stein*, 2 vols. (Stuttgart 1931); Botzenhart, Erich, *Die Staats- und Reformideen des Freiherrn Stein* (Tübingen 1927), and his edition of Stein's *Briefwechsel, Denkschriften und Aufzeichnungen*, vols. i–v (Berlin 1931–34); Dieckmann, Carl, *Der Staatsgedanke des Freiherrn vom Stein* (Berlin 1931); Thiede, Klaus, *Die Staats- und Wirtschaftsauffassung des Freiherrn vom Stein* (Jena 1927); Hintze, Otto, "Stein und der preussische Staat, eine Besprechung von Max Lehmanns Stein-Biographie I–II" in *Historische Zeitschrift*, vol. xciv (1905) 412–46; Noack, Ulrich, "Christentum und Volksstaat in der politischen Ethik des Freiherrn vom Stein" in *Historische Zeitschrift*, vol. cxlvii (1932) 40–52; Küntzel, Georg, "Über das Verhältnis Steins zur französischen Revolution" in *Jahrbuch für Gesetzgebung, Verwaltung und Volkswirtschaft*, vol. xxxiv (1910) 69–90; Meinecke, F., *Weltbürgertum und Nationalstaat* (7th ed. Munich 1928) ch. viii; Gooch, G. P., *Germany and the French Revolution* (London 1920), especially p. 519–26.

STEIN, LORENZ VON (1815–90), German social philosopher and economist. Stein was born in Schleswig, and after a course of training at a cadet school he studied jurisprudence at the University of Kiel. In 1841 he went to Paris to continue his legal studies; here he served also as a correspondent for the *Deutsche allgemeine Zeitung*. At Paris he came into contact with the leaders of the French social movements Louis Blanc and Cabet, and in 1842 he published his epoch making book, *Der Socialismus und Communismus des heutigen Frankreichs* (Leipsic 1842), which in its last edition bore the title *Die Geschichte der socialen Bewegung in Frankreich von 1789 bis auf unsere Tage* (3 vols., Leipsic 1850; new ed. by G. Salomon, Munich 1921). After his return from Paris he taught at the University of Kiel and advocated the independence of Schleswig. This led to his dismissal and he went to Munich to follow the profession of journalist. In 1855 he was appointed professor at Vienna, where he remained until his death.

Lorenz von Stein's work was of decisive importance for several fields of social science. With Robert von Mohl he was the founder of the science of public administration which replaced the older science of cameralistics. With Roscher, Adolf Wagner and Gustav Cohn he was one of the leading figures in the development of the science of public finance in Germany. His chief significance, however, rests on his social theories and his influence on German sociology, and it was this aspect of his work which invested his many activities with unity.

Although he began his career as a jurist, Stein soon perceived that social problems had come to supersede political and legal problems and that the social movement in France was but a prelude to similar developments in other lands. Stimulated by the combined influences of German idealism, Fichte's idea of personality, the Hegelian concept of development and the doctrine of Saint-Simon that industry was the real force of the modern age and that modern history represented the struggle between feudal and industrial economic systems, Stein developed the concept of the proletariat as a product of industrial capitalism, the economic foundations of class structure and the beginnings of an economic and class interpretation of history. The working out of these ideas in Stein's *Geschichte der socialen Bewegung* antedates the first Marxian publications on the same subjects, but the question of Stein's influence on Marx is still far from settled. Stein's social theories led him to views on social policy quite different from those espoused by Marx. In order to pave the way for a solution of the social question Stein demanded a reform from above carried out by a social monarchy. He urged the amelioration of the conditions of the lower classes but held that this should be accomplished by the state. His was a conservative socialism which sought to do away with classes and looked to the realization of social harmony through the development of a broad bourgeoisie in an ideal state of moral persons and ideas. The state, standing above and outside the classes, was to bring about a reform of society. The ruling interests in society should be subject to the forces of the state and contradictions and conflicts within society were to be solved by the assurance of freedom to every individual, bourgeois or proletarian, through legal equality and increased possessions and education.

GOTTFRIED SALOMON

Other important works: *System der Staatswissenschaft,*

2 vols. (Stuttgart 1852–56); *Lehrbuch der Finanzwissenschaft* (Leipsic 1860; 5th ed., 2 vols., 1885–86); *Die Verwaltungslehre*, 8 vols. (Stuttgart 1865–84); *Handbuch der Verwaltungslehre* (Stuttgart 1870; 3rd ed., 3 vols., 1887–88).

Consult: Menger, Carl, in *Jahrbücher für Nationalökonomie und Statistik*, vol. lvi (1891) 193–209; Grünfeld, Ernst, *Die Gesellschaftslehre von Lorenz von Stein* (Halle 1908); Vogel, Paul, *Hegels Gesellschaftsbegriff und seine geschichtliche Fortbildung durch Lorenz Stein, Marx, Engels und Lassalle*, Kant-Studien, Ergänzungsheft, no. 59 (Berlin 1925) pt. ii; Nitzschke, H., *Die Geschichtsphilosophie Lorenz von Steins*, Historische Zeitschrift, Beiheft, no. 26 (Munich 1932); Földes, Béla, "Bemerkungen zu dem Problem Lorenz Stein-Karl Marx" in *Jahrbücher für Nationalökonomie und Statistik*, vol. cii (1914) 289–99; Dunning, W. A., *A History of Political Theories from Rousseau to Spencer* (New York 1920) p. 377–86.

STEIN, LUDWIG (1859–1930), German publicist and sociologist. Stein was born in Hungary of Jewish parents and studied in Holland and at the University of Berlin. In 1890 he became professor of philosophy at the University of Berne. With Hermann Diels, Wilhelm Dilthey, Benno Erdmann and Eduard Zeller he founded the *Archiv für Geschichte der Philosophie* in 1886.

Stein's sociological works, influenced especially by Comte, Spencer and Lester F. Ward, propounded a popular, non-systematic, evolutionary social philosophy which he called social optimism. He stressed the importance of environmental cultural factors as opposed to racial elements in history, but contended that the civilization of the white race was destined by virtue of an immanent evolutionary process to rule the world. With his election to the Institut International de Sociologie he began to be active in politics. He wrote several memoranda for Bernhard von Bülow in which he developed a middle of the road policy, which he maintained also in his subsequent mediations between Entente and allied statesmen. He had been outspoken in his internationalist views as early as 1893 and subsequently became a permanent member of the Bureau International de la Paix in Berne. In January, 1912, he acquired possession of the monthly journal *Nord und Süd*, which he used as a propaganda organ for an Anglo-German rapprochement and for creating sentiment against the impending war. He was owner for a time of the *Vossische Zeitung* and was a regular contributor to the *Berliner Zeitung am Mittag*. As a liberal he sought to bring his influence to bear on events during the World War, and when the war ended he served as liaison diplomat between the German delegation to the Genoa conference and Lloyd George. Among his many organizational activities was the founding of the Mittwoch-Gesellschaft, a political club to which many of the leading German statesmen of all parties belonged. In 1923 Stein lectured in the United States at Columbia, Harvard and Wellesley. He was one of the few persons in politics and journalism who represented an alliance between German and Anglo-Saxon intellectual life and politics.

GOTTFRIED SALOMON

Important works: *Friedrich Nietzsches Weltanschauungen und ihre Gefahren* (Berlin 1893); *Die soziale Frage im Lichte der Philosophie* (Stuttgart 1897, 4th ed. 1923); *An der Wende des Jahrhunderts; Versuch einer Kulturphilosophie* (Freiburg i. Br. 1899); *Der Sinn des Daseins* (Tübingen 1904); *Evolution and Optimism* (New York 1926).

Consult: Koigen, D., in *Archiv für systematische Philosophie*, n.s., vol. xxxiii (1929) 1–12; Stein, Ludwig, *Aus dem Leben eines Optimisten* (Berlin 1930); Dyroff, A., in *Archiv für systematische Philosophie*, n.s., vol. xxxiv (1931) 153–76; Barnes, H. E., "The Social and Political Philosophy of Ludwig Stein" in *Open Court*, vol. xxxviii (1924) 269–87.

STEINER, RUDOLF (1861–1925), German philosopher and occultist. Born in Kraljevic, Hungary, of Catholic parents, Steiner went from technical secondary schools to the Polytechnic Institute of Vienna before he turned to literary and philosophical studies. He was especially attracted by Goethe's conceptions of organic nature and devoted the years from 1890 to 1897 at Weimar to the study and editing of Goethe's scientific writings. After venturing for a few years as editor of the *Magazin: Monatsschrift für Litteratur* to promulgate independent views of natural organization and evolution by way of discussing the theories of Darwin, Haeckel and Nietzsche, he became in 1902 general secretary and a leading lecturer of the German section of the Theosophical Society. He continued to follow his own intuitions, however, and after 1907 conflict with Mrs. Besant's increasingly pro-Hindu policies led to his withdrawal from the society. In 1913 he founded an independent esoteric movement under the name of anthroposophy. Since the World War this movement has maintained headquarters near Basel at Dornach in Switzerland and not only has grown in Germany but has spread to England, the United States and other countries.

Steiner's complete doctrine, which he announced as "spiritual science," represents an extraordinary synthesis of theosophical material, fresh occult intuitions and certain motifs

of nineteenth century German thought. The science of nature, hitherto predominantly mechanical, must develop the organic idea (which Goethe "saw in the primal plant") of a self-evolving and self-directing organism. But furthermore all nature is to be seen as one manifestation of spiritual reality, which can also reveal itself more directly in thought and art. Evolution has thus far been a progression of bodily organizations into which "pure spirit" descends through successive reincarnations with the aim of producing individual self-consciousness. This development reached its apogee in the Renaissance and in nineteenth century individualism showed its dangerous limitations. In future stages of evolution spirit, without the loss of self-consciousness, must ascend again through knowledge of its cosmic relations, its universality and its transcendence over matter. Special organs of cosmic insight ("the lotuses") must be cultivated to apprehend the higher worlds of spirit and the traces left by their events in the cosmic ether; for example, the anti-Lucifer impulsions given by Buddha, Zarathustra, Plato and Christ and the regenerative, solar influence of the blood shed in the mystery of Golgotha. The higher aim of Steiner's pedagogy and exercises is to develop these special powers of insight; a prerequisite is the cultivation of moral balance, a harmony of virtuous dispositions intermediate between excesses and defects.

With respect to social reconstruction Steiner declared in 1919 that while individualism was inadequate, the remedy was not a monistic collectivism or a totalitarian state but rather a "threefold social organism" in which the economic, juridical and spiritual spheres of life are independently organized as three autonomous, interacting systems. These systems are not estates or classes; each embraces the whole democracy in a certain aspect and each has transnational relations. Equality is a concept applying particularly to the juridic sphere of rights, liberty to the spiritual domain and fraternity or voluntary cooperation to the economic. It is evident that Steiner's own interest lay primarily in the liberty of the spiritual sphere, and anthroposophy became a ferment in post-war Europe chiefly among certain groups of yeasting intellectuals, artists, physicians, students and dislodged officials.

The influence of Steiner may be attributed in large measure to his enterprise in giving concrete, practical form to his strivings for a new "Goethean" culture. He was especially concerned with expressing his spiritual insights in the arts. For the anthroposophical center at Dornach he built the Goetheanum, a temple rendering the organic idea according to his own designs. He developed "eurhythmic movement as a visible song and speech of the soul." He wrote and performed new mystery plays. His conceptions of organic nature have also led his associates and followers to experiment with new principles of agriculture and of therapy. Most notable of all have been the applications of Steiner's organic view of individuals and their relations to the general education and development of children in a number of remarkable schools, not limited to anthroposophists, the chief of which is at Stuttgart with an enrolment of about twelve hundred.

HORACE L. FRIESS

Consult: Steiner, R., *Mein Lebensgang* (Dornach 1925), English translation (New York 1928); *Vom Lebenswerk Rudolf Steiners. Eine Hoffnung neuer Kultur*, ed. by F. Rittelmeyer (1st–3rd ed. Munich 1921); Hauer, J. W., *Werden und Wesen der Anthroposophie* (Stuttgart 1922).

STEINHAUSEN, GEORG (1866–1933), German historian. After the completion of his university studies in 1888 Steinhausen adopted the profession of librarian. In 1892 he became first librarian at the University of Jena and in 1901 director of the Murhard Library in Cassel. At the same time he carried on active scientific work, chiefly in the field of cultural history. Steinhausen's most important work is the *Geschichte der deutschen Kultur* (Leipsic 1904, 3rd ed. 1929). He treated individual aspects of German culture in smaller monographs and in the larger works *Germanische Kultur in der Urzeit* (Leipsic 1905, 4th ed. 1927), *Kulturgeschichte der Deutschen im Mittelalter* (Leipsic 1910, 3rd ed. 1921) and *Deutsche Geistes- und Kulturgeschichte von 1870 bis zur Gegenwart* (Halle 1931). Steinhausen did not identify intellectual with cultural history. He also ignored completely the state. Unlike Karl Lamprecht, he regarded cultural and political history as two mutually exclusive fields. In his treatment of cultural history moreover Steinhausen adhered to the older concepts of culture. Although *Volkskunde* had become an independent science, he still included it in the sphere of cultural history. Nevertheless, he did attempt to enter into the general interrelations of historical events and to give some appraisal of economic, social and political influences. Steinhausen followed in the tradition of Jacob Burckhardt, Wilhelm

Heinrich Riehl and Gustav Freytag and published several studies of their work. He was closest to Freytag in his ability to describe in minute detail all aspects of life, even eating and drinking. Riehl, however, had based his work on keen observations during wide travels through Germany, while Steinhausen clung to the collected materials. He was still further removed from Burckhardt, whom he never approached in intellect and artistic spirit. In 1894 Steinhausen founded the *Zeitschrift für Kulturgeschichte*, which has been continued since 1903 as the *Archiv für Kulturgeschichte*.

WALTER GOETZ

Consult: *Die Geschichtswissenschaft der Gegenwart in Selbstdarstellungen*, ed. by S. Steinberg, 2 vols. (Leipsic 1925–26) vol. i, p. 233–74.

STEINKELLER, PIOTR ANTONI (1799–1854), Polish industrialist. Steinkeller's activity, begun in the year 1826, coincided for the most part with the exceptionally difficult times following the Polish uprising of 1831, when Congress Poland was deprived of the right to control its own economic policy and was separated from the Russian Empire by very high customs duties, which led to the collapse of certain branches of industry. During this period Steinkeller organized a whole series of large scale industrial enterprises, among which the following may be mentioned: a steam mill, a brickyard, a tile factory, the manufacture of drain pipes, a sawmill, a factory for wood veneers and inlays, foundries producing steam engines as well as machines for use in mining and agriculture and in sawmills, a cotton spinning mill and a carriage factory. For the benefit of the state monopoly of salt he arranged for the transportation of salt by water from the Galician mines to Congress Poland. On the state post routes he reorganized and improved travel, using coaches manufactured in his own workshops after English models. He was the initiator of the first Polish railroad, which connected Warsaw with the coal mine districts and with the Austrian and Prussian railroads. Steinkeller's proposal to establish a direct rail and water route to the Baltic, which would avoid Prussia and its high transit duties, and likewise his plan to connect Warsaw by rail with Nizhni Novgorod in order to facilitate the exportation of industrial products to the east failed because of the opposition of the Russian bureaucracy.

Steinkeller played a very important part in putting Polish zinc on the international market. He contracted for the entire production of the Polish zinc smelters and in cooperation with various bankers and trading firms in England, France and Germany carried on an international trade in this commodity. All these enterprises were backed by the credit of the Bank Polski. Financial difficulties resulting from losses in certain of his enterprises led to a close control by the bank of all Steinkeller's activities and finally in 1853 caused Steinkeller to assign all his enterprises and almost all his property to the bank, which assumed all the obligations undertaken by these enterprises.

JAN RUTKOWSKI

Consult: Radziszewski, H., and Kindelski, J., *Piotr Steinkeller* (Warsaw 1906).

STEINTHAL, HAJIM (1823–99), German-Jewish psychologist. Steinthal studied at the University of Berlin from 1843 to 1850, when he was appointed *Privatdozent* in philosophy and psychology; in 1863 after a sojourn in Paris he was made assistant professor. It was at Berlin that he came in contact with Wilhelm von Humboldt, whose philological views exercised a profound influence upon him. In 1860 he founded together with Lazarus the *Zeitschrift für Völkerpsychologie und Sprachwissenschaft*. His Jewish activities began about 1872 with courses of lectures on the philosophy of religion at the Lehranstalt für die Wissenschaft des Judentums in Berlin. After his death his articles on Jewish subjects were collected by Karpeles in *Über Juden und Judentum* (Berlin 1906; 3rd ed. by N. M. Nathan, 1925).

Steinthal's literary output was vast. Although the philosophy of language was his chief interest, he also made valuable contributions to all of the *Geisteswissenschaften*: to mythology, comparative religion, philosophy, psychology, ethics and logic. The doctrine of a group mind as distinct from the minds of the individuals constituting the group was fundamental to his system of psychology. It was on this account that both he and Lazarus were criticized in academic circles, where the group consciousness concept was regarded as mystical. In reality, however, Steinthal did not posit any supersoul or extra-individual entity, but understood the group mind or collective psyche to be an integration of the individual minds functioning as a unit.

Steinthal's style was facile but trenchant in controversy, as is indicated, for example, in the preface of his *Grammatik, Logik und Psychologie* (Berlin 1855). An erudite scholar, he was at the

same time a social reformer. In his *Allgemeine Ethik* (Berlin 1885), in which he discussed socialism and pleaded for absolute academic freedom and for the recognition of atheism as a religion, he displayed a liberalism unusual for a German professor of his time.

A. A. ROBACK

Consult: Glogau, Gustav, *Steinthals psychologische Formeln* (Berlin 1876); Ivanoff, T., *Die Abweichungen Steinthals von Herbart auf dem Gebiete der ethischen Elementarlehre* (Jena 1893); Zyl, Werner van der, *Die Ethik des aesthetisch-ethischen Formalismus in der Darstellung J. Fr. Herbarts und H. Steinthals* (Giessen 1932) p. 29–62; Roback, A. A., "The Jewish Founders of Collective Psychology" in *American Jewish Chronicle*, vol. iii (1917) 671–73.

STEPHEN, GEORGE, *See* MOUNT STEPHEN, FIRST BARON.

STEPHEN, SIR JAMES FITZJAMES (1829–94), British legal and political theorist. Stephen was called to the bar in 1854 and began to write for the *Edinburgh Review*, the *Saturday Review* and the *Pall Mall Gazette*. From 1858 to 1861 he was secretary to the Commission on Education and from 1869 to 1872 legal member of the Viceroy's Council in India, in which capacity he did important work in the codification of contract, evidence and criminal procedure. His work in India confirmed the antidemocratic ideas which he owed partly to his temperament and partly to the experience of 1848, and in his *Liberty, Equality, Fraternity* (London 1873) he appealed from the new utilitarianism of Mill's essay *On Liberty* (1859) to the old utilitarianism of the *Logic* (1843) and *Political Economy* (1848). Stephen's dispute with Mill was as much a matter of temperament as of mind. Whereas Mill was an agnostic, a feminist and an advocate of persuasion as a substitute for force, Stephen was a Puritan, no more a feminist than Doctor Johnson himself and profoundly convinced of the need of force to secure civilization. Like Maine's *Popular Government* (1885) his book was a reconsideration of English political experience in the light of his Indian experience. His central thesis was that force is good when the end to be attained is good and when the means to be employed are efficient and not excessively costly in their application. He felt that government could have no real justification unless the rulers made themselves responsible for the moral welfare of those they governed.

On his return from India he failed of election to Parliament. His distrust of democracy was still further confirmed by the failure of the parliamentary machine to find time for the projects of codification he had at heart, and which were in fact very necessary. In 1875 he became a professor of common law at the Inns of Court and in 1879 a judge. In the latter office he considered himself to be not merely a logical machine but an organ of the moral indignation of mankind. In 1883 he published *A History of the Criminal Law of England* (3 vols., London), which, while it did not show the genius of generalization possessed by Maine or a love of the past for its own sake, was an impartial study of the movement of law from complexity to comparative simplicity and of society toward humanity and justice.

K. SMELLIE

Consult: Stephen, Leslie, *The Life of Sir James Fitzjames Stephen* (London 1895); Birkenhead, F. E. S., *Fourteen English Judges* (London 1926) p. 299–326; Wedgwood, Julia, *Nineteenth Century Teachers* (London 1909) p. 201–24; Barker, Ernest, *Political Thought in England from Herbert Spencer to the Present Day* (London 1915) p. 167–73; Ilbert, C. P., "Sir James Stephen as a Legislator" in *Law Quarterly Review*, vol. x (1894) 222–27.

STEPHEN, SIR LESLIE (1832–1904), British philosopher and man of letters. After graduating from Cambridge, Stephen took holy orders in 1855 and from 1856 to 1862 was a tutor at Trinity Hall, Cambridge. In 1865 he founded the *Pall Mall Gazette* in London and subsequently became editor of the *Cornhill Magazine*. His contributions to the *Cornhill Magazine* were later republished under the title of *Hours in a Library* (3 vols., London 1874–79). In 1882 Stephen, already known as one of the leading writers of the day, became editor of the *Dictionary of National Biography*, the greater part of which appeared during the thirteen years of his editorship. In his biographies of Samuel Johnson, Pope and Swift as well as in his monumental *The History of English Thought in the Eighteenth Century* (2 vols., London 1876; 3rd ed. 1902) he upheld the classical virtues of poise, clarity, balance and common sense as against the florid, the sentimental and the enthusiastic. The editing of the *Dictionary of National Biography*, which brought a series of lives within the limits of a unified literary scheme, put a premium upon the qualities of clarity and conciseness, of which Stephen's writing was a model. Although dry, his work is never dull, being lit throughout by the steady glow of a luminous common sense.

Resigning his priesthood in the year 1875 Stephen became a formidable critic of orthodox religious beliefs and revelation. His agnosticism regarding the fundamental tenets of Christianity was based on empirical rather than on a priori grounds, and in *An Agnostic's Apology* (London 1893, 2nd ed. 1903), written in reply to Newman, he denied the validity of the historical evidence which religion was reputed to have revealed.

In politics Stephen's presuppositions were deeply tinged with the philosophy of the utilitarians. In all of his writings, particularly in *The English Utilitarians* (3 vols., London 1900), he extolled the liberal ideals of freedom for the individual in the matter of speech, thought and writing and assigned strict limits to the right of the state to interfere with individual development. At the same time he was considerably influenced by Darwin's work, which affected his attitude not only to religion but also to politics. His *The Science of Ethics* (London 1882) takes as its basis a theory of "social tissue" as distinct from mere "atomic individuals" and represents the preservation and improvement of this organic society as the ultimate ground of moral action. In this respect Stephen marks a transition from the laissez faire doctrines of early nineteenth century liberalism in which he had been trained to the newer school of social liberalism ushered in by T. H. Green. Stephen enthusiastically supported the North on the slavery issue during the American Civil War and at one time contemplated visiting America in order to assure the North of the support of English liberals.

C. E. M. JOAD

Consult: Maitland, F. W., *The Life and Letters of Leslie Stephen* (London 1906); Benn, A. W., *The History of English Rationalism in the Nineteenth Century*, 2 vols. (London 1906) vol. ii, p. 384–87; Robertson, J. M., *A History of Freethought in the Nineteenth Century* (London 1929) p. 405–07.

STEPHENS, ALEXANDER HAMILTON (1812–83), American statesman and publicist. Stephens was elected to Congress in 1843 as a Whig representative from Georgia. From that date until his death he was either an active participant in or a keen observer of the course of public events. His career presents some interesting contrasts. As a Whig he was naturally devoted primarily to the protection of those vested interests, including property in Negro slaves, for which the federal government had been formed. He was therefore in theory and practise a strict defender of the letter of the constitution when this was in the interest of his group; on the other hand, he found no difficulty in urging the implied right of the government to annex Texas by the questionable method of joint resolution. When it seemed, as in the crises of 1850 and 1860, that the government would not extend to slave owners the same protection which it gave to other propertied groups, he was willing in theory to fall back on the reserved powers of the states; on neither of these occasions, however, did he agree that secession was expedient. But when Georgia resolved to quit the Union, Stephens had no doubt that his primary loyalty was to his state. To conciliate his faction he was given the office of vice president of the Confederacy, but his part in affairs during the Civil War was negative and devoted mainly to bitter criticism of President Davis' policies. For example, he opposed Davis on the questions of finance, the method of oversea disposal of the cotton surplus, conscription and the suspension of the writ of habeas corpus and the establishment of martial law; and his leadership of the state rights group in the Confederacy was responsible for divided counsels, thus seriously weakening the cause of southern independence. During enforced political inactivity from 1866 to 1870 he busied himself in writing his monumental *A Constitutional View of the Late War between the States* (2 vols., Philadelphia 1868–70), which despite its dull literary form is generally considered to be the most logical and coherent defense of the southern position ever written.

BENJAMIN B. KENDRICK

Other works: *A Comprehensive and Popular History of the United States* (Baltimore 1882).

Consult: *Recollections of Alexander H. Stephens . . . with a Biographical Study*, ed. by M. L. Avary (New York 1910); Toombs, Robert, Stephens, A. H., and Cobb, Howell, "Correspondence," ed. by U. B. Phillips, in American Historical Association, *Annual Report, 1911*, 2 vols. (Washington 1913) vol. ii; Johnston, R. M., and Browne, W. H., *Life of Alexander H. Stephens* (new ed. Philadelphia 1883); Pendleton, Louis B., *Alexander H. Stephens* (Philadelphia 1908); Owsley, F. L., *State Rights in the Confederacy* (Chicago 1925) p. 162–65, 184–90.

STEPHENS, HENRY MORSE (1857–1919), Anglo-American historian. Stephens' career and influence are divided into two parts by his appointment to a professorship at Cornell in 1894. His English period was devoted primarily to journalism and to the writing of history. His

History of the French Revolution (2 vols., London 1886–91), although it goes no further than the Terror, is important in the historiography of the subject. Stephens had a gift for narrative and a pleasant, if not distinguished, style which gained him a wide audience in English speaking countries. To this audience, whose ideas of the French Revolution had derived mostly from Burke and Carlyle, Stephens brought the first fruits of the late nineteenth century school of French historians led by Aulard. His book is a competent synthesis of the work of the official French republican historians up to 1890 and is fairly free from the patronizing tone in which nineteenth century Englishmen usually wrote about French political experiments. It is now outmoded, not only by the tremendous accumulation of new materials but by the present distrust of purely political history. Stephens' *Portugal* (London 1891) remains perhaps the best short history of that country available in English. At Cornell and subsequently at the University of California Stephens virtually abandoned the writing of history for teaching. The promised third volume of the *French Revolution* never appeared. Yet his influence may actually have been greater than in his more productive period, for he became one of the leading figures in the world of professional academic historians in America and helped to form and mold that world, unorganized and unprofessional until the 1880's. Stephens was a popular teacher with both graduates and undergraduates and brought to his academic work an insistence on form and ideas, on standards of judgment, which helped to counterbalance a good deal of the superstitious reverence for crude facts then prevalent among teachers of history.

CRANE BRINTON

Consult: *Nation*, vol. cviii (1919) 648; "Memorial to Professor H. Morse Stephens at the University of California" in *School and Society*, vol. ix (1919) 591–92.

STEPHENS, URIAH SMITH (1821–82), American labor leader. Stephens, who was of Quaker descent on his mother's side, was educated for the Baptist ministry. The panic of 1837, which dislodged so many of the middle class, led him to join the tailoring trade as an apprentice. In 1845 he moved from New Jersey to Philadelphia, where he worked as a tailor until 1853, when he began a five-year tour of the West Indies, Central America and the Pacific coast. In 1856 he assisted in the election campaign of Frémont and in 1860 he actively supported Lincoln's candidacy. He attended the working men's convention of 1861 which opposed the Civil War. In 1869 Stephens, with eight other former members of a garment cutters' union which had disbanded in the post-war depression period, organized the first local assembly of the Knights of Labor in Philadelphia. He became head of the first local assembly, of the first district assembly and in 1878 of the first national assembly, resigning the latter post the following year. He was an unsuccessful candidate for Congress on the Greenback Labor ticket in 1878.

Actuated by humanitarian idealism, Stephens sought to unite all wage earners in one "brotherhood" bound together by common interests, ritual and experience. Although he recognized the necessity for trade union action under a capitalist regime, he looked forward to its replacement by a cooperative society of producers, for which the workers would be prepared by self-education and ultimately by political action. It followed therefore that the original craft basis of the Knights, the trade assembly, should be broadened into the general assembly which would include all workers, manual and intellectual. Stephens, who was a member of several fraternal societies, placed great emphasis on the ritual and secrecy of the order, and when because of a conflict with Roman Catholic authorities his successor, Powderly, expunged the oath and a part of the ritual, he was deeply offended, allied himself for a while with the socialist opposition and shortly thereafter withdrew from active participation.

NORMAN J. WARE

Consult: Ware, N. J., *The Labor Movement in the United States, 1860–1895* (New York 1929), especially p. 26–28; McNeill, G. E., "History of the Knights of Labor" in *The Labor Movement: the Problem of To-day*, ed. by G. E. McNeill (Boston 1887) p. 398–409, 613.

STEPHENSON, GEORGE (1787–1848), the outstanding name in railway history, was born at Wylam in Northumberland, the son of a colliery fireman. As a child he tended cows or horses, until at fourteen he started working under his father at a shilling a day. By dint of laborious concentration on his tasks and helped by great physical strength, he was soon able to do a man's work and was put in charge of a pumping engine, the care and study of which gave him a thorough knowledge of the principles of steam power.

At eighteen he began attending a night school to learn reading and writing, and continuing to overcome one handicap after another with dauntless perseverance, he rose to the position of enginewright at Killingworth colliery in 1812. Two years later he built his first locomotive engine for work at this colliery, and in 1815 by introducing the steam blast made the engine a practical success for the regular conveyance of coal trains. Ten years later, with the opening of the Stockton and Darlington Railway on September 27, 1825, he at last emerged into public fame and saw his locomotives running on a railway which he had largely surveyed and planned.

He went straight on to his still greater dual triumph, the Liverpool and Manchester Railway, where his skilful constructional work was only rivaled by the success of his famous engine, the *Rocket*, at the trials on this railway in 1829. In the years that followed he was chief engineer to many of the railway companies that were being rapidly promoted and was consulted on railway questions in England and on the continent. Before he retired in 1845, such progress had been made with the construction of the main trunk lines that he was able to travel in nine hours from London to Newcastle by rail.

Stephenson did not invent either the railway or the locomotive steam engine. But he did so much to establish the two as a practical combination that he may well be regarded as the inventor of the railway system. The rapidity and comparative ease with which it developed after 1830 were chiefly due to his genius in evolving a reliable locomotive and in establishing his hard won principle that the railway must be specially designed to avoid gradients.

EDWARD CLEVELAND-STEVENS

Consult: Natéaux, C. L., *George and Robert Stephenson* (London 1885); Smiles, Samuel, *The Life of George Stephenson and of His Son Robert Stephenson* (rev. ed. New York 1868); Abbott, L. F., in *Twelve Great Modernists* (New York 1927) p. 171–91; Beidenkapp, Georg, *George Stephenson und die Vorgeschichte der Eisenbahnen* (Stuttgart 1913).

STERILIZATION. *See* EUGENICS.

STERNBERG, LEV YAKOVLEVICH (1861–1927), Russian ethnologist. Sternberg began his ethnographic work in 1891 among the Giliaks on Sakhalin island while an exile for activities in the *Narodnaya Volya* party. In a series of contributions he founded Giliak linguistics and raised the question of the close relation of the Giliak tongues with American languages. His monograph, *Gilyaki* (The Giliaks, Moscow 1905), established the existence of Giliak phratries, revealed the essential character of the Giliak gens and clarified general problems of social organization. Under the influence of Lewis Henry Morgan, Sternberg designated the classificatory system of relationship, which he discovered among the Giliaks and later among several Tungus peoples, as the most primitive form of the Turano-Ganowanian system and proved its connection with their family relations and group marriage. The religion of the Giliaks he interpreted as arising logically and naturally from their social relations, of which he believed it was a fantastic reflection. He studied the Ainu and declared them to be of Australasian origin.

In his theoretical outlook Sternberg was a social evolutionist, the Russian counterpart of Morgan in America, Tylor and Rivers in England and Wilken in Holland; he supported the hypotheses of the unity of mankind and the unilinear development or society in conformity to law. He elaborated upon some of the conceptions of earlier evolutionists; thus, in contradiction to Tylor, he distinguished three stages of animism: first the animation and anthropomorphization of nature; then the development of the concept of spirits; and finally that of the concept of the soul. Limited by the schematic, mechanistic method of the classical evolutionary school, he failed to conceive of evolution as a dialectical development.

As professor of ethnography and founder of the first ethnographical school, Sternberg was instrumental in developing higher education in ethnography in the Soviet Union. Together with Radloff he reformed radically the Museum of Anthropology and Ethnography of the Academy of Sciences in Leningrad. Throughout his life he advocated ideals of social justice, freedom and brotherhood and worked actively for the cultural advancement of the primitive peoples in the U.S.S.R.

I. VINNIKOV

Consult: Oldenburg, S. F., and others, *Pamyati L. Y. Sternberg* (In memoriam L. Y. Sternberg), Akademiya Nauk S.S.S.R., Ocherki po istorii znany, no. vii (Leningrad 1930); Engels, Friedrich, "Ein neuentdeckter Fall von Gruppenehe" in *Neue Zeit*, vol. xi (1892–93) pt. i, p. 373–75; Bogoraz, V. G., "L. Y. Sternberg, kak etnograf" (Sternberg as an ethnographer), and Ratner-Sternberg, S. A., "L. Y. Sternberg i Muzei Antropologii i Etnografii Akademii Nauk" in Akademiya Nauk S.S.S.R., Muzei Antropologii i Etnografii, *Sbornik*, vol. vii (1928) 4–30, 31–67; Vinnikov, I., "Leo Sternberg" in *Anthropos*, vol. xxiii (1928) 135–40.

STERNE, SIMON (1839–1901), American railroad economist and political reformer. After his admission to the bar in New York in 1860 Sterne entered upon a varied career as editor of the *New York Social Science Review* (1865–66), cofounder of the American Free Trade League and the Personal Representation Society and secretary of the Committee of Seventy, which was largely responsible for overthrowing the Tweed ring. A disciple of Thomas Hare, Sterne was the first outstanding American proponent of proportional representation, advocating it for both corporation directorships and governments.

His most important work, however, was as railroad economist, investigator and reformer. Sterne was among the first Americans to comprehend the monopolistic character of railways and the wastes of railroad competition. He realized that railway companies had acquired vast power and had become masters of legislatures and that many of their directors were as corrupt as the local government officials he had been fighting. In 1879 as counsel for the Chamber of Commerce and Board of Trade and Transportation of New York City he conducted the famous Hepburn Committee (New York State Special Committee on Railroads) investigation into alleged abuses in railroad management. He uncovered considerable evidence on local and personal discrimination, rebates, the virtual oil transportation monopoly of the Standard Oil Company, stock watering and misleading accounting. This investigation was the most far reaching attempt that had been made to deal with America's growing transportation and corporation problems. The first New York state railroad commission bill was passed three years later and was almost identical with a bill Sterne had been advocating since 1874. Sterne also worked closely with the Cullom Senate Select Committee on Interstate Commerce and drafted its bill containing the essentials of the Interstate Commerce Act of 1887.

GEORGE MARSHALL

Important works: *On Representative Government and Personal Representation* (Philadelphia 1871); *Constitutional History and Political Development of the United States* (New York 1882); *Railways in the United States* (New York 1912).

Consult: Foord, John, *The Life and Public Services of Simon Sterne* (London 1903).

STEUART, SIR JAMES DENHAM (1712–80), British economist. Steuart's interest in economic problems seems to date from the years which he spent in exile following the Jacobite revolt, and which resulted in the publication of his *A Dissertation upon the Doctrine and Principles of Money Applied to the German Coins* (Tübingen 1758). In 1763 he was allowed to return to Scotland, where he devoted himself to his great work, *An Inquiry into the Principles of Political Oeconomy* (2 vols., London 1767). The book has been variously appraised; popular for a few years, it was completely overshadowed after 1776 by Smith's *Wealth of Nations* but was rediscovered in the nineteenth century by German scholars, who even hailed Steuart as the real founder of economic science. This claim is not wholly invalid. He was the first to set out with some pretense at system the principles of economic policy and to analyze their theoretical basis; and he was also the first writer in English to name his study "Political Economy," i.e. "the science of Domestic Policy in free Nations." Moreover, recognizing the danger of verbal misunderstandings in economic discussions, he set out to elaborate a precise terminology for his science. At many points he made contributions of real interest to economic theory—notably in his discussion of population problems, in his distinction between price and value and his analysis of the component parts of the latter and in his investigations into the "balance of demand" and labor supply, or "work," and the nature and function of competition. But his outlook was mercantilist. The object of his reasoning was to indicate how a state might increase its monetary wealth, and an excessive proportion of his book is devoted to discussions of the supply and circulation of coins and banknotes. He showed too an inability to grasp the distinction between money and capital and a misunderstanding of the nature of interest. He was thus essentially behind the times in which he wrote; subsequent economists looked rather to Hume and to Smith for their inspiration, so that Steuart's system remained a foundation without a superstructure.

LINDLEY M. FRASER

Works: *The Works, . . . of Sir James Steuart of Coltness, Bart.*, ed. by James Steuart, 6 vols. (London 1805).

Consult: Feilbogen, Sigmund, "James Steuart and Adam Smith" in *Zeitschrift für die gesamte Staatswissenschaft*, vol. xlv (1889) 218–60.

STEVENS, JOHN (1749–1838), American engineer and transportation pioneer. After 1787 Stevens, who had been a colonel in the revolutionary army and treasurer of New Jersey, be-

came a leading steamboat inventor, operator and advocate. Prevented by the Fulton-Livingston monopoly from operating in New York waters, he sent his *Phoenix*, the steamboat which he had built and launched shortly after Fulton's *Clermont*, to the Delaware River, where for several years it engaged in commercial transportation. Planning to join the Delaware and Raritan rivers by a railway, thus linking Philadelphia and New York with steam, Stevens in 1815 secured from New Jersey the first American railroad charter. He failed, however, to raise the necessary capital for this venture or for the construction of the Philadelphia-Columbia railroad eight years later. In the meantime Stevens' *Documents Tending to Prove the Superior Advantages of Rail-Ways and Steam-Carriages over Canal Navigation* (New York 1812, reprinted in *Magazine of History*, 1917, extra no. 54, p. 77–114) was published; this was the first treatise on railroads in the United States. With plans and estimates he tried to persuade the New York commissioners that a steam railway was preferable to a canal for connecting the Hudson with Lake Erie, arguing that it would cost less in money and time to build, that it would be open all year and would afford quicker, cheaper and safer transportation. He understood the inadequacies of the existing facilities, especially for remote farmers, and predicted that if railways connected every section, the states would truly be joined in "indissoluble bonds of union." Although the commissioners called him impractical and proceeded to build the Erie Canal, South Carolina's first railroad, begun in 1830, successfully followed Stevens' plans. Disgusted with the indifference of governments and private investors, Stevens in 1825 built a circular experimental railway on his Hoboken estate and, with a locomotive of his own construction, demonstrated the mechanical practicability of steam railroads. Six years later one of the first railroads to be constructed (the Camden and Amboy) started operation under his sons' leadership.

Stevens was largely responsible for the first United States patent law (1790), was an ingenious naval architect and an early advocate of sanitary engineering.

GEORGE MARSHALL

Consult: Turnbull, A. D., "The Stevens Family, Inventors and Engineers" in Newcomen Society for the Study of the History of Engineering and Technology, *Transactions*, vol. vi (1925–26) 169–83, and *John Stevens* (New York 1928); McMaster, J. B., *A History of the People of the United States*, 8 vols. (New York 1883–1913) vol. iii, p. 487–95, vol. v, p. 138–44.

STEVENS, THADDEUS (1792–1868), American statesman. Although Stevens had taken some part in local and state politics in Pennsylvania and had served two terms in Congress as a free soil Whig, his political career did not begin in earnest until 1859, when at the advanced age of sixty-seven he reentered the House of Representatives as an antislavery Republican. When the southern states began to secede, Stevens not only opposed all compromise measures but also employed his remarkable gift for satire and vituperation in denouncing the secession leaders. He made no attempt to conceal his delight that at last the issue was to be decided by an appeal to arms, from which he had no doubt the Union would emerge victorious. During the Civil War he was always in advance of his party. Long before President Lincoln issued the Emancipation Proclamation Stevens urged that the proper policy for the government to pursue with respect to slaves found in Confederate territory occupied by the Union armies was to give them their unrestricted freedom and enlist the able bodied Negro men into the army, where they could fight for the freedom of their fellows. He disagreed with Lincoln's policy of reconstruction and enunciated his "conquered province" theory as an alternative. By this he meant that the ex-Confederate states should be treated as conquered provinces subject to the will of the conqueror limited only by common humanity and the laws of nations. He argued that the whole secession movement had been an aristocratic rebellion against a democratic government and that before being readmitted into the Union the rebel states should be forced to become democratic. This involved the full enfranchisement of the Negroes in civil and political rights, the confiscation of the estates of the large landowners, the division of some into farms of forty acres to be allotted to heads of Negro families and the sale of the remainder in small parcels to actual cultivators. As leader of the Radical Republicans in the House, Stevens was able to block the reconstruction policy of President Johnson; but he did not obtain the adoption of his own theory nor could he bring his colleagues to enact his confiscation scheme. It therefore follows that the view generally taken by historians that Stevens was responsible for reconstruction as actually carried into effect in the South is not wholly in accord with the facts.

BENJAMIN B. KENDRICK

Consult: Woodburn, J. A., *The Life of Thaddeus Stevens* (Indianapolis 1913); McCall, S. W., *Thaddeus*

Stevens, American Statesmen series, vol. xxxi (Boston 1899); Kendrick, B. B., *The Journal of the Joint Committee of Fifteen on Reconstruction, 39th Congress, 1865–1867*, Columbia University, Studies in History, Economics and Public Law, no. 150 (New York 1914).

STEWARD, IRA (1831–83), American labor leader. As leader and theoretician of the eight-hour movement of the 1860's Steward played an important role in the trade union movement and in the enactment of labor legislation. A mechanic by trade and entirely self-educated in economic theory, Steward, who himself had worked twelve hours daily, regarded the movement for shorter hours not merely as an ameliorative measure, as did his trade union contemporaries, but as the strategic basis for changing the wage and profit system. The shorter workday and greater leisure would increase the wants of labor, force up wages—Steward was no believer in the iron law of wages—and simultaneously through a greater demand for goods would release the impounded technological powers. This chain of sequences, cumulative and perpetual, would result in an accumulation of capital by labor, which it could invest in productive industry and thus displace capitalism.

Steward converted the national convention of the Machinists' and Blacksmiths' Union in 1863, to which he was a delegate, to his program and line of strategy. He was the titular head of the eight-hour leagues both state and local over the greater part of the northern United States; these leagues succeeded in obtaining the passage of eight-hour laws for public employees in states as widely separated as Wisconsin and New York. Steward's standing in the Massachusetts legislature between 1864 and 1870 resulted in the setting up in that state of the first Bureau of Labor Statistics. In 1876 he became a member of the Working Men's party in Massachusetts and the following year joined with a group of trade union Marxian socialists to found the International Labor Union.

Although the American labor movement did not remain concerned either with Steward's economics or with his goal, it has accepted on faith the conclusion that wages are bound to rise when hours are reduced.

SELIG PERLMAN

Consult: *A Documentary History of American Industrial Society*, ed. by John R. Commons and others, 10 vols. (Cleveland 1910–11) vol. ix, ch. iii; Douglas, Dorothy S. W., "Ira Steward on Consumption and Unemployment" in *Journal of Political Economy*, vol. xl (1932) 532–43.

STEWART, ALEXANDER TURNEY (1803–76), American merchant and pioneer of modern merchandising. Stewart was born and educated in northern Ireland, emigrated to the United States in 1823 and taught school in New York City. In 1824 he took over the small bankrupt dry goods store of a friend to whom he had lent money and developed it into one of the great department stores of the world. Complementary to his retail establishment, he conducted a wholesale dry goods business in New York with branches in Philadelphia and Boston and agencies in most of the leading countries of the world and many factories in America and Europe manufacturing exclusively for his stores. Stewart introduced four significant techniques in American merchandising: the one-price system, putting an end to higgling between salesmen and customers; the systematic departmentalization of a large store; building stores particularly to fit the needs of selling; and making them resemble palaces, in order to satisfy the tastes of an increasingly wealthy middle class public. He was an outstanding representative of the Puritan tradition in American business, advocating honesty, frugality and "honorable profit" through the good bargain. By superior organization, large scale cash purchases, avoiding credit transactions, securing railroad rebates and giving relatively good value to customers he readily outdistanced and crushed competitors. During the Civil War he made large profits from government contracts by acquiring virtual control of textiles essential for equipping the Union army. His clerks were paid the lowest market wage for a sixty-six-hour week and worked under a system of vexatious rules and espionage. Stewart was among the first Americans to attempt to counterbalance ruthless business practise with large gifts for the relief of distant famine and flood victims. After his death the business was absorbed by John Wanamaker, who built upon his predecessor's methods and added thereto a recognition of the importance of advertising in modern merchandising.

GEORGE MARSHALL

Consult: McCabe, James D., *Great Fortunes, and How They Were Made* (Cincinnati 1871) ch. iii; Nystrom, P. H., *Economics of Retailing*, 2 vols. (3rd ed. New York 1930) vol. i, p. 98–99, 127–37; Crapsey, E., "A Monument of Trade" in *Galaxy*, vol. ix (1870) 94–101; Chambers, W., "A Merchant Prince" in *Chambers's Journal*, vol. liii (1876) 385–87; "The Dry-Goods Business" in *Nation*, vol. xxii (1876) 259–60; New York *World*, April 11, 1876, p. 1; Appel, J. H., *The Business Biography of John Wanamaker* (New York 1930).

STILLMAN, JAMES (1850–1918), American banker. Although he was the son of wealthy New England parents, Stillman had but a meager education and at sixteen he entered the office of commission merchants in cotton and hides. Six years later the firm was reorganized as Woodward and Stillman, and as a merchant with ever widening financial interests Stillman continued until his election in 1891 as president of the City Bank, later the National City Bank, of New York. This office he retained until 1909 and then remained as chairman of the board until his death, exercising dominating influence during all of this period. In an age of rapid expansion, corporate development and easy wealth, with commercial banks usurping the functions of investment bankers, who in turn secured control of commercial banks to facilitate their operations, the conservative traditions of the merchant-banker type seemed antiquated; like the elder Morgan, Stillman was ceaselessly on the alert to discover new profits for himself and his bank. This new conception of the banker, playing the double role of promoter and lender, was given prestige by Stillman's position as president of the largest bank in America and was extensively emulated. It was made possible by the Rockefeller millions and was carried out by close affiliations with Harriman, Schiff, Frick, William Rockefeller and other well known promoters and speculators of the period. The National City Bank was represented widely in the system of interlocking directorates and was attacked as a part of the "money trust." In two other ways Stillman represented the newer tendencies in American banking. He was convinced, particularly after the outbreak of the World War, that American banks should assume a more active position in foreign trade and investments; and he insisted that his own bank should take the leadership in an aggressive extension of American interests throughout the world. He and his lawyers seem also to have been responsible for the invention of the security affiliate, in his case the National City Company, a concern owned by the bank but chartered by the state and authorized to exercise functions prohibited by the parent bank. (Security affiliates were forbidden by law in 1933.) Despite these questionable if not dangerous innovations Stillman, by his reticence and by his avoidance through long residence abroad of giving testimony before congressional investigating committees, established for himself a reputation for conservatism and, by maintaining large cash assets, he easily carried his bank through succeeding economic crises and was able continually to enlarge its resources. The part he played in American banking was almost as important as that of the elder Morgan.

HAROLD U. FAULKNER

Consult: Burr, Anna R., *The Portrait of a Banker; James Stillman* (New York 1927); Moody, John, *The Masters of Capital*, Chronicles of America series, vol. xli (New Haven 1919) p. 62–69; Winkler, John K., *The First Billion, the Stillmans and National City Bank* (New York 1934).

STINNES, HUGO (1870–1924), German industrialist and financier. Stinnes was for some years the most widely known figure in German industry, enjoying powerful international economic and political influence by reason of his interests at home and abroad. His business activity began in the Ruhr coal industry, in which the Stinnes family had been important for several generations. He soon branched out into the iron and steel and electrical industries and became interested in the mining and selling of coal and in navigation. By 1914 he was one of the most influential financial capitalists in the Ruhr and consequently in Germany.

The World War and its outcome disrupted many of Stinnes' existing business arrangements. At the same time the great stress on production, the rapid fluctuations in prices and the difficulty of securing raw materials in war time brought about a change in emphasis from the horizontal to the vertical combination in Germany. This tendency was enhanced by the profound alterations, particularly in the iron and steel industry, resulting from the post-war territorial changes. These factors, coupled with the opportunities offered by inflation for purchasing properties with bank loans repayable in a steadily depreciating currency, prepared the way for combinations like that of Stinnes. His interests were extended both to raw materials, such as coal, iron, lumber, oil, and to finished products, including automobiles, machinery, paper, newspapers, even hotels, as well as to inland and oversea navigation and banking and insurance. These interests were grouped around a few key enterprises. The constituent companies, hundreds of them at the height of the concern's power, in most cases retained their legal autonomy; their relationship to the chief enterprise varied from a very loose connection, resting on a community of interest agreement and small stockholding, to complete amalgamation. Control or influence over banks was a

powerful factor in the growth and maintenance of the concern's enormous power.

Stinnes' financial domination and personal influence were the only unifying factors in his vast, agglomerative and loose jointed concern. By 1924 he had already begun a rationalization process to place his enterprises on a permanent basis, to give them more than merely a financial and personal unity. It is uncertain whether even his capacity would have carried Stinnes successfully through stabilization to normal times. His death in 1924 together with the process of currency stabilization made inevitable the breakdown of the concern, which went on with tremendous losses until little was left beyond the original family holdings. The whole experience helped to shape public opinion and subsequent economic policy in Germany away from such agglomerative enterprises in the direction of more compact organizations.

MILDRED L. HARTSOUGH

Consult: Brinckmeyer, Hermann, *Hugo Stinnes* (Munich 1921), tr. by Alfred B. Kuttner (New York 1921); Hartsough, Mildred L., "The Rise and Fall of the Stinnes Combine" in *Journal of Economic and Business History*, vol. iii (1931) 272–95; Frölich, Paul, *Stinnes oder die Arbeiter?* (2nd ed. Berlin 1922); Geyer, Curt, *Drei Verderber Deutschlands* (Berlin 1924); Albach, Karl, *Die Tragödie des Hauses Stinnes* (Essen 1925); Lannoy, Ch. de, "Un exemple de la grande concentration industrielle: les Konzerne de Hugo Stinnes" in *Revue économique internationale*, vol. xviii (1926) pt. i, 328–49; Raphaël, Gaston, *Le roi de la Ruhr; Hugo Stinnes* (Paris 1924).

STIRNER, MAX (Johann Kaspar Schmidt) (1806–56), German social philosopher. Stirner was born in Bayreuth. Except for a short period during which his chief work, *Der Einzige und sein Eigentum* (Leipsic 1845; tr. by S. T. Byington, New York 1907), enjoyed popularity Stirner's life was spent within the narrow confines of his profession, first as a teacher in a girls' school and later as a translator. With the period of reaction following 1848 Stirner and his work were forgotten, and it was not until forty years after his death that interest in him was revived by the work of John Henry Mackay. An individualistic anarchist, Mackay presented Stirner as a spiritual forefather of individualist anarchism, and he is known as such among the general public. No statement, however, is farther removed from a genuine understanding of the place of Stirner in the history of ideas. Anarchism in the true sense of the word, as a separate political theory and historical movement, did not appear until long after Stirner, and it gained its political and historical peculiarities through its opposition to the Marxist movement. Naturally Stirner could be counted as a father of anarchism by virtue of his advocacy of external freedom and inner autonomy of personality, but on the same basis so also could Kant, Fichte and Karl Marx. If anarchism is defined as the idea of a free, undominated, classless society, then all socialism too is anarchistic. If, however, it is considered only as a definite political trend within the socialist labor movement as it has existed since Bakunin and Kropotkin, then Stirner was as far from anarchism as was Saint-Simon, Fourier or Marx.

The impression that Stirner was an anarchist, even a nihilist, arises from Stirner's complete rejection of all political, moral and traditional ties of the individual and his attack on all general concepts—such as right, virtue, duty and the like—as erroneous appearances and "spooks." There is only one single reality and that is the independent individual who is aware of this fact and who has made it his principle of thought and action. In this way the individual becomes a "unique" or "single one" (*Einziger*) for whom his own egoism is all determinant and who looks down on all concepts of religious, moral, political, cultural or any other kind of duty as a sort of belief in ghosts. The single individual sets his own tasks and thereby becomes his own master. He is no longer the property of some strange "higher" entity but belongs to himself. All the manifold human relations, family, friendship, daily intercourse, public and private activities, are now determined consciously and freely by the egoism of the individual and they thereby become "his possessions."

Stirner's conceptions of the "individual" and "egoism" have been grossly misinterpreted. The worst platitudes and prejudices usually associated with the word egoism have been applied to Stirner's ideas. Stirner's idea of egoism is in no way to be conceived as a mere self-seeking and narrowminded selfishness. Egoism, for Stirner, involves no moral element of character but is merely the psychological fact that all acts are related to the ego, and that it therefore can be directed only to that which an individual sets up as his goal and either desires as pleasant or rejects as unpleasant. In this sense the egoism of Stirner really signifies simply the demand for full self-consciousness and education to self-determination in man's thinking and acting. Furthermore Stirner's idea of the individual does not involve complete isolation and aristo-

cratic presumptions for the individual. It is a mistake to look upon Stirner as a forerunner of the Nietzschean concept of the superman. On the contrary, Stirner's individual is of a democratic character. This feature represents the revolutionary influence of the book, which was indeed written primarily for proletarians. Every person was to become an individual in this sense, particularly the masses of poor and oppressed, who had not yet found the courage to make their interests a matter of their own concern. Stirner's individual is really a bold and grandiose anticipation of the psychological content of the Marxian spirit of class struggle. His entire social critique, with its designation of the ideas of "duty," "sacred task" or even only "general matter" as manifestations of religious superstition on the part of spiritually immature persons, represents the significant beginning of a critique of a general social ideology.

MAX ADLER

Consult: Mackay, John Henry, *Max Stirner; sein Leben und sein Werk* (2nd ed. Treptow 1910); Ruest, A., *Max Stirner* (2nd ed. Berlin 1906); Adler, Max, *Wegweiser; Studien zur Geistesgeschichte des Sozialismus* (5th ed. Vienna 1931) p. 179–223; Basch, Victor, *L'individualisme anarchiste, Max Stirner* (new ed. Paris 1928); Kurchinsky, M., *Apostol egoisma* (Petrograd 1920), tr. into German by G. von Glasenapp as *Der Apostel des Egoismus* (Berlin 1923); Eltzbacher, P., *Der Anarchismus* (Berlin 1900), tr. by S. Byington (New York 1908) ch. v; Zenker, E. V., *Der Anarchismus* (Jena 1895), English translation (New York 1897) ch. iii; Marx, Karl, "Sankt Max" in his *Karl Marx, Friedrich Engels historisch-kritische Gesamtausgabe*, ed. by D. Ryazanov and V. Adoratskij, pt. i, vol. v (Frankfort 1932) p. 95–428.

STOCK BREEDING. The remote ancestors of present day farm animals were wild beasts subject to the prey of man; and as the animals migrated to fresh feeding grounds, man followed them closely. Eventually he realized that he could safeguard his own well being by herding them; this called for ingenuity in the provision of feed and shelter as well as protection from other animals. More uses gradually were discovered for animals and their products. Unconsciously man laid the crude beginnings of livestock improvement; the most useful animals were retained longest and hence were given a greater opportunity to reproduce their kind.

Interest and knowledge regarding animals increased slowly but steadily, and when Egypt reached its height special attention was being devoted to animal improvement. The Egyptians not only realized the advantages of superior animals but made some efforts to educate others in this respect. By this time also the arts of fattening animals and preserving meats had been advanced. Aristotle made numerous observations regarding the art and science of animal breeding. Most of his comments were erroneous, but the very fact that so prominent an individual found the problems a challenge attracted further attention.

The Romans made some progress in animal breeding. Sheep were improved and horse breeding received attention; even Julius Caesar devoted some thought to this work. The Arabs created the impression that they were past masters in the art and science of horse breeding, although they merely obtained a strain of fine horses from the Egyptians, who had received them from the Libyans; the Libyans earlier had inherited the horses as an indigenous breed. The Arab as a horse breeder was fortunate in that he lived under conditions in which only the best animals could survive; hence the rule of the survival of the fittest came to be the main factor in such advances as were made.

The dawn of the eighteenth century, however, found farm animals little improved. The sheep of Spain, which were famous for fine fleeces, yielded only about three or four pounds of wool. In England, the home of the mutton breeds, the sheep were ill shaped and were slow in reaching market weight. The swine of western Europe were rough and had fierce dispositions; more refined breeds, but deficient in many other respects, had been developed in China and in the Mediterranean area. Cattle, which had big rough frames, were triple purpose animals; they furnished power, milk and meat. A daily production of twenty-five quarts of milk was considered exceptional, and four or more years were required to bring a beef animal to market requirements.

Horses were the one class of animal on which serious effort had been expended in making them better suited to human needs. The varied specific demands of man had already called into existence and discarded several types of horses. During the Roman imperial period chariots were the order of the day. The best chariot horses were fast, hardy and of stocky conformation. Horseback riding replaced the chariot during the seventh century. Plate armor came into use about 1300 and necessitated heavier horses for war purposes; the invention of gunpowder, three centuries later, in turn made armor useless. Lighter footed horses were developed for

the cavalry and heavier ones for diligence use. In the nineteenth century the railroads replaced the stagecoach, and the diligence horse became the modern draft horse. The English thoroughbred dates from the early seventeenth century, British royalty from the time of James I having led in the development of this type to meet the requirements of the race course. Importations were made from the Orient and turf performance provided a rigid measure for selection.

The industrial revolution removed workers from rural and village life to urban centers and thus created a demand for more and better agricultural products. Robert Bakewell, who in 1760 assumed the management of his family estate in Leicestershire, England, was aware of the opportunities offered for superior animals and set out to improve sheep, cattle and horses in both economy of production and quality of product. He became the leader in stock breeding. It is likely that Bakewell was familiar with the improvement in light horses already accomplished by British royalty, for his two favorite maxims, "Like begets like" and "Breed the best to the best," were principles which had long been practised.

Robert Bakewell's success was almost phenomenal; other Englishmen followed his example and his surplus stock was used to improve many flocks and herds. Chief among his disciples were the Colling brothers, who established the shorthorn breed in northeastern England. The United Kingdom in fact became a virtual nursery for the development of breeds of livestock; and within this small area, only slightly larger than the state of Minnesota, there were created twenty-three important breeds of livestock as well as numerous minor breeds. Only a part of this improvement can, however, be attributed to Bakewell's leadership. The Tompkins and Galliers families, founders of the Hereford breed of cattle, had their work well under way even before Bakewell's time; and John Paterson, a tenant farmer of Lanarkshire, Scotland, laid the foundation for the Clydesdale breed of horses as early as 1715. Livestock improvement was not confined to the British Isles, for Percheron horses and Rambouillet sheep were being developed in France, Belgian horses in Belgium, Holstein-Friesian cattle in Holland and the Jersey and Guernsey dairy breeds on the Channel Islands. Other countries of continental Europe witnessed similar advances.

In the late eighteenth century and the nineteenth there was an intensification of effort along these lines. The British assumed the leadership, partly because this period marked the rise in prosperity and power of the United Kingdom but also because the Britisher's temperament was admirably suited to this work. Furthermore the British Isles are well adapted to the development of animals; in England and Wales especially the climate is exceedingly mild, and most sections are favored with rich pastures and a long pasture season.

The industrial revolution was accompanied by a more progressive agriculture; roots and clovers were introduced into the cropping scheme and these provided more nutritious winter feeds. Pastures were improved through the intelligent and diligent application of fertilizers. Better feeding assisted the improvement of farm animals, for with inadequate feeding all animals, whether inherently good or poor, develop into inferior individuals; hence improved feeding brought out the essential differences between animals and thus made intelligent selection possible.

In the beginning the United States played an unimportant role in stock breeding. The turkey is America's only indigenous farm animal, but it was in Europe that it was domesticated and improved. The first horses and cattle were introduced by the early Spanish settlers; the horses escaped and their descendants were the American cayuse and mustang; from the Spanish cattle, on the other hand, were descended America's first ranch cattle, the longhorns. The early English and French colonists introduced their own native stock; but these, like the animals brought by the Spanish, arrived before the day of constructive livestock breeding.

Transportation was one of the major problems of early settlement; the hills of Virginia and the country radiating westward necessitated an easy riding but vigorous horse. The best horses of America and England were drawn upon, their descendants were selected and mated with the greatest care and the result was the American saddle horse, one of the world's most beautiful animals. Early Americans required sheep more for their fleece than for their mutton. Spain possessed the best wooled sheep, and from 1793 to 1850 many Spanish sheep were imported. From this stock the American merino was developed; the fleeces of these sheep were greatly improved; the annual clip per sheep was raised from four to about fourteen pounds, and a clip of fifty pounds has been recorded. Dating from about 1860 a more intensified type of

agriculture demanded that farmers devote more attention to the mutton qualities; hence the mutton breeds of England were imported. They have replaced the fine wooled merinos in most farming sections, but fine wooled types still predominate on the range.

The industrial development of America, as elsewhere, compelled farmers to keep more productive animals. Early in the nineteenth century improved shorthorn cattle were introduced from England. Many importations followed, and eventually other beef and dairy breeds were introduced. Hereford cattle remained rather localized in their native English territory until Americans found them well suited to range conditions. England's best Herefords were imported and improved greatly; today the American Hereford is outstanding.

Settlements west of the Allegheny Mountains opened up the rich corn belt, which supplied a new and more fattening feed for swine. Swine were imported from the old lands, but none of the strains as introduced fitted American conditions. English, Irish, Spanish, Russian, Portuguese, Asiatic and African swine were amalgamated to develop the American lard type hog, of which there were several breeds; but all had the common characteristic of being especially given to fat deposits. Frontier Americans were not fastidious in their appetites; they consumed much fat pork. In addition a market for lard was developed in Europe, especially in Germany. The German market collapsed with the World War; also since about 1910 Americans have been less willing to consume fat pork. As a result of these market changes, the American hog has recently been modified to approach the English bacon type.

Americans have drawn mostly upon Great Britain for their seed stock, but the strains and breeds which have appeared best to fit American conditions have been selected regardless of country of origin; for instance, the British draft horses, Clydesdale and shire, have found little favor in the United States. France furnished America with the Percheron and Belgium with the Belgian horses, both of which have been very popular in the United States. For dairy cattle the United States drew on Holland for the Holstein-Friesian type and on the Channel Islands for the Guernsey and Jersey breeds.

The livestock fair, or exposition, preceded modern livestock improvement; indeed fairs were social and business institutions as early as the Middle Ages. These fairs essentially were markets with side shows. As farmers became more interested in their animals they began to compare them. There were arguments and wagers which called for settlement by some uninterested party, and from these crude beginnings the great livestock expositions developed. They have been an important factor in livestock improvement.

Record books and breed associations were established to protect and promote the interests of the respective breeds. Breed associations lay down the regulations as to which animals of the respective breeds are eligible for registration. Record books are used for recording important information, such as the animal's name, official number, date of birth and ancestry. For dairy breeds of cattle there are additional record books in which are recorded the milk and butter fat production of cows which meet certain requirements. The first record book for any breed was *An Introduction to a General Studbook*, for the English thoroughbred, published in 1791. George Coates, of Yorkshire, England, in 1822 published as a private venture the first volume of the *English Shorthorn Herdbook*, known as *Coates's Herdbook*. Subsequent publications followed, and in 1876 the Shorthorn Society assumed control of the work. The rules determining which animals are eligible vary with the breed associations, but the general requirement is that an animal's parents must be recorded in the same herdbook. The Royal Jersey Agricultural Society at the very outset established more stringent and constructive regulations regarding the registration of animals. Because it admitted only animals which possessed a certain standard of excellence, it succeeded in weeding out many undesirable specimens and assisted greatly in breed improvement.

The careful selection of breeding stock, especially as regards the morphology of the individual, has been one of the cardinal principles of livestock improvers. The more enlightened breeders, however, have considered ancestry and breeding performance. Nearly all breeds were established by the interbreeding of closely related individuals; that is, by inbreeding. In some instances wide crosses of types and strains were first made, and this was followed by inbreeding and careful selection. Inbreeding is not a popular present day practise. It is recognized as the quickest means of fixing type, but many breeders hold that the general decrease in size, vigor and fertility which frequently results outweighs the advantages. Line breeding is something of

a compromise; with this practise the breeder stays within a certain relationship but usually does not mate so closely as in inbreeding. Line breeding, when accompanied by rigid selection, has proved a very satisfactory method.

As a rule livestock breeders have concentrated upon improving morphology. While this has resulted in an improvement of the quality of meat and wool produced, it has not necessarily or as a rule led to economy of production. Dairy cattle breeders have improved the quantity and quality of milk production, but they too have given little attention to economy. In the future more attention must be devoted to this important aspect. The best animals of today are as good in form as it is practical to develop them; but there are too few good individuals. Good animals have not been purified genetically to such a degree that they produce only good offspring. It is still true moreover that not enough farmers and breeders appreciate either the advantages or the requisites of good animals. Further advances can be made only by continued line breeding accompanied by the most rigid selection and by the more thorough education of farmers.

LAURENCE M. WINTERS

See: LIVESTOCK INDUSTRY; DAIRY INDUSTRY; MEAT PACKING AND SLAUGHTERING; FOOD SUPPLY; AGRICULTURAL FAIRS.

Consult: Jones, R. K., "Farming Methods of 2100 B.C." in *Field Illustrated*, vol. xxxi (1921) 13–15, 66; Aristotle's *History of Animals* in *Works*, ed. by J. A. Smith and W. D. Ross, vol. iv (Oxford 1910); Daubeny, Charles, *Lectures on Roman Husbandry* (Oxford 1857); Ridgeway, William, *The Origin and Influence of the Thoroughbred Horse* (Cambridge, Eng. 1905); Sanders, A. H., *The Story of the Herefords* (Chicago 1914), *Shorthorn Cattle* (new ed. by B. O. Cowan, Chicago 1918), and "The Taurine World" in *National Geographic Magazine*, vol. xlviii (1925) 591–710; Winters, L. M., *Animal Breeding* (2nd ed. New York 1930); Crew, F. A. E., *Animal Genetics* (Edinburgh 1925); Vaughan, H. W., *Breeds of Live Stock in America* (Columbus, Ohio 1931); Engeler, Willy, *Studien über die Entwicklung und den Stand des Herdebuchwesens in der Rinderzucht*, International Institute of Agriculture (Rome 1930); Mumford, F. B., *The Breeding of Animals* (New York 1917); Davenport, Eugene, *Principles of Breeding* (Boston 1907); Morgan, T. H., and others, *The Mechanism of Mendelian Heredity* (rev. ed. New York 1923); Shaler, N. S., *Domesticated Animals* (New York 1895); Plumb, C. S., *Marketing Farm Animals* (New York 1927).

STOCK EXCHANGE. A stock exchange is an organization whose members deal in admitted securities in accordance with established rules. Its primary function is to bring together, through the medium of brokers, buyers and sellers of securities and thereby to enhance the marketability of stocks and bonds. Prior to the formation of such markets it was difficult to find a buyer or seller of a security. For this reason a number of dealers in securities as well as in commodities formed the habit of gathering at a certain place where they transacted their business. Thus in London they met at Jonathan's and Garraway's coffee houses; in New York under an old buttonwood tree in Wall Street. Originally both securities and merchandise were bought and sold on these exchanges, and even today on a smaller number of exchanges, particularly in Europe, both commodities and securities are dealt in. As the volume of the securities business grew and as the number of investors increased, it became necessary to improve the methods of trading; and gradually various by-laws and codes of practise were adopted. There followed the formal organization of stock exchanges and the establishment of definite places for trading in securities. Almost every country of importance has one or more well organized stock exchanges on which domestic and foreign securities are traded.

On the basis of the kind and character of securities bought and sold a distinction may be drawn between stock exchanges which are international in scope and those of a domestic or national character. The chief international stock exchanges are those of London, New York, Paris and Amsterdam, where securities of a large number of countries are bought and sold. The London Stock Exchange is perhaps the greatest international market for securities. The role of New York as an international capital market since the World War has also greatly enhanced the international importance of its Stock Exchange, but in contrast to that of London the former deals mainly in foreign bonds and only a comparatively few foreign stocks are listed. The growth of the New York Stock Exchange was accompanied by the decline of Paris and Berlin. While in recent years Paris has been able to regain to a considerable extent its international position, the Berlin Stock Exchange has become more and more national in character. Amsterdam acquired considerable prominence as an international financial center as a result of Holland's neutrality during the World War, and the Amsterdam Stock Exchange remains probably the most important international securities market on the continent of Europe.

The volume and variety of securities bought

and sold have increased in recent years to such an extent that one exchange alone is not able to take care of the entire business in the leading financial centers. Thus, for example, in New York there is alongside the New York Stock Exchange the New York Curb Exchange, whose rules are less stringent and even permit trading in unlisted securities. In New York the two exchanges are separately housed and operate as separate institutions, while in Paris the two exchanges, the Parquet and the Coulisse, are housed in the same building although they are two distinct organizations.

The relationship of the stock exchanges to the respective governments, their form of organization and mode of operation differ in many countries. In Great Britain the stock exchanges are private organizations managed by the members themselves. Thus the London Stock Exchange is an autonomous body free from governmental control. The site and buildings are owned by a private corporation, the stock of which may be held only by members of the exchange. Membership in the stock exchange is not limited to any definite number, but it has remained more or less constant at about 4000. Only British subjects are eligible for membership, and applications of candidates must be supported by at least three members. The members elect annually the Stock Exchange Committee consisting of 30 members, which has absolute control over admission of members and over all business transacted on the floor; it makes and enforces rules and regulations and decides disputes between members. The decisions of the committee are final. All members are elected for one year and application for reelection must be made to the committee each year. The committee has authority arbitrarily to refuse to elect applicants or to reelect members. Members of the London Stock Exchange may not advertise in any way or solicit business or send out circulars except to their own clientele.

In the United States the stock exchanges with minor exceptions were brought under government control by the Securities Exchange Act of 1934. The act provides that no transaction in securities in interstate commerce, except for certain public securities, may be executed by a broker or dealer or by an exchange unless it is registered as a national exchange with the Securities and Exchange Commission, a body composed of 5 members appointed by the president of the United States with the advice and consent of the Senate and charged with the supervision and regulation of the stock exchanges. The leading stock exchange in the United States is the New York Stock Exchange; it is a voluntary association having a limited membership, which was increased in 1929 from 1100 to 1375. Only individuals can become members of the New York Stock Exchange and membership is obtainable only through the purchase of a seat from a member, but each candidate must be approved by the Committee on Admissions. The members elect the Governing Committee consisting of a president, treasurer and 40 members for a term of four years. Each year 10 governors retire and are replaced through election. The Governing Committee has complete control over all activities on the exchange. It elects officers and appoints its members to various committees which deal with the different phases of the work. Important committees are those on admissions, stock list, business conduct and arbitration.

The stock exchanges on the continent, particularly in France and Germany, are subjected to a rigid form of government control. Thus the members of the Compagnie des Agents de Change de Paris are public officials appointed by the president of France with the approval of the minister of finance or the minister of commerce and industry. The *agents de Change* are the only brokers entitled to deal on the Parquet, the official stock exchange of Paris. Their number is limited to 70 and only French citizens are eligible for membership. By reason of the restricted number and the monopolistic status of the official brokers the membership transferable under certain conditions possesses a value similar to that of the New York Stock Exchange. The members elect a committee called the Chambre Syndicale which makes all rules governing the conduct of business on the exchange. The regulations of the Coulisse, or curb market, are less rigid and trading facilities are not restricted to official brokers.

The German stock exchanges are under the supervision of their respective state governments. These appoint commissioners whose duty it is to watch the transactions on the floor, and who have the right to attend the meetings of the various committees of the exchanges. Governmental control is exercised through semi-official trade associations, such as the Chamber of Commerce in the case of the Berlin Stock Exchange. The federal stock exchange law of 1896 and the subsequent amendments stipulate who may not be admitted as members and leave

the adoption of rules governing the appointment of members to the Exchange Management Committee (Börsenvorstand). The latter is elected by and from the members of the exchange and the Chamber of Commerce. The Börsenvorstand issues administrative rules and regulations subject to approval of the Chamber of Commerce. Unlike the London, New York and Paris stock exchanges, the German exchanges admit incorporated banks to membership.

The rules and regulations governing the operations of members also differ greatly on the various stock exchanges. The members of the London Stock Exchange are divided into two classes, jobbers or dealers, and brokers. The broker usually acts as agent for his customers. The jobber, on the other hand, acts as principal and specializes in one "market" and in a limited number of securities. The broker may also execute orders on his own account, but he then has to disclose to his customer that he acts as principal and the transaction must be cleared through a jobber. The broker's commission is fixed by the rules of the Stock Exchange. Jobbers may deal among themselves and with brokers, but they are forbidden to deal with the public. The jobber quotes two prices, a buying and a selling price, and always stands ready to buy or sell the securities at these prices. The brokers and jobbers thus complement one another; but they may not become partners, and dealings between brokers and jobbers are carefully defined by the Stock Exchange Committee. In New York, on the other hand, the distinction between broker and jobber is not so clearly defined, and most members trade for their own account and act as agents for their clients. There is an important group of brokers, known as specialists, who make a market in one or several securities and who deal chiefly with other brokers. The Securities and Exchange Commission created in 1934 has the power to regulate the buying and selling of securities by brokers for their own account as well as the activities of the odd lot brokers and of the specialists. On the Berlin Stock Exchange and on the Parquet of the Paris Bourse the *Makler* and the *agents de Change* respectively act merely as brokers, buying and selling for account of others, having no direct dealings with the public.

The method of settling transactions between members of the various exchanges is far from uniform. On the New York Stock Exchange they are usually settled by delivery and payment on the business day following the day of the transaction. Settlement may, however, take place on the day of the sale or may be postponed for several days. On the London Stock Exchange government securities are bought and sold on a daily settlement basis, but all other securities are traded "for the account," or on a term basis, unless otherwise stipulated. In Paris listed securities are divided into two groups, one of which may be bought and sold for cash settlement and the other on a term settlement basis. In Berlin only a limited number of securities are bought and sold for the end of the month settlement; the majority of the transactions are on a cash basis, delivery and payment falling due two working days after the date of the deal.

The bulk of transactions on the London Exchange is settled twenty-four times per annum; twenty of these "accounts" cover a period of approximately two weeks each and the length of the remaining four is about three weeks each. The settlement dates are announced by the committee. The settlement lasts four days; transactions during the settlement period are applied to the new accounts. The first day is devoted to making up the accounts and arranging for carryovers to the next *contango*, or making up day. During the next two days, "name days" or "ticket days," tickets are handed over to the sellers by the buyers, who demand delivery of securities purchased. The tickets bear the names of the transferees of the securities and the names of the members who pay for them. The fourth day is "pay day," or settlement day, on which the brokers and jobbers exchange checks on town clearing banks for the differences resulting from the deals during the "account." The securities are delivered on pay day or within ten days thereafter. The system thus makes possible dealings within the settlement period without transfers of securities or cash.

Buying of securities for cash or immediate settlement may be either outright or on margin. Sales may be either of securities owned by the seller or short sales. Outright buying and selling of securities owned by the seller constitute what may be considered legitimate transactions. All other transactions may be regarded as speculative in character or as intended to facilitate speculation. Buying on margin, i.e. in part with funds borrowed through or from the broker, takes place when the buyer expects a rising market and is therefore willing to buy more securities than his own resources would permit at the moment. Borrowed funds enable buyers to

bid for more shares and the increased demand tends to cause a rise in the price of securities. Similarly short selling of securities takes place when the seller believes that security prices will go down and he wishes to profit by the drop. The additional selling by those who are not in possession of the securities further increases the volume of securities offered in the market, thereby tending to accelerate the decline of the security prices. Although it has been claimed that buying on margin and selling short widen the market and thereby make securities listed on the stock exchange more marketable, the element of speculation involved in such transactions cannot be denied. In the United States, where the buying of securities on margin has assumed wide proportions, the Securities and Exchange Act of 1934 authorizes the Federal Reserve Board to regulate this form of trading. While the law fixes a standard of margin requirement, the Federal Reserve Board is empowered to lower or raise the fixed margin percentage either for all or for specified securities or transactions.

A highly speculative type of stock exchange operation is option trading in its specialized forms of "puts," "calls" and "straddles." An option is the privilege given, for a consideration, to the buyer (holder) by the seller (maker), usually a brokerage house, to demand the fulfilment of a purchase or sale contract for a certain amount of a certain security at a stipulated price on any day within a specified time limit. When the option is a put, the maker of the option is obligated, for the consideration paid by the purchaser, to receive from the latter a stated number of units of the security at a specified price within the stipulated time at the option of the holder. The call is just the reverse of the put, as it obligates the maker to deliver the security at the wish of the buyer. The straddle is a combination of put and call, binding the maker to accept and to deliver the same number of units of a certain security at the same price within the same period of time at the option of the holder. The purchaser of the straddle may exercise both the put and the call contracts as well. The consideration for the straddle is usually at least double the price for cited puts or calls. Dealing in puts, calls and straddles as well as short selling of securities in the United States, in contravention of such rules and regulations as may be subscribed by the Securities and Exchange Commission, is prohibited.

The method of financing stock exchange transactions differs in the various countries, depending primarily upon whether or not the bulk of the trading is done on a daily or on a term settlement basis. New York and Amsterdam are the principal markets where daily settlements prevail. In New York the purchase of securities on margin is usually financed through brokers' loans; that is, the broker borrows from a bank pledging securities as collateral. The loans may be either on call, that is, subject to cancellation at any time by the borrower or the lender, or on time, in which case the loans range from three to six months. In Holland a large proportion of the stock exchange transactions is financed through so-called *prolongatie* loans. These loans are made by individuals or corporations to brokers against stock exchange collateral usually for one month and are renewed automatically for another month if no notice of cancellation is given.

In countries where the term settlement exists stock exchange transactions are financed primarily through so-called *contango*, or carryover loans, which are carried from one settlement date to another or from the day of the transaction to settlement day. The rate of interest is usually fixed on the carryover day, and this rate prevails until the next settlement. The term settlement effects an economy in the amount and turnover of funds as contrasted with the daily settlement prevailing in the United States. Furthermore, since the exchange is in the market for funds only on certain days well known in advance, it is possible for the market to make proper preparations.

In Paris settlements on the Parquet take place twice a month and are financed by the official brokers with funds known as "report loans" received directly from individuals and firms. The rate of interest for the settlement period is fixed by the brokers in accordance with the demand and supply of funds. Whenever the supply is not sufficient, the brokers procure loans from the banks at a higher interest rate; and this rate for the marginal funds determines the "report rate" until the next settlement. The Coulisse transactions are settled monthly and are financed directly by the banks, which fix the rate of interest; this rate is substantially higher than that of the Parquet. The term settlement transactions on the Berlin Exchange are, like the Parquet settlements, financed by report loans. The settlements are made at the end of the month (ultimo), the specific days being announced semi-annually in advance.

The regulations adopted by the various com-

mittees of the stock exchanges deal not only with the code of practise but also with the listing requirements. Applications for listing on the New York Stock Exchange, the London Stock Exchange, the Parquet or the Berlin Stock Exchange are subject to very careful regulations, and a great deal of information is demanded of the representatives of the corporations or of the bankers who wish to have their securities admitted to trading. In addition in the United States, with the exception of certain public securities, the law stipulates the type of information that must be filed with the Stock Exchange and the Securities and Exchange Commission, while in Germany and France the listing of foreign securities requires the approval of the government. On the Coulisse in Paris the listing requirements are not so rigid, and many securities which do not meet the requirements of the Parquet are listed in this market.

The stock exchange is one of the most important financial institutions in every modern capitalistic society. Through it the securities of the government, public utilities and industrial establishments are distributed throughout the country or the world. It provides a market for these securities and thus makes possible the conversion of long term capital into liquid funds. Without these marketing facilities afforded by the stock exchanges the rate of interest on securities would be substantially higher, and furthermore the total amount absorbed by investors would of necessity be much smaller. The listing of a security on an exchange not only tends to make that security more marketable but by so doing enhances its collateral value. In almost every country and particularly in the United States a substantial amount of bank loans is secured by stock exchange collateral, and one of the principal reasons why banks are willing to make such loans is the fact that under ordinary conditions they can liquidate the loan by selling at virtually a moment's notice the securities pledged as collateral. The marketability created through the facilities of the stock exchanges has made possible the distribution of securities to every corner of the world and has aided the mobilization and transfer of idle funds to countries in need of capital. The stock exchanges have thus been a very important instrument in supplying the capital needed for the exploitation of the natural resources of undeveloped countries, for building of railroads and public utilities and for developing the industrial resources of the various nations.

At the same time the operations of the stock exchange undoubtedly accentuate the elements of instability in modern economy. The existence of a ready market for securities encourages the financing of business through the flotation of securities rather than through bank loans. A corporation which finances itself through the sale of securities, particularly stocks, assumes no obligation to repay within a specified period as in the case of financing through bank loans and is consequently more likely to indulge in ill considered expansion. As the volume of security issues increases, loans on securities increase; and this expansion of bank credit places additional purchasing power at the disposal of the country. Rising industrial activity generates a feeling of optimism, which is reflected in rising quotations on the stock exchanges; and these in turn enhance the value of securities as loan collateral and stimulate still further the expansion of loans. The expansion of credit, however, soon causes an increase in the rate of interest, and many small and medium scale enterprises which are unable to finance themselves through the sale of stocks become burdened with high interest charges on their bank loans—a factor which contributes to the turn of the business cycle. The moment, however, the cycle reaches its peak and business and security prices start to fall, the banks begin to demand additional margin or to call their loans. This gives further impetus to the downward movement of security prices, which in turn causes additional liquidation of loans, reduced purchasing power and further decline in business activity. Just as an increase in security loans stimulates business activity, a contraction of loans retards it. Thus the stock market through its facilities for speculation constitutes a vital element in the instability of business conditions.

The adverse effect of speculative booms on the exchanges has been recognized in a number of countries, and various efforts have been made to rectify this situation. In some countries, as, for example, in England, it has been realized for some time that the best way to curb excessive speculation is through the cooperation of the banks which furnish the credit and not through legislative action. In other countries, such as Germany, the Reichsbank has assumed the task of stemming excessive speculation. Thus in 1927 when speculation was high in Germany the Reichsbank forced the leading banks, members of the Stempelvereinigung, to reduce by 25 percent their stock exchange loans. This meas-

ure was sufficient to cause a substantial break in the security market and to check speculation.

The speculative boom in the United States during 1927–29 brought out forcefully the fact that a curb on speculation is necessary. One of the evils which developed during that period was the rapid growth of "loans for account of others"; namely, loans placed at the disposal of brokers by individuals or corporations through the intermediary of the banks. These loans were particularly dangerous in that they did not result in an increase of deposits and therefore did not necessitate an increase in the reserves which the member banks must maintain with the Federal Reserve Banks. Through the sharp increase in the volume of loans for account of others the ability of the reserve banks to control speculation was greatly curtailed. After the collapse of the stock market the clearing house banks of New York City realized the danger of this type of loan and by mutual agreement decided not to handle such transactions. The Banking Act of 1933 also recognizes the importance and the viciousness of loans for account of others and prohibits Federal Reserve member banks from acting as agents for non-banking firms or individuals in making such loans. The act also takes account of the fact that speculation can go out of bounds only if funds in ever increasing amounts are placed at the disposal of speculators. It consequently gave the Federal Reserve Board (by a vote of not less than six) the power to fix from time to time for each Federal Reserve district the percentage of individual bank capital and surplus which may be represented by loans secured by stock and bond collateral made by member banks within the district. Under the same law the Federal Reserve Board is empowered to direct any member bank to refrain from further increasing its loans secured by stock or bond collateral for any period up to one year. The Securities and Exchange Act of 1934, by fixing minimum margin requirements and by placing margin trading under the control of the Federal Reserve Board, further limits the amount of bank credit available for security transactions.

MARCUS NADLER

See: STOCKS AND STOCK OWNERSHIP; BONDS; SPECULATION; BROKER; BROKERS' LOANS; BLUE SKY LAWS; CALL MONEY; BUCKET SHOPS; INVESTMENT; INVESTMENT BANKING; CORPORATION FINANCE; FINANCIAL ORGANIZATION; MONEY MARKET; ARBITRAGE.

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STÖCKER, ADOLF (1835–1909), German religious leader and politician. After a short career as a Lutheran military chaplain Stöcker in 1873 became cathedral and court preacher in Berlin. Under the influence of the Catholic social reform movement and English Christian Socialism he began to concern himself with the problems of the industrial proletariat and of modern urbanization. In 1878 Stöcker founded in Berlin the *Christlichsoziale Arbeiterpartei*, a strictly monarchist and paternalistic party, which was opposed to liberalism and to the Social Democrats but which favored social reform by the state, cooperatives and trade unions. A powerful orator, Stöcker long had a large group of adherents. He made no headway among the working masses, but his anticapitalistic agitation brought him the support of petty traders and shopkeepers. This was in a large measure due to the fact that he was the first in Germany to combine his social and economic propaganda with antisemitism, a phase of his policy which brought him into repeated conflicts with Bismarck. In 1887 Stöcker as a member of the conservative faction of the Reichstag established contacts with Prince William, the future kaiser, which greatly displeased the chancellor. It appeared for some time

that the court preacher had acquired a powerful influence over the young monarch, especially over the latter's social policies. The relation soon cooled, however, and when the breach between Stöcker and the feudal elements of the conservative party widened the kaiser dropped the Christian Socialist politician entirely. After 1895 Stöcker played no role in German politics, although he still retained a faithful following. He left a much deeper impress on the Evangelical Home Mission and influenced Lutheranism in the direction of a more practical social outlook. His political activity suffered as a result of the contradiction between his spiritual care of souls on the one hand and his contentious demagogy on the other. He thus became one of the most contradictory figures in German domestic politics, effective in arousing Christian conscience but altogether lacking in inner clarity and balance of personality.

THEODOR HEUSS

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STOCKS AND STOCK OWNERSHIP. When an investment is made in a joint stock association or a corporation, the investor receives a "certificate of stock" for the number of units of ownership he has bought. In the United States the term stock commonly refers to shares of ownership in corporations or joint stock associations in distinction to such investment forms as bonds, which are usually instruments of debt. In Great Britain common usage defines the term to include all forms of tangible evidence of an investment, whether in a governmental loan or in the capital of a business enterprise. Although the practise of dividing an aggregate ownership or debt claim into numerous transferable fractional units for sale to many investors made its appearance in ancient Rome and in the public financing of mediaeval Italian cities, the history of its use as a business device properly begins with the formation of chartered trading companies in the latter part of the sixteenth and the seventeenth century. The joint stock device became the dominant form of business investment with the appearance in the nineteenth century of the corporation issuing stock contracts, under which the liability of the holder was limited to the original investment.

Of the various conceptions of the nature of a stock contract two are fundamental. From the traditional point of view stocks represent shares of interest in the ownership of the corporation or joint stock association. The common stockholders are the ultimate owners, the corporate equivalent of partners and of proprietors. From another and perhaps more realistic point of view stocks and bonds are contracts between corporations and investors. These contracts are articles of financial commerce, sold by corporations to raise capital funds and bought by investors to secure an income or to acquire a position in the stock market in the hope of capturing a favorable speculative turn in values. From this point of view the capital structure of a corporation is a hierarchy of claims, expectations, legal rights, liabilities and de facto powers of action. Any property claims to corporation assets and income capable of legal definition or any combination of claims may become the subject matter of a contract between investors and the corporation. Common usage establishes certain gross classifications of investment contracts, calling some bonds and some stocks; within and between the general classes individual contracts vary greatly.

Just what a stock may mean to the investor is determined by the terms of the contract expressed in a certificate of stock. It depends also upon the terms of the charter expressed in the articles of incorporation and upon the provisions of the general statutes governing corporate organization and procedure. Lastly, it is conditioned by the actual exercise of power, whether legal or not, which corporate managements have arrogated to themselves. The managements of the large corporations, sometimes owning enough stock to be statistically classified as minority interests, often holding no appreciable amount of stock, act toward the investors and toward the corporation as if the corporation were their peculiar property. To the management the public holder of stock is an outsider who supplies the corporation with funds.

The terms of stock contracts commonly divide stock into two general classes, common and preferred. Common stock occupies the lowest rank in the hierarchy of claims against the earnings and property of the corporation, the common stockholders receiving dividends if and when

declared by the directors and only after all prior claims against earnings have been met. Offsetting this greater risk, some common stockholders may vote for the directors, have access to the corporation book of stock on all questions affecting corporation property as a whole, share proportionately in any new issue of stock and have full claim to the rising earnings of the corporation. Some common stock, however, is non-voting, participates only to a limited degree in the residual earnings—and sometimes to a lesser degree than a prior preference stock—and gives the holder no prior option to a proportionate subscription to new issues. Non-voting, limited participation common stock without preemption rights was popular with corporation managements in the United States during the 1920's and was apparently received without disfavor by investors.

Par value common stock has a formally stated money value presumably defining the worth of the assets received by the corporation in exchange for the stock. The aggregate par value therefore supposedly equals the net capitalization of the corporation after the sale of stock has been completed. In the United States, however, particularly in railroad finance and in the promotion of mergers and combinations, corporation managements were extremely liberal in their interpretation of the phrase value received and customarily issued stock with an aggregate par value several times any worth which might reasonably be imputed to the property or stock received in exchange. This overcapitalization, or stock watering, made the par value figure meaningless as a measure either of original capital or of changes in it. Under the laws of most of the European countries overcapitalization has been reduced to a minimum by stringent public regulation of the original issue of the stock, involving independent appraisal of any property or stock received in exchange and public disclosure of all financial data bearing upon the operations of the company.

In the United States many state governments permit corporations to issue unvalued shares, commonly known as no-par stock. The original issue price of such stock is variously determined, sometimes by the board of directors, sometimes by a majority vote of stockholders, sometimes subject to a general legal limitation, such as fair market value. Technically, no-par value stock eliminates overcapitalization, each share of stock being but an aliquot part of the whole and the whole being but an aggregate claim against the assets and income of the corporation. It does not, however, protect present stockholders or those who have paid cash for their stock against dilution of their interest as a result of disproportionate payments of stock for property.

Preferred stock usually has some priorities over common stock with reference to dividends, assets or both. Preferred stock may be non-participating or participating: non-participating if the payment of the agreed return extinguishes the claim of the preferred stockholder, participating if there exists some arrangement by which the preferred stockholder shares with the holder of common stock a claim to new earnings. Preferred stock may be cumulative or non-cumulative: it is cumulative if unpaid dividends continue as a prior claim over common stock against future earnings of the corporation and non-cumulative if unpaid dividends in any year are permanently lost. Some preferred stock contracts, known as redeemable preferred stock, carry provisions giving the corporation an option to call in the stock on specified terms and conditions. Preferred stock contracts, called convertible preferred stock, give the holder the right to exchange the stock at his option into some other specified security. Some corporations have issued preferred stock for which a sinking fund is built up prior to payment of dividends to common stockholders until there is accumulated a specified sum believed sufficient to protect preferred stockholders against loss of dividends in bad years. Preferred stock may or may not have voting power. It may have voting power in general or only on specified questions. There may also be various classes of preferred stock which set up a hierarchy of prior claims.

An increasing proportion of the propertied wealth of capitalistic society exists in the form of investment claims against the income and assets of corporations. In the United States in 1922 corporate securities represented slightly more than 40 percent of the total national invested wealth and more than half of the income from property was distributed by corporations as interest and dividends. In 1927 corporate securities absorbed more than three fifths of all the income from property. The readjustment of values during the depression following 1929, the severe shrinkage of corporate financing and the marked expansion of public financing altered the percentage relationships between the various investment fields but in no way undermined the position of the corporation.

The greater part of corporate stocks and bonds

is owned by individuals. The remainder, no more than 25 percent of the total, is owned by institutions, including industrial and other corporations, banks, insurance companies, hospitals, schools and endowment funds. Presumably all individuals who buy stock expect in one way or another to gain in wealth thereby, but their behavior in managing their holdings is sufficiently varied to merit classification. Some owners trade in stocks on the basis of anticipated short run fluctuations of market values, buying the stock on as large a margin of borrowed funds as possible in the hope of capturing the proceeds of a favorable turn in stock prices. The dividends received from the stock are regarded merely as an offset to the cost of carrying the speculative account. In such cases ownership of any given stock is ordinarily of short duration, and the stock is usually registered in the name of some brokerage house which habitually sends the proxies to be voted by the management. Such ownership may be called speculative as distinct from investment ownership.

In contrast there is the type of individual who purchases stock outright and holds it for a relatively long period of time. Stock so held is usually registered in the name of the actual owner. The lethargy of this type of investment is not characterized by any single pattern of behavior on the part of the owner. In some cases inactive management of financial opportunities appears to be simply pecuniary ineptitude. In older economic communities, particularly where the accumulation of stock represents a family inheritance, there often exists a traditional sentimental attachment to a particular company, industry or locality, to which the more rational pecuniary judgment is subordinate. In other cases the purchase of stock represents an alternative use of savings in which the expectations of the investor rest primarily upon the earnings of the stock and the security of the investment. Although the pecuniary outcome of this type of investment depends more narrowly and directly than in the case of speculation upon the efficiency of the underlying industrial operations and upon the skill of the corporate management in turning the industrial process to a profitable account, the investors are in fact and in attitude dissociated from any effective control over management.

Concurrent with the tendency toward concentration of control there has been in the United States a wider dispersion of stock ownership in the hands of the general investing public. The number of stockholders of record increased from an estimated total of slightly less than 4,500,000 in 1900 to probably more than 18,000,000 in 1928. The dispersion was greatest in the case of the large corporations: the stockholders of record for 31 representative large corporations increased from 250,000 to nearly 1,500,000, those of the American Telephone and Telegraph Company from 10,000 in 1901 to nearly 650,000 in 1931. The highest percentage increase occurred in the three-year period from 1917 to 1920, when the average annual rate of increase was 12 percent as compared with slightly more than 5 percent from 1900 to 1910 and again from 1920 to 1928. During the depression following 1929 the withdrawal of stocks from speculative accounts and their registration in the name of the owners increased the list of stockholders to a figure considerably greater than the 18,000,000 of 1928.

To what extent the lower income classes in the United States own stock can be estimated only within wide limits. A. A. Berle and Gardiner Means in their study of corporations (*The Modern Corporation and Private Property*) suggest that by the end of the 1920's the number of individuals holding stock was probably between 4,000,000 and 6,000,000. From 10 to 15 percent of this number had annual incomes of over $5000 and received approximately three fourths of the dividend and interest disbursements of corporations. Moreover the total number of stockholders represents at the minimum figure less than 10 percent and at the maximum figure less than 15 percent of the total of those gainfully employed. In spite therefore of the tendency toward wider public distribution of stock after the World War the greater proportion continued to be held within the higher income brackets. The growing though still very small holdings of the lower income classes have probably shrunk to insignificance since 1930 under conditions of widespread unemployment.

Although stock ownership has not seeped far down into the lower income brackets, there was during the war period a considerable displacement of stock ownership from the highest income levels to the class of the moderately well to do. In 1916 the 100,000 largest incomes, $13,000 and over, received 78 percent of the total dividend disbursements reported on individual income tax returns; while in 1921 this group, then with incomes of $20,000 or over, accounted for only 56 percent of the total disbursement of dividends. Various explanations are given for

this change. The most striking increase in stock ownership by the less wealthy occurred during the five years from 1916 to 1921. During this period the surtaxes on income were extremely high, so that investments in tax exempt bonds were a profitable alternative to common stock. The shift of the highest incomes to tax exempt bonds compelled corporations to seek other sources for their funds and explains in part the intensive campaigns which were then waged to sell stock to consumers and employees. Employee stock ownership was encouraged by management for the further reason that the latter believed it would constitute a good protection against trade union activity and would insure the loyalty of the workers to the company. Customer ownership was regarded by the public utilities as a good political defense against hostile regulatory legislation. It is estimated that 1,000,000 employees bought stock during the 1920's and that customer purchasing accounted for an equal number of small income stockholders. The habit of buying securities became more widely spread during the war as a result of the intensive drives to sell war bonds. During the boom period of the 1920's stock selling and advertising became a highly developed industry. New investment opportunities, such as investment trusts, were developed specifically to attract small individual capital.

There are various interpretations of the significance of this wider dispersion of stock ownership. It has been said to indicate a gradual democratization of ownership. But even before the depression almost 90 percent of the gainfully employed owned no stock. Moreover the stock certificate is little more than an uncertain claim upon that portion of the earnings of a corporation, if any, which the board of directors may see fit to distribute as dividends. Such ownership, wholly divorced from control, is of questionable value as a democratizing influence. Others have seen in the slight widening of stock ownership and the extension of speculative interests and habits during the 1920's the rise of a new middle class. This is a completely superficial interpretation. During a period of business expansion a considerable proportion of small savings are used for the purchase of stock and for speculation in the stock market, but the several million individuals who become owners of securities under such circumstances are a scattered aggregate of individuals rather than a social grouping with a well defined orientation of social, economic and political interest.

The relation of the owner of stocks, particularly of the small investor in the large corporation, to the management is that of a passive beneficiary of the latter's good will and conscience. He is largely helpless to protect his own interest. It is difficult and in some instances impossible for the stockholder to obtain a clear definition of his own position in the complicated hierarchy of claims, expectations, legal rights and liabilities which constitute the capital structure of a corporation. Nor do stockholders possess the means for effective criticism and appraisal of the management. The reports which managements render of their trust are largely uninformative to the general stockholder unacquainted with the art of financial analysis; the stockholders' meetings consist of voting proxies at the discretion of the management; boards of directors are either in fact self-perpetuating or are subject to new elections only at the behest of some controlling group of financiers. The general public investors are unrepresented in the government of the corporation and incapable of enforcing representation by their own initiative.

Under this regime of managerial freedom there developed in the United States during the recent period of business prosperity abuses of unusual magnitude. The numerous ingenious financial transactions of the 1920's were characterized by dilution of the interest of existing stockholders by special issues of new stock, secretive segregation and privileged diversion of earnings and manipulation of assets and interests in reorganizations and combinations. The enforcement of common law rules and of statutes designed to protect stockholders became increasingly lax, and only the most flagrant and obvious cases of fraud suffered prosecution. With the passage of the Securities Act of 1933 the legal protection of stockholders in the United States fell more closely into line with that of other highly developed capitalistic nations, such as Germany and Great Britain. Under this act investors will have some assurance that the prospectus, which must be issued publicly with the selling of the stocks, will be at least as truthful and complete as the fear of damage suits to which issuers of stock are made liable for a misstatement or omission of a relevant fact can make it. Stockholders' interests are also put in jeopardy by privileged manipulations of security values on the stock market. The Securities Exchange Act of 1934 attempts to prevent the recurrence of some of the worst abuses of the security markets by compelling periodic dis-

closures of detailed and relevant information of the operations of the corporation and of the speculative position of "insiders" in the stock of the corporations they control, and by subjecting the trading operations within the exchanges to public control. Whether these measures will induce any fundamental changes in the practises of corporation finance remains to be seen. The dubious outcome of reforms in the past and the history of successful efforts on the part of various business groups to soften the severity of public regulations suggest, if not skepticism, at least a delay of judgment as to the extent to which the struggle for power and fortune by financial groups will be directed into less exploitative patterns.

A. A. FRIEDRICH

See: CORPORATION; CORPORATION FINANCE; BONDS; INVESTMENT; INVESTMENT BANKING; PROMOTION; SPECULATION; STOCK EXCHANGE; BLUE SKY LAWS; MANAGEMENT; EMPLOYEE STOCK OWNERSHIP.

Consult: Berle, A. A., and Means, Gardiner C., *The Modern Corporation and Private Property*, Columbia University, Council for Research in the Social Sciences (New York 1932); Sears, John H., *The New Place of the Stockholder* (New York 1929); Ripley, William Z., *Main Street and Wall Street* (Boston 1927); Dewing, A. S., *A Study of Corporation Securities* (New York 1934); Warshow, H. T., "The Distribution of Corporate Ownership in the United States," and Means, Gardiner C., "The Diffusion of Stock Ownership in the United States" in *Quarterly Journal of Economics*, vol. xxxix (1924–25) 15–38, and vol. xliv (1929–30) 561–600; Samuel, Horace B., *Shareholders' Money* (London 1933).

STOICISM. Zeno, the founder of stoicism, taught in a frescoed porch or colonnade at Athens, known as the Stoa. The school of philosophy which took its name from this fact arose about 300 B.C. in the early days of the Hellenistic world; and its historical background is to be sought in the conquests and policy of Alexander the Great. The way for the stoic doctrine of the equality of man and of the fraternity of all men in one great brotherhood was prepared when Alexander leveled the pale between Greeks and barbarians and pursued a policy of treating alike the Greeks, the Macedonians and the Persians, who were all included in his world empire. He is reported to have said that all men were sons of one Father: in the year before his death (324 B.C.), at the feast of reconciliation which was held at Opis following the mutiny of his Macedonian troops against the favor he had shown the Persians, he prayed for a union of hearts and a joint commonwealth of the two peoples.

But there is a still deeper preparation for stoicism than the conquests of Alexander. Early in the fourth century B.C. foreigners were beginning to enter the hitherto closed circle of Greek culture and Greek philosophy. If they were to find a level footing in the Greek world, with its exclusive city life and its sense of superiority, they had to preach a new philosophy of man and society. In place of what may be called "the closed culture-state" of the city type they had to proclaim the open world state, or cosmopolis, in which equal membership naturally belonged to every man who had the root of the matter in him. When there is a contact of races and civilizations, the impinging race or civilization which is seeking entry will always proclaim the larger whole and the higher unity in which the entrant can find an equal liberty with the ancient resident. The foreign entrants into the Greek world developed the social philosophy natural to the entering "gentile." The cynics had already followed this line before the stoics came. Antisthenes, their founder, was a Thracian; Diogenes, their great master, came from Sinope on the Black Sea. One of the sayings of the cynics expresses the negative side of their teaching: "Why should I be proud of belonging to the Soil of Attica, with the worms and slugs?" But Diogenes had also his positive side; and, according to tradition, he taught in his *Republic* that "the only right state is that of the world."

Like the cynics, the stoics were foreign entrants into the Greek world. Zeno, their founder, who came to teach in the Porch while Demetrius of Phalerum was governing Athens (317–307 B.C.), was a Hellenized Phoenician from Cyprus. Many of the stoic teachers in succeeding centuries were also foreigners. Chrysippus, the systematizer of stoic doctrine, came, like Zeno, from Cyprus. Zeno the second and Antipater, both in their day masters of the stoic school, came from Tarsus, the city of St. Paul, on the mainland to the north of Cyprus. Posidonius, who reconciled stoicism to Platonism and was the teacher of Cicero and Caesar, came from Apamea, a city on the mainland to the east of Cyprus. Some of the later stoics came from even more distant regions: the home of one was Sidon, and that of another, the stoic Diogenes, who succeeded Zeno the second as the master of the school, was as far afield as Seleucia on the Tigris. The temper of these men can be guessed from some lines in a poem of Meleager, the father of the Greek Anthology and a Syrian from Gadara

who was educated in Tyre: "What is the wonder if I am a Syrian? There is one motherland, stranger, in which we all dwell, and that is the Cosmos: there is one Father of whom we are all begotten, and He is the void."

Foreigners, living in a Hellenistic—that is to say, a Greco-oriental—world, which used as its lingua franca the "common" Greek, the *koine* of the New Testament, the stoics built their philosophy accordingly. Its basis was a "theology," an account or explanation of God, which was also an explanation of man. In it may almost be detected some elements of that sun worship which was indigenous in Syria. God, who is also Reason or Nature, is essentially a fiery ether, which, as it is written in the *Book of Wisdom*, echoing the lore of stoicism, "passeth and goeth through all things by reason of . . . pureness." Pure and intact in God, this fiery ether deposits in every man a spark, a fragment, an *apospasma*, which is the guiding principle of his life. All men equally have thus within themselves something of the divine; all men equally should try to live by its common light; all men, if they do so, will be living according to the common law of nature (the *koinos nomos*), which is, on a higher plane, the analogy of the "common" Greek. If any man makes the great endeavor, he will have his reward. To be a true man and to live conformably with nature is eventually to return, by the leading of the spark that is in man, to the fiery ether from which human essence was drawn.

There is a curious mixture of the spiritual and the material—God and a fiery ether—in this pantheistic philosophy. In the present context, however, stoic theology is less significant than the philosophy of human conduct and human society which was based upon it. The moral ideal of stoicism, which steeled the Romans of the empire and has its modern analogies in the temper of Puritanism and the ethics of Kant, is generally familiar. It is the ideal of the disciplined conscience, true to its vital spark, undisturbed though the heavens should fall, following a self-imposed road of duty by its own inward light. In itself this ideal is that of the solitary, who can walk a lonely way and cultivate the high virtues of an inward solitude. But stoicism had also from its first beginnings a social philosophy —a social philosophy which was connected not only with its theology but also with the provenance of its teachers and the social environment in which they taught.

The social philosophy of Zeno himself was more radical than that of his successors. He lived as a metic in Athens and refused Athenian citizenship. He was un-Hellenic in the Hellenic world, "with an Asiatic darkness of Skin"; and the social philosophy he taught was un-Hellenic. Reason, he held, is the principle which builds society: by it man is a social being; and his society must be as wide as the reason on which it is based. The true state is therefore the cosmos: its law is the common law of nature or reason; and all rational beings are its citizens. "He taught," Plutarch records of Zeno, "that there should not be different City-States, each distinguished from the rest by its own peculiar system of justice: *all* men should be fellow-citizens; and there should be one life and order, as of a flock pasturing together, which feeds together by a common law." In much the same way he proclaimed that it is not the bonds of blood, but virtue and the similarity of moral interests that determine the membership of the true community. But in some of the details of his *Republic* he reveals himself as not content with preaching ascent to the natural in the sense of the universal, but as anxious rather to inculcate what may be called descent to the natural in the sense of the primitive. He would pare away the refinements and the luxuries of the Greek city and get down to the bare bones of essential life. The true city needs no temples and images, which are the works of men's hands and unworthy of the gods; it needs no courts of law; it needs no marriage or family life; it needs no gold or traditional system of education in arts and sciences. It will even treat men and women alike; and in it they will both wear the same dress.

Some of these statements, which have been handed down by report from Zeno's lost *Republic*, breathe a somewhat crude spirit of would be "natural" Arcadianism which summarily banishes churches and schools and law courts and marriage and money *et id genus omne*. These early crudities were later modified by Zeno himself and still more by his successors; but there always remained something of a revolutionary element in stoicism, which on the whole may be counted to the good. In the first place, if it did not obliterate, it sought to attenuate, the difference between races and the clash between colors and breeds. Eratosthenes, the librarian at Alexandria about 240 B.C., shows the change that has come since the days of earlier Greek thought when he refuses to agree with those who divide mankind into Greeks and barbarians and declares it better to divide men simply into the good and bad. This is a stoic tradition inherited

by St. Paul, for whom there is "neither Greek nor Jew, . . . Barbarian, Scythian, bond nor free." Secondly, as the final words of St. Paul suggest, stoicism, if it did not obliterate, refused to accentuate the division between the freeman and the slave. It treated slavery as an arbitrary human institution, recognizing that both slave and master might equally be among the elect, or *sapientes*; and faithful to the memory of Zeno, who had treated his slaves as himself, it actually helped, through its influence on the Roman lawyers and their ideas of natural law, to improve the actual lot of the slaves. Finally, stoicism as it affected the relations of races and classes affected also the relations of the sexes. Zeno's proposals that men and women should be indistinguishable and the institution of marriage should pass away were dropped. But the idea survived that women were the equals of men and should have an equal education and the same legal position; and on this basis later stoicism rose to a noble conception of marriage as the union of true minds in equal wedlock. This conception affected the Roman law view of marriage; and to stoic influence may be attributed the fine definition by the jurist Modestinus: *Nuptiae sunt consortium omnis vitae, divini et humani juris communicatio.*

The influence of stoicism has survived steadily for more than two thousand years. Four different phases of that influence may be mentioned. First, stoicism had a deep effect on the moral and legal genius of Rome. Its ethical ideal corresponded with the *gravitas* of the Roman temper; and just as the ideal of the gentleman descending from mediaeval chivalry has influenced the conduct of life in modern times, so the ideal of the *vir justus et praepositi tenax*, descending from the stoic philosophy, influenced the conduct of generations of Romans. But perhaps the profoundest effect of stoicism was that which it exercised on Roman jurisprudence. The stoic conception of the common law of nature became the Roman lawyers' conception of *jus naturale*; and the stoic principle of equality became a principle of this *jus*. The Roman lawyers thus came to hold that at the bar of natural law all human beings were equal; and this tenet affected, as has been said, both the institution of slavery and the position of women. An even deeper influence may be conjectured. In so far as the Roman Empire became an empire of common law, with a common citizenship, this development was perhaps due among other causes to the working of the stoic leaven.

The second phase of stoic influence may be traced in the development of Christian thought. This influence first appeared in the teaching of St. Paul, but it made itself felt on an even larger scale in the Christian conception of natural law which has been expounded in the writings of Ernst Troeltsch. The conception had two forms, the absolute and the relative. Under absolute natural law—the law which would have continued to reign if it had not been for the fall—men were equal and enjoyed all things in common: there were no states or kings, no slaves, no private property. Under relative natural law—the law which the fall necessitated—government and slavery and private property all became necessary and natural things, *propter remedium peccatorum*; but even so they must still approximate as far as possible the old ideal. They must be institutions of human salvation and be used to serve the sovereign purpose of God as expressed in the relative natural law, which the God given reason of man could always discover and follow.

In the sixteenth century there arose and during the seventeenth and eighteenth centuries there flourished a new secular school of natural law, which based its precepts upon the unaided reason of man. Grotius and Pufendorf were the lights of this school in the seventeenth century, Wolff and Vattel in the eighteenth. This school set out to rationalize law, and in particular it proposed to rationalize and humanize international relations, seeking to bring them within the domain of the universal law of nature and attempting to make that law the obligatory law of international society. This was the foundation of what is called international law; and since it was regarded as a form of the law of nature and the law of nature goes back to the stoics, a third phase of influence of stoicism may be traced in the foundation of international law.

Finally, in the French Revolution there may be noted a great efflorescence of the principles of stoic thought. *Liberté, Egalité, Fraternité* were its watchwords, proclaimed as the universal inheritance of all mankind. The free man, equal to his fellows and united with them in a brotherhood of men: this was what Zeno had proclaimed, and this was what France proclaimed again in the Declaration of the Rights of Man and the edicts of fraternity. There were imperfections in the French proclamation of the old ideal. There are still imperfections in the modern world. But so far as efforts are still being made to establish human liberty and the natural rights of men; so far as man is seeking to realize

human equality; so far as he is attempting to achieve the brotherhood of men and an international society, so far he is still walking in the old track blazed by the stoics.

ERNEST BARKER

See: NATURAL LAW; EQUALITY; DEMOCRACY; COMMUNISM; COSMOPOLITANISM; CHRISTIANITY; ETHICS; PHILOSOPHY; MATERIALISM; NATURALISM; RATIONALISM; CYNICS; RENAISSANCE; INTERNATIONAL LAW; ROMAN LAW.

Consult: Bevan, Edwyn R., *Stoics and Sceptics* (Oxford 1913); Huit, Charles, *Les origines grecques du stoïcisme* (Paris 1900); Barth, Paul, *Die Stoa* (4th ed. Stuttgart 1922); Dittrich, Ottmar, *Geschichte der Ethik*, 4 vols. (Leipsic 1926–32) vol. ii, p. 17–53; Wendland, Paul, *Die hellenistisch-römische Kultur* (Tübingen 1907) ch. iii; Arnold, E. Vernon, *Roman Stoicism* (Cambridge, Eng. 1911); Gurvitch, Georges, *L'idée du droit social* (Paris 1931) pt. ii; Chappuis, Paul G., *La destinée de l'homme; de l'influence du stoïcisme sur la pensée chrétienne primitive* (Geneva 1926); Troeltsch, E. D., *Gesammelte Schriften*, 4 vols. (1st–3rd ed. Tübingen 1922–25) vol. iv, p. 156–91, 429–87, 724–33, 779–80; Lucas, F. L., *Seneca and Elizabethan Tragedy* (Cambridge, Eng. 1922) ch. ii; Carlyle, R. W. and A. J., *A History of Mediaeval Political Theory in the West*, 5 vols. (Edinburgh 1903–28; vol. i, 2nd ed. 1927) vol. i; Zanta, L., *La renaissance du stoïcisme au XVIe siècle*, Bibliothèque Littéraire de la Renaissance, n.s., vol. v (Paris 1914); Dilthey, Wilhelm, "Weltanschauung und Analyse des Menschen seit Renaissance und Reformation" in his *Gesammelte Schriften*, 8 vols. (Leipsic 1921–31) vol. ii, especially p. 153–61, 285–96, 439–52; Muirhead, J. H., *The Platonic Tradition in Anglo-Saxon Philosophy* (London 1931).

STOLIPIN, PETR ARKADYEVICH (1862–1911), Russian statesman. Stolipin, a member of the landed nobility of western Russia, entered the state service in 1885. When in April, 1906, the council of ministers was reorganized in preparation for the opening of the First Duma, Stolipin, who as the governor of Saratov had vigorously combated agrarian revolutionism, was appointed minister of the interior. A few months later, when the dissolution of the radically oppositionist legislature was decided upon, he became also chairman of the cabinet. He invited the moderate liberals to participate, but since he refused to accept their program the membership of the cabinet remained bureaucratic. Although the revolutionary tide was obviously receding, he proposed "first pacification and then reforms" and adopted a policy of vigorous repression. By virtue of article 87 of the Fundamental Laws, permitting emergency legislation in the absence of the Duma, a decree was promulgated which directed the local authorities for a period of six months to refer "obvious" cases to field courts martial; these courts, in which trial was secret and formal defense barred, were allowed to impose death sentences executed within twenty-four hours and not subject to appeal. This and other exceptional laws by which the jurisdiction of ordinary courts martial was extended to civilians were by the end of 1906 effective virtually throughout Russia, legalizing a reign of terror directed mainly against organized revolutionary groups, whose detection was facilitated by a network of political spies and agents provocateurs extended and perfected under Stolipin.

A subtler method of combating revolutionary tendencies was represented by the agrarian decree of 1906 and the law of 1910. These permitted every member of a peasant land commune to demand full title to his share of plowland or, in communes with infrequent repartitions, to the land he held at the time. This legislation, which in effect destroyed communal landownership, was meant to create a class of prosperous peasant proprietors as a bulwark against radicalism; actually, however, it merely injected the element of internal strife into the conflict between peasants and landlords.

Stolipin intended to preserve a semblance of constitutional legality. By careful preparation he hoped to elect a submissive majority to the Second Duma. When he failed, the franchise law was amended by decree, in crass violation of the Fundamental Laws, so as to limit the representation of peasants and working men and assure the preponderance of landlords and the upper bourgeoisie. The majority of the Third Duma was indeed friendly to the government, supporting its narrow class and nationalist policies in laws safeguarding the interest of the landowning nobility, furthering the disintegration of the commune for the benefit of the rich peasants, violating the autonomy of Finland and limiting the civil rights of Poles, Jews and other national minorities. On the whole Stolipin continued to rule by strong arm methods; eventually the moderate conservatives refused him their unconditional support, so that he allied himself more closely with the extreme right.

V. MIAKOTIN

Consult: Struve, P., "Witte und Stolypin" in *Menschen die Geschichte machten*, ed. by P. R. Rohden and G. Ostrogorsky, 3 vols. (Vienna 1931) vol. iii, p. 263–73; Miliukov, P. N., and others, *Histoire de Russie*, 3 vols. (Paris 1932–33) vol. iii, ch. xxi; Pokrovsky, M. N., *Russkaya istoriya v samom szhatom ocherke*, 3 pts. (5th–10th ed. Moscow 1931), tr. by D. S. Mirsky as *Brief History of Russia*, 2 vols. (London 1933) vol. ii, p. 282–303.

STONE, LUCY (1818–93), American feminist and abolitionist leader. Lucy Stone, who has been credited with the conversion of Susan B. Anthony to the feminist cause and, by Elizabeth Cady Stanton, with being the first person by whom "the heart of America was deeply stirred on the woman question," is ranked by the historians of the woman's movement as of equal importance with these two and with Lucretia Mott. Her contribution rested as much upon courageous acts of personal protest against convention as upon leadership of an organized movement. As a young girl she had innocently attempted to vote in church meeting only to be scornfully rejected. Over her father's protest she entered college, earning her way as teacher and as houseworker. She was a meteoric student at Oberlin College, the first coeducational institution, but closed her college career by refusing the honor of preparing an essay since tradition demanded that it be read by a man. After her graduation in 1847 she became renowned as an abolitionist lecturer, an activity to which she had been inspired by the pioneer efforts of the Grimké sisters and Abby Kelly Foster. Although women's rights had been stressed by many humanitarians, Lucy Stone was the first to make it the main theme of her discourses. Even before the first local women's rights convention in 1848 she issued a call for the first National Woman's Rights Convention, which was held in 1850. Upon her marriage in 1855 to Henry B. Blackwell, an antislavery agitator—brother of the pioneer women physicians, Elizabeth and Emily Blackwell, and a member of the family into which Antoinette Brown, the first woman minister, also married—the newly wedded pair published a protest against the deprivation of women's rights which marriage entailed. Determined to keep her own name as a symbol of personal freedom, she evoked considerable agitation by registering merely as Lucy Stone in a Massachusetts school election. In 1858, while living in New Jersey, she permitted her goods to be sold for taxes as a protest against taxation without representation.

In all her activities she had the warm support of her husband and it was with his aid and later with that of her daughter that she edited the *Woman's Journal*, which she had founded in 1870 and which until 1917 served as the unofficial organ of the movement. In the atmosphere of highly charged humanitarianism which characterized the abolitionist and early feminist movements her engaging charm, simplicity and fearlessness helped to dispel the hostility and ridicule which greeted her efforts as teacher, lecturer, organizer and editor to secure for women the freedom of intelligent human beings.

LORINE PRUETTE

Consult: Blackwell, Alice Stone, *Lucy Stone, Pioneer of Woman's Rights* (Boston 1930).

STONE, MELVILLE ELIJAH (1848–1929), American journalist, one of the founders of the Associated Press. Stone was born in an Illinois village, the son of a Methodist preacher. He became a reporter and later an executive for various Chicago newspapers, served as a Washington correspondent and worked in New York City. In 1875 he organized a corporation to publish the Chicago *Daily News* as a one-cent newspaper. He gained financial experience by the organization in 1891 of the Globe National Bank in Chicago. It was not until 1893 that the Associated Press was incorporated in Chicago in its present dominant form, as a collector and distributor of domestic and international news. Stone was its general manager until 1921 and its counselor until his death.

The Chicago *Inter-Ocean*, expelled from the association for infraction of a by-law, brought suit, and the Supreme Court of Illinois declared in 1900 that the organization was a public utility, whose services should be available to all. To evade this interpretation the agency was reincorporated under a New York law for the formation of social clubs. It remained thereafter, although cooperative and seeking no profit, a closely guarded vested interest. The (New York) Sun News Service, suing it as a monopoly, failed to make its case.

In time the Associated Press came to have over 1200 members and served newspapers read by more than half the literate population of the United States. Until the second decade of the twentieth century its news was well organized and factual, uncolored in matters about which its members might disagree, dignified and exceptionally accurate considering the speed with which it worked, but reactionary and capitalistic in its selection and presentation. When the United States entered the World War its directors adopted a resolution, sponsored by Stone, that "the responsibility we have as citizens must overshadow any responsibility as news-gatherers," thus abdicating the association's primary function.

The competition of the younger United Press, a product of the Scripps-Howard chain,

which supplied a more lively and popular treatment of the news, forced the Associated Press to join with a motion picture concern to furnish pictures to its members, with "color stories" and quantities of trivia. Stone, who until his death determined the methods of the agency and helped it to establish legally a property right in news, reflected accurately the views of a commercialized constituency.

SILAS BENT

Consult: Stone, Melville E., *Fifty Years a Journalist* (New York 1921); *The Profession of Journalism*, ed. by W. G. Bleyer (Boston 1918) p. 112–32; Irwin, Will, "What's Wrong with the Associated Press?" in *Harpers Weekly*, vol. lviii (1914) 10–12; Bent, Silas, *Strange Bedfellows* (New York 1928) ch. xiii.

STONE, WARREN SANFORD (1860–1925), American labor leader and head of the Brotherhood of Locomotive Engineers. Dignified and aristocratic in appearance, Stone had the bearing typical of a president of a large business corporation, a factor which helped him to impress the railroad executives. He carried out what was essentially a business policy for his union. When he took charge of the Brotherhood in 1903, Stone initiated the concerted movement in collective bargaining with the managements. During the next decade he led the organization successfully through a number of such endeavors, and in 1916 he took a prominent part in the fight for the eight-hour day by all the trainmen's unions. He was likewise successful in dealing with the railroads during and after the World War. In the meantime Stone turned away from the narrow aspects of trade unionism. Following the war he became a strong advocate of government ownership and supported the Plumb Plan of railroad operation. Later he took a prominent part in the movement for independent political action which resulted in the candidacy of Senator La Follette for president. He was also willing to work and aid other organizations of labor in the railroad industry, an outstanding example being his assistance to the shopmen during the strike of 1922. Lastly, he plunged his union into cooperative banking, investment, real estate ownership and other capitalistic ventures, which he considered the means for realizing labor's financial power. Within a few years he had built up a large number of financial institutions with assets of more than $150,000,000. Because of speculative overexpansion, a lack of knowledge in the field of business and certain other factors this financial structure fell to pieces shortly after Stone died, as did most of the other labor banks, and necessitated large assessments upon the union's membership to compensate for the losses.

JACOB PERLMAN

Consult: Coyle, A. F., in *Locomotive Engineers Journal*, vol. lix (1925) 499–503; Foster, W. Z., *Misleaders of Labor* (Chicago 1927) ch. vii; Carver, T. N., *The Present Economic Revolution in the United States* (Boston 1925) p. 114–20; Stockbridge, F. P., "The New Capitalism" in *Saturday Evening Post* (Nov. 6, 1926) 5, 214–16.

STORAGE. *See* WAREHOUSING.

STORCH, HEINRICH FRIEDRICH VON (1766–1835), Russian economist. Storch was born in Riga of German parents. After having studied at Jena and at Heidelberg he entered the Russian government service in 1789, at the same time continuing his interest in contemporary Russian economic problems. At the suggestion of J. G. Georgi, the famous geographer, he prepared a masterly historico-statistical description of the Russian Empire, an extensive work which earned him membership in the Russian Academy of Sciences. Storch gained still wider recognition by his *Cours d'économie politique*, his chief work on economic theory and an outgrowth of the lectures which as tutor he prepared for the sons of Alexander I. In his later years he devoted several papers to the problem of national income, in which he distinguished sharply between the concept of individual and that of national income.

Like all Russian economists of that time, Storch was essentially a follower of Adam Smith, but he differed from his master on a number of significant points. Without probing too deeply into the historical succession of economic facts he formulated a theory of stages of economic development not unlike that elaborated by List two decades later and believed that different economic principles apply to each historical stage. Following the line of reasoning which Smith had employed in disputing the validity of the physiocratic theory that all non-agricultural occupations are unproductive, Storch criticized Smith's treatment of professional classes as unproductive and emphasized the indispensable nature of immaterial services in promoting the prosperity of society. He did not subscribe to Smith's cost of production theory of value and stressed instead the importance of the subjective elements in value determination.

V. GELESNOFF

Important works: *Statistische Uebersicht der Staats-*

halterschaften des Russischen Reiches (Riga 1795); *Historisch-statistisches Gemälde des Russischen Reiches*, 9 vols. (Riga and Leipsic 1797–1803); *Cours d'économie politique*, 6 vols. (St. Petersburg 1815; 2nd ed. with critical notes by J. B. Say, 4 vols., Paris 1823), German translation with additions by K. H. Rau, 3 vols. (Hamburg 1819–20); "Le revenu national considéré sous un nouveau point de vue" in Akademiya Nauk, St. Petersburg, *Mémoires*, ser. v, vol. viii (1817–18) 412–34; *Considérations sur la nature du revenu national* (Paris 1824).

Consult: Roscher, Wilhelm, *Geschichte der Nationalökonomik in Deutschland* (Munich 1874) p. 799–813; Seraphim, Hans Jürgen, "Die deutsch-russische Schule" in *Jahrbücher für Nationalökonomie und Statistik*, vol. cxxii (1924) 319–36.

STORY, JOSEPH (1779–1845), American jurist. Story was born at Marblehead, Massachusetts, graduated at Harvard, studied law in the office of Chief Justice Sewall of Massachusetts and afterward under Samuel Putnam, later justice of the Supreme Court of Massachusetts, and became active in politics as a radical follower of Jefferson in a conservative Federalist community. He had been twice speaker of the house in the Massachusetts legislature and had sat one term in Congress when, at the age of thirty-two, he was appointed one of the justices of the Supreme Court of the United States. In 1829 he was elected Dane professor of law at Harvard; he sat in the Supreme Court and at circuit, as the justices of the Supreme Court then did, and taught in the Harvard Law School until his death.

As a judge Story ranks among the ten outstanding names in American judicial history and, along with Marshall and Kent, with the builders of American law. He came to the bench while American constitutional law was still formative and took part in most of the great decisions which established the leading principles of American public law. He sat at circuit during the War of 1812 in a circuit in which there was an exceptional amount of maritime litigation, and his decisions in admiralty and prize cases had much to do with making American law on those subjects and were in many cases of international importance. But his chief influence upon American law was as writer and teacher. After Kent, who went no further than an institutional book, Story was the pioneer among the great American law writers, publishing a long series of texts. These books, turned out in quick succession by a teacher who was at the same time sitting in the highest court of the land and also at circuit and doing his full share of the work in each capacity, had a decisive influence at a critical period in American legal history. They summed up the English case law from the seventeenth to the early nineteenth century, worked it over on a philosophical basis and made it available for a new start in the commonwealths which were springing up in the westward expansion of the United States. Story's treatise on equity jurisprudence is still in everyday use, and that on the conflict of laws was epoch making for the subject. As a teacher Story sought to make lawyers rather than to expound the law dogmatically and thus pointed the way to American law teaching of today.

ROSCOE POUND

Principal works: *Commentaries on the Law of Bailments* (Cambridge, Mass. 1832, 9th ed. Boston 1878); *Commentaries on the Constitution of the United States*, 3 vols. (Boston 1833, 5th ed. 1891); *Commentaries on the Conflict of Laws* (Boston 1834, 8th ed. 1883); *Commentaries on Equity Jurisprudence*, 2 vols. (Boston 1836, 14th ed. 1918).

Consult: Story, W. W., *Life and Letters of Joseph Story*, 2 vols. (Boston 1851); Schofield, William, in *Great American Lawyers*, ed. by W. D. Lewis, 8 vols. (Philadelphia 1907–09) vol. iii, p. 123–85; Pound, Roscoe, "The Place of Judge Story in the Making of American Law" in *American Law Review*, vol. xlviii (1914) 676–97.

STOURM, RENÉ (1837–1917), French writer on public finance. Stourm's background was essentially conservative and traditionalist and his career served merely to strengthen these tendencies: he became inspector of finances in 1863 and administrator of indirect taxes in the Ministry of Finance in 1874, being recalled from this last post in 1879 because of his conservative political ties. He succeeded Léon Say as professor of public finance at the École des Sciences Politiques in 1885. In 1896 he was elected to membership in the Académie des Sciences Morales et Politiques (Institut de France), likewise to succeed Léon Say, and remained secretary of the academy from 1913 until his death.

Stourm adhered to a strictly fiscal concept of taxation and rejected all attempts to use taxes as a means of effecting social reform, such as redistribution of wealth. He opposed the principle of progression and favored proportional taxation. He was the author of several works, of which the best is *Le budget* (Paris 1889, 7th ed. 1913; tr. by T. Plazinski, New York 1917). The novelty of the subject, the clarity of the exposition and the elegance of the style won for this study great and universal acclaim; it is, however, outmoded at present. The *Systèmes généraux d'impôts* (Paris 1893, 3rd ed. 1912), which

has no scientific value, merely set forth ideas which had considerable currency in conservative circles in the early years of the twentieth century. Stourm's studies of financial history, such as *Les finances de l'ancien régime et de la Révolution* (2 vols., Paris 1885) and *Les finances du Consulat* (Paris 1902), which for a time constituted a valuable source of information, no longer meet the standards of precision set by modern historical science.

GASTON JÈZE

Consult: Eichthal, M. T. d', in Académie des Sciences Morales et Politiques, *Séances et travaux*, vol. clxxxix (1918) 121–24, 241–45.

STOWE, HARRIET BEECHER (1811–96), American writer. In her first book, *The Mayflower* (New York 1843), Mrs. Stowe appears as a pioneer in the literary study of local or regional character, mainly of New England. On popular or folk levels this emphasis had long been apparent in plays, oral stories and journalistic sketches that portrayed the Yankee, the Negro or frontiersman, but it had been slow to reach literary levels. Whether Mrs. Stowe was directly influenced by these pieces it is impossible to say; so many legends were attached to her name after the publication of *Uncle Tom's Cabin* that essential facts have been obscured. But an uncanny susceptibility to popular forces and popular feeling undoubtedly belonged to her and lay at the base of her power.

In *Uncle Tom's Cabin* (2 vols., Boston 1852) the Yankee and Negro characters were close to the portrayals of contemporary popular story telling and theatrical sketches, particularly those of early minstrelsy. In this connection it must be noted that the Negro in minstrelsy was by no means invariably comic. The alliances of the book are shown by the readiness with which it was transformed into drama that can only be called folk drama, although when she wrote it Mrs. Stowe was almost certainly unacquainted with the theater. She had seen slavery as a social and economic condition only once, favorably, during a brief visit to Kentucky. Her reasoning as to the issue was confused. Her main impetus seems to have been the force of intense feeling against the Fugitive Slave Act (1850) in the north, with which she came into contact briefly. To this she added a sweeping religious emotionalism, hers as a Beecher inheritance, that coincided with the prevailing religious emotion of the time. Hysterical and morbid as it is in many ways, *Uncle Tom's Cabin* achieved something of the epical scale by the wide unfolding of its theme, the union of many stories, the natural use of wide geographical areas. Quickly running through many editions, it has been called a prime mover in precipitating the Civil War. Its appeal has outlasted the slavery issue, for it is still read in many languages.

CONSTANCE ROURKE

Consult: Stowe, Charles Edward, *Life of Harriet Beecher Stowe Compiled from Her Letters and Journals* (Boston 1889); Fields, Annie, *Life and Letters of Harriet Beecher Stowe* (Boston 1897); Rourke, Constance Mayfield, *Trumpets of Jubilee* (New York 1927) p. 87–148; Parrington, Vernon Louis, *Main Currents in American Thought*, 3 vols. (New York 1927–30) vol. ii, p. 371–78.

STOWELL, FIRST BARON, WILLIAM SCOTT (1745–1836), English Admiralty judge. Stowell's younger brother, John, later Lord Eldon, likewise became famous as a judge, in the courts of chancery. William graduated from Corpus Christi College, Oxford, in 1764 and later became a tutor in ancient history at University College. In 1777 he commenced the study of the law, becoming a doctor of civil law in 1779. He first practised in the ecclesiastical courts, where his success was rapid. In 1798 he became Admiralty judge, holding that post until the infirmities of old age compelled his resignation in 1827. He had been raised to the peerage in 1821.

In the fields of prize law and of international law his reputation became and remained great. His decisions are marked by the breadth of their intelligence, and in them are implicit the ethics of a most scrupulous gentleman. It is difficult to realize in reading them that many were written during the highly impassioned era of the Napoleonic wars. Some important doctrines of international law owe either their most persuasive exposition or their origin to Stowell and almost all have borne well the test of time.

Thus Stowell boldly declared against wartime "paper" blockades, one of the greatest grievances of neutrals. He laid down the rule that blockades in order to be lawful must be effective, a rule explicitly recognized by the Declaration of Paris in 1856. He acknowledged, as modern statesmen have refused to do, the practical limitations of blockades. When it was sought to condemn goods in transit to an unblockaded port, which could be blockaded only with difficulty, because the goods could be conveniently transported by land to another port which was blockaded, he replied cogently

"Blame geography." He boldly upheld the independence and utmost good faith of prize courts in war time, insisting upon their character as true international rather than municipal courts. He considered all states as equal at law regardless of their territorial size. He denied the right to visit and search vessels of another nationality in time of peace and did much to clarify the law of contraband of war in holding that whether private property at sea was contraband was to be determined by its "probable destination," a rule not indefensible within the limitations declared by him but expanded to an unwarranted extent by American prize courts in the Civil War and extended beyond even those extreme limits by English prize courts in the World War.

FREDERIC ROCKWELL SANBORN

Consult: Roscoe, Edward Stanley, *Lord Stowell, His Life and the Development of English Prize Law* (London 1916), and earlier literature there cited, and "The Influence of Lord Stowell on the Maritime Law of England" in *Law Magazine and Review*, 5th ser. vol. xxvii (1901–02) 210–18; Bentwich, Norman, "Lord Stowell" in *Great Jurists of the World*, ed. by J. Macdonell and E. Manson (London 1913) p. 517–31.

STRACCA DI ANCONA, BENVENUTO (1509–78), Italian writer on commercial law. Stracca was born in Ancona of a respectable merchant family. He studied law at Bologna from 1533 to 1538. From 1539, when he returned to his native city, until his death he practised law and held numerous important public offices.

His first and most significant work in the field of commercial law, *De mercatura sive de mercatore* (Venice 1553, new ed. Amsterdam 1668–69), treats of commerce in general, the merchant class, mercantile contracts, maritime law, bankruptcy and mercantile practise. As in his other works the most noteworthy and original sections and those most systematically presented are the parts dealing with maritime law, especially with regard to liability and bankruptcy. *De proxenetis atque proxeneticis* (Venice 1558) deals with the functions and responsibility of brokers. *De adiecto* (Venice 1569) discusses the conditions governing the transfer of claims to third parties. *De assecurationibus* (Venice 1569), which is not a systematic treatise, contains an introduction on the subject of insurance and a comment, under the title of a gloss, on the policy of Ancona with regard to insurance. These treatises are all contained in the Amsterdam edition of *De mercatura*.

Stracca's work is distinguished by the care with which he studies the practical arguments which are disregarded by other jurists of his period and by the absence of the scholastic categories and formulae so much in vogue at the time. An admirer of the Roman law, he advocated the observance of the text of the *Corpus iuris*; but, like other jurists of the period, he was often compelled to give preference to local custom and statutes as representing a response to new needs. Previously commercial law had been studied only with regard to individual cases, as a part of civil and canon law. It was Stracca's truly distinctive merit to have been the first to present a systematic exposition of commercial law as a complex of norms separate from the other branches of the law and to have carried it out from both the practical and the legal aspect.

GUIDO BONOLIS

Consult: Franchi, Luigi, *Benvenuto Stracca, giureconsulto anconitano del secolo XVI, note bio-bibliografiche* (Rome 1888); Alessandro, Lattes, "Lo Stracca giureconsulto" in *Rivista di diritto commerciale*, vol. vii (1909) pt. i, p. 624–49; Goldschmidt, L., "Benvenuto Straccha Anconitanus und Petrus Santerna Lusitanus" in *Zeitschrift für das gesammte Handelsrecht*, vol. xxxviii (1891) 1–9.

STRACHEY, JOHN ST. LOE (1860–1927), English journalist. Strachey, who was one of the ablest English publicists of the late nineteenth and the early twentieth century, came of a Somersetshire landowning family which has made notable contributions to literature and public life. After graduating at Oxford, where he took a first in history, he joined the staff of the *Spectator*, then at the height of its influence under Richard Hutton and Meredith Townsend. He became in 1897 its proprietor and editor and made it the most prosperous and respected of the English weeklies, immune from the financial vicissitudes that harassed its rivals. In politics a Liberal Unionist, he allowed himself a considerable measure of independence in his support of the Conservative party; thus his paper became the most outspoken opponent of tariff reform, and for a long time the Unionist free traders, largely through Strachey, were able to hold off protection and colonial preference. Toward other trends of opinion he showed a tolerance and an active interest very unusual in political journalism. In the later years of his editorship he made a regular feature of articles in which the advanced radical viewpoint was stated by H. W. Massingham and others even farther to the left. He himself desired no far

reaching changes in the structure of society—he hated the thought of a socialist bureaucracy, for example—but he flung himself with great ardor and perseverance into the advocacy of minor reforms, especially in the field of local government, and in all that concerned the housing of the working class. His openmindedness and his talent for courteous discussion made the *Spectator* a forum valued by all educated readers rather than an organ of conservative opinion. Strachey also wrote for the *Saturday Review*, the *Observer*, the *Standard*, the *Daily News*, the Manchester *Guardian*, the *Academy*, the *Pall Mall Gazette*, the *Economist*, the *Cornhill Magazine*, the *Quarterly Review* and the *Edinburgh Review*. He was the editor of the *Cornhill Magazine* for the year or so immediately preceding his assumption of active control over the *Spectator*.

H. N. BRAILSFORD

Important works: *Problems and Perils of Socialism* (London 1908); *The Citizen and the State* (London 1913); *Economics of the Hour* (London 1923); *American Soundings* (London 1926).

Consult: Strachey, Amy S., *St. Loe Strachey; His Life and His Paper* (London 1930); Strachey, John St. Loe, *The Adventure of Living; a Subjective Autobiography* (London 1922); "In Memoriam: John St. Loe Strachey, 1860–1927" in *Spectator*, vol. cxxxix (1927) special supplement.

STRAUS, NATHAN (1848–1931), American philanthropist. Nathan Straus, one of three brothers of German-Jewish descent who made notable contributions to public affairs, philanthropy and mercantile development in the United States during the closing quarter of the nineteenth century and the early years of the twentieth, is best known for his work in the field of child health. Taking his cue from Dr. Abraham Jacobi, one of the prominent child specialists of his day, Straus decided that the greatest menace to the lives of children lay in impure milk. Most of the milk sold was subject to contamination and only pasteurization seemed to promise reasonable hope of combating it. Straus set himself the task of demonstrating the preventive virtues of pasteurization by opening in 1893 the first pasteurized milk station in New York City and observing the subsequent reduction of the infant mortality rate in the district served. He then initiated the organized movement for the pasteurization of milk and himself established and financed a large number of stations for the provision of pasteurized milk in urban areas accessible to the poorer population. These stations were distributed among many cities in the United States, later in Europe and eventually in Palestine. Their dissemination was effected despite organized opposition induced by commercial interests. Straus' interest in child welfare continued and in 1909 he established at Lakewood, New Jersey, the first "preventorium," a term he himself coined, for the care of children exposed to tuberculosis. This also proved a fruitful idea and led to the development of similar institutions in other parts of the country.

In the latter period of his life Straus became actively interested in Zionism and was the first prominent American Jew of wealth to join the movement. In Palestine he was responsible for the establishment of milk stations, diet kitchens, workrooms for the unemployed and a health center for experiment and prevention as well as for remedial purposes.

PHILIP KLEIN

Consult: *Disease in Milk; the Remedy, Pasteurization; the Life Work of Nathan Straus*, ed. by Lina G. Straus (2nd rev. ed. New York 1917); Wise, J. W., *Jews Are Like That* (New York 1928) p. 209–32.

STRAUSS, DAVID FRIEDRICH (1808–74), German theological and historical critic. Strauss was born in Ludwigsburg and studied at Tübingen and Berlin. At the age of twenty-seven he suddenly became famous as the author of a critical life of Jesus, *Das Leben Jesu, kritisch bearbeitet* (2 vols., Tübingen 1835–36; 4th ed. 1840; tr. by George Eliot, 3 vols., 2nd ed. London 1893). Discussing the Gospel narratives point by point this work argued that the decisive portions for theology of the canonical life of Jesus could be understood better as "myths" of the early Christian community than as historical facts, whether supernaturalistically or rationalistically interpreted. From 1835 to 1840 Strauss' book was a storm center of criticism. He lost his right to teach at Tübingen and was prevented by popular disapproval from occupying a professorship to which he had been appointed at Zurich.

In answering his critics in this period Strauss at first made some concessions, but eventually he reaffirmed the more radical implications of his position. He had come to his views by way of the exegesis of F. C. Baur at Tübingen, which had its philosophical background in the ideas of Schleiermacher and Hegel. In his *Die christliche Glaubenslehre* (2 vols., Tübingen 1840–41), however, he definitely rejected the view that the

truth of Christian dogma could be reestablished by speculative idealism. According to Strauss modern philosophy culminates in a humanistic pantheism, which can give new religious satisfaction but the content of which is not, as Hegel claimed, identical with Christianity. Not the unique man-God, Jesus, but the divinity of humanity in its consciousness of the universe is its central conception.

Strauss' misfortunes among the citizens of Zurich made him distrustful of democracy. He hoped for more from an aristocracy of culture, and in the politics of 1848 as Württemberg deputy he espoused a conservative liberalism. As opposed to social democracy he remained an individualist and a monarchist. He was strongly nationalist, however, and he accepted Prussian leadership, especially after the death of Frederick William IV, whose reactionary orthodoxy he had attacked. In 1866 and 1870 he wrote with chauvinistic ardor in defense of the Bismarckian wars and annexations.

During the reaction of the 1850's Strauss occupied himself with literary criticism and wrote several biographies of German protagonists of humanism, notably that of Ulrich von Hutten (3 vols., Leipsic 1858–60, new ed. 1 vol., 1914; tr. by J. Sturge, London 1874). In the next decade he returned to theological controversy. A rewriting of *Das Leben Jesu* as *Das Leben Jesu für das deutsche Volk bearbeitet* (Leipsic 1864, 22nd ed. 1924; English translation, 2nd ed. London 1879) met with little success, but he drew fire once more with his last work, *Der alte und der neue Glaube* (Leipsic 1872, 16th ed. Bonn 1904; tr. by M. Blind, 3rd ed. London 1874), which presented a comprehensive contrast between the traditional Christian *Weltanschauung* and the modern sense of life. Strauss' "new faith" is a commitment to materialistic and evolutionary science (which conflicts not with idealism but only with dualism), to the national state, to public education and to classical modern art as represented especially by Goethe and Mozart. It is not a creative work, and Nietzsche's criticism of it as an epitome of bourgeois complacency was not altogether eccentric. Strauss' essential service was his forthright attack on the halfway, unclear position of liberal Christian theology and its philosophical apologists.

HORACE L. FRIESS

Works: *Gesammelte Schriften*, ed. by Eduard Zeller, 12 vols. (Bonn 1876–78).

Consult: Zeller, Eduard, *David Friedrich Strauss in seinem Leben und seinen Schriften* (2nd ed. Bonn 1874), English translation (London 1874); Hausrath, Adolf, *David Friedrich Strauss und die Theologie seiner Zeit*, 2 vols. (Heidelberg 1876–78); Eck, Samuel, *David Friedrich Strauss* (Stuttgart 1899); Harraeus, Karl, *David Friedrich Strauss; sein Leben und seine Schriften* (Leipsic 1901); Ziegler, Theobald, *David Friedrich Strauss*, 2 vols. (Strasbourg 1908); Lévy, Albert, *David-Frédéric Strauss; la vie et l'oeuvre* (Paris 1910); Schweitzer, Albert, *Geschichte der Leben-Jesu-Forschung* (2nd ed. Tübingen 1913), tr. by W. Montgomery as *The Quest of the Historical Jesus* (London 1910) chs. vii–ix.

STRAW VOTE. A straw vote is an unofficial canvass of an electorate to determine the division of popular sentiment on public issues or on candidates for governmental office. Ordinarily the term implies the use of a sampling technique, but it may also designate an inclusive canvass, such as the precinct polls sometimes taken by the political parties in an effort to learn the preference of every voter.

The practical politician in the United States has long used the inclusive precinct poll to gather field data for the direction of his campaign. It plays an even more important part in English elections, where a canvass, a check canvass somewhat later in the campaign and even a counter canvass, ostensibly conducted by the opposing party, are sometimes employed. Ostrogorsky expressed the view that an English party organization which could not predict the outcome of an election to within 150 to 250 votes in a constituency of 10,000 to 12,000 was very inefficient. In the United States one state wide party canvass showed an error of 600 votes in a total of 10,000 cast, in estimating the winner's plurality. Because of the expense attached to the inclusive canvass, party appraisals of voting sentiment more often consist of partial canvasses and estimates made by precinct leaders. These estimates usually carry an element of honest bias and frequently fall wide of the mark.

Straw votes employing the principle of sampling have been conducted in the United States since the early 1900's, chiefly by newspapers and periodicals. Among the outstanding sponsors have been the Chicago *Journal* (later the *Daily Times*), the Chicago *Tribune*, the Cincinnati *Enquirer*, the Columbus *Dispatch*, the Hearst newspapers, the New York *Herald*, the New York *Daily News*, the Salt Lake *Tribune*, the Scripps-Howard newspapers and, among the magazines, the *Farm Journal*, the *Literary Digest* and the *Pathfinder*. The polls of the Hearst newspapers, the New York *Herald* and the *Literary Digest* have been national in scope. While

most polls have been concerned with candidates for public office, a few, notably some of those conducted by the *Literary Digest*, have dealt with such questions as the soldiers' bonus and prohibition. There are two reasons for the peculiar interest of newspapers and periodicals in straw polls: first, these canvasses provide a type of election news eagerly followed by the reading public and, secondly, a few publishers use them for circulation building purposes by attaching a subscription offer to each straw ballot distributed. The opinions are obtained either through ballots in the newspaper, direct personal interview or ballots mailed to a sample group of persons. Of these methods, the second would seem to be the most efficient. The extent to which straw samples reflect accurately the division of sentiment is affected by a number of factors. The sponsor may manipulate the returns for propagandist purposes. The ballot box may be stuffed by interested parties or by lazy canvassers. The ballots may be drawn disproportionately from certain classes or geographical areas. All groups or sections may be given equal opportunity to vote, but the people of one may be more willing to participate in the straw vote than those of another. The straw voter may not reveal his true preference. Finally, the sample may be too small. Differences between the results of the straw ballot and of the subsequent official election may result from any of the foregoing factors, and also from the fact that a person may change his preference after he has marked a straw ballot or may, because of disinclination or disfranchisement, fail to participate in the official election. Furthermore the count in the official election may be dishonest.

Comparison of straw and official pluralities in the past shows varying degrees of correspondence, the most common differences ranging from 6 to 12 votes for every 100 in the total cast. For the most part these differences are attributable to faulty sampling technique and they will probably decrease materially as sponsors become more skilled in managing such canvasses.

Political observers see both good and evil in straw votes. As a research tool the straw sample may throw significant light on voting behavior by revealing how voters shift from one party to another, how different classes in the electorate vote and to what degree popular sentiment changes in response to electioneering. The straw vote may also help to clarify the mind of the legislator or the executive as to the wishes of his constituents. The practical politician, as he becomes aware of the possibilities of sampling, is coming more and more to employ this technique as a supplementary form of canvass. Again, a significant variation between the returns from a carefully conducted straw poll and those from the official election may suggest the desirability of an investigation of the honesty of the official count.

The principal evil charged against straw votes is that they lead people who have no well defined political convictions to align themselves with the winning side, thus giving the majority an unfair advantage over the minority. Further, it is held, disclosure of the apparent victor wrecks the morale of the minority workers, causes campaign contributors to withhold support from the supposedly lost cause, tempts local candidates of the minority party to betray the head of the ticket in order to improve their own position and swells the "stay-at-home" ranks by promoting the belief that the election is already decided. Inquiry among politicians shows that while some are impressed with the power of straw polls to attract voters to the winning side, the majority appear unconcerned, believing that such influence is small. The exhilarating or depressing effect of straw returns on party workers is undenied; but, it is argued, it is their business to know how their ticket fares with the voters. Far from deadening interest in voting, say straw poll sponsors, these canvasses stimulate interest and increase the turnout on election day.

In the absence of concrete evidence any view on this issue must remain largely a matter of personal opinion. It would seem, however, that whenever such polls become or are recognized as obnoxious, they can be rendered useless by the simple weapon of the boycott, provided the groups concerned possess sufficient organization to control the participation of their followers in straw votes.

Official in character but partaking in one respect of the nature of the straw vote is the advisory initiative and referendum utilized by some states in the United States. Under this device a particular proposition is submitted to the people in order to determine their attitude; the vote has no immediate statutory effect, nor is it binding on the legislature. Advisory ballots of this kind have sometimes been employed on questions outside the jurisdiction of the state government, such as national prohibition and the entrance of the United States into the League of Nations (as in Massachusetts in 1932), in

order that the action of the state's congressmen might be guided on these questions.

CLAUDE E. ROBINSON

See: ELECTIONS; VOTING; PUBLIC OPINION; PROBABILITY.

Consult: Robinson, Claude E., *Straw Votes* (New York 1932); Willcox, Walter F., "An Attempt to Measure Public Opinion about Repealing the Eighteenth Amendment," and Crum, W. L., "An Analytical Interpretation of Straw-Vote Samples" in American Statistical Association, *Journal*, vol. xxvi (1931) 243–61, and vol. xxviii (1933) 152–63; Ostrogorsky, M. Y., *La démocratie et l'organisation des partis politiques*, 2 vols. (new ed. Paris 1903), tr. by F. Clarke (New York 1902), especially vol. i, p. 458–62.

STREET RAILWAYS. *See* MUNICIPAL TRANSIT.

STRESEMANN, GUSTAV (1878–1929), German statesman. The history of the critical part of the first decade of the German Republic is identified with Stresemann's career; he was the instrument of the constructive continuity characterizing the years 1923 to 1929. As political leader in positions of the greatest responsibility, first as chancellor, then as foreign minister, serving for six years in all the cabinets of all the coalitions, he worked for the security of the German Republic and the restoration of German liberty as well as to achieve a permanent foundation for German foreign policy and the re-establishment of Germany in the European and international community. His courage, initiative and intuition are bound up with all the great decisions of the German Republic: the cessation of the struggle for the Ruhr in 1923, the acceptance of the Dawes plan in 1924, the security pact at Locarno and the Berlin agreement with Russia in 1926, the entry of Germany into the League of Nations in 1926, the signing of the Kellogg Pact in 1928, the Hague Conference over the Young plan in 1929.

The son of a small Berlin hotel keeper, who had been in sympathy with the Revolution of 1848, Stresemann studied history, especially that which dealt with the Revolution of 1848, the disaster of 1806 and the recovery of 1813; literature, in particular the German idealists and Goethe; and, finally, political science, which he first put to a practical test in German economic life as manager of industrial associations and of the German-American economic association. With this store of ideas and this economic experience, at the age of thirty he was elected to the Reichstag as delegate of the National Liberal party, of which he became leader after the death of Bassermann in 1917 and which he converted into the German People's party after the disaster of 1919. During the first period of the new Germany until 1923 he remained in opposition to all policies which later, when he was given responsibility, he adopted and carried out. Indeed it may be said that his political genius was fertilized by responsibility.

It was Stresemann's ambition to effect the reorganization of Europe and the world on the basis of justice. He therefore supported the establishment of international jurisdiction and the relinquishment of armaments. This ideology he developed out of the *Realpolitik* of the new Germany; his entire position was consciously idealistic yet at the same time realistic. He had the courage to break off the struggle for the Ruhr despite frequent attempts on his life. He saw in the Locarno Pact the end of the political struggle over the Rhine. The bestowal of the Nobel peace prize on him and on Briand was a tribute to his constructive peace policy and his aim to rebuild Europe. When he died at the early age of fifty-one, the loss was felt more deeply than that of any other German statesman, not only in Germany but throughout the world.

ERNST JÄCKH

Works: *Vermächtnis*, ed. by H. Bernhard, 3 vols. (Berlin 1932–33); *Reden und Schriften, 1897–1926*, 2 vols. (Dresden 1926).

Consult: Reventlow, Ernst zu, *Minister Stresemann, als Staatsmann und Anwalt des Weltgewissens* (7th ed. Munich 1926); Rheinbaben, R. von, *Stresemann, der Mensch und der Staatsmann* (Dresden 1928), tr. by C. Brooks and H. Herzl (New York 1929); Bauer, Heinrich, *Stresemann, ein deutscher Staatsmann* (Berlin 1930); Olden, Rudolf, *Stresemann* (Berlin 1929); Stern-Rubarth, E., *Stresemann, der Europäer* (Berlin 1929).

STRIKES AND LOCKOUTS. A strike is a concerted suspension of work by a body of employees, usually for the purpose of adjusting an existing dispute over the terms of the labor contract. A lockout represents a similar situation initiated by the employer. Whereas all lockouts and most strikes, as thus defined, fall within the area of authority of the particular employing group, a small percentage of the total number of strikes deal with objectives not included therein, such as a sympathetic strike or a strike for political purposes. An interesting feature of all strikes is the assumption by the striker that he continues to be attached to the industry or place

of employment, although not at work. Despite the legal contradiction involved he thinks of the job as his own to be claimed again when the strike is settled. This point of view tends in part to explain the attitude of bitter hostility toward strike breakers.

In most countries the distinction between strikes and lockouts is avoided in statistical reports and the general term "industrial disputes" is used instead, although it is sometimes employed also to describe disputes which never reach the stage of strikes and lockouts. This is due in part to the difficulty of distinguishing in the course of the dispute upon which side the initiative for concerted suspension rests. In the United States in the periods 1881–1905 and 1916–21, when strikes and lockouts were recorded separately, lockouts represented 4 percent and 3 percent respectively of the total number of disputes recorded. The apparent insignificance of lockouts may be due to the fact that the employer can use other and more convenient weapons, such as discharge of particular individuals. Available statistics, however, show that the average number of persons involved in lockouts is larger than in strikes and that their severity in terms of duration is greater.

The strike or lockout as thus defined grows essentially out of the wage system under modern capitalism and is not comparable, despite certain similarities, with the revolts of servile or semi-servile laborers, self-employed peasants or guild craftsmen. It is, however, integrally related with all those conditions which have made for the rise of trade union organization, including the right of freedom of association and of collective bargaining. While there are reports of strikes taking place at a comparatively early period in the history of the factory system, they became of marked social consequence only after the rise of large scale industry. Carroll D. Wright, the first commissioner of labor of the United States, discovered records of only 1491 strikes and lockouts in this country before 1881, more than half of which occurred in 1880. The earliest governmental statistics of industrial disputes on which conclusions must rest as to the trend of strikes in modern industrial countries, their causes, their magnitude, duration and outcome, go back no further than 1878 (Italy) and most of them were inaugurated in the decade 1890–1900.

Although trade unionism has been held to be the prerequisite of any widespread or effective strike movement, many students have maintained that as trade unions gain in strength, the tendency to strike diminishes, both because increasing bargaining power lessens its necessity and because responsible leadership and increasing centralization and control tend to check impulsive action. From the long run point of view this inference may be justified, but for various reasons it is difficult of proof. Most strikes do, as a matter of fact, arise in organized trades and industries. In the period 1916–32 in the United States 25,080 disputes took place with respect to which information regarding trade union connection is available. Of these 88 percent were definitely connected with unions and 10 percent were carried on without union organization. The remaining 2 percent included both union and non-union workers or those organized after the strike began. As trade unionism spreads to previously unorganized industries, it is often accompanied by strike waves. The great strike in the bituminous coal industry in 1897 and that in the anthracite field in 1902, the garment strikes of 1909–13 and the steel strike in 1919 are examples of the use of the strike for purposes of organization in the United States. Similar examples in England are the dockers' strike in 1889 and that of the miners in 1898.

In all countries more strikes and lockouts result from controversies over wages than from any other single cause. In the United States during the period 1881–1905 the wage question was a factor in 53 percent of all disputes and in the period 1916–32 in 55 percent. It reached its greatest importance in 1920 when wages were involved in 61.5 percent of the disputes, but even at the bottom of the curve in 1924 this cause appeared more frequently than any other and accounted wholly or in part for 45 percent of the disputes. In Great Britain it was the principal cause of 59 percent of the disputes from 1919 to 1930 inclusive. Only in Australia and New Zealand, where wage fixing laws have been in effect for many years, is the proportion of strikes due to this cause relatively low.

It is in these strikes for wages that the influence of prevailing economic conditions in determining whether the strike shall be for the purpose of effecting an advance or of preventing a retreat is most clearly shown. In the United States, in the period of rising prices and great industrial activity from 1916 to 1921, 95 percent of such strikes were conducted in order to effect an advance in nominal wages and about 5 percent were to prevent a decrease. In the depression year of 1921, 88 percent were against a

reduction and only 12 percent for an increase. From 1923 to 1929 the greater number of strikes—a 75 percent average each year—were for an increase, but in the period 1930–32 the order was reversed once more. In 1930, 66 percent of the disputes over wages were to prevent decreases; in 1931, 84 percent; and in 1932, 85 percent were for that purpose. Records in other countries indicate a similar sensitivity to economic change.

Union recognition alone or in connection with other causes accounted for 17 percent of the total number of strikes in the United States in the period 1916–32, thus ranking second in importance, whereas in more strongly unionized Great Britain trade unionism was given as the cause in only 7.5 percent of the disputes from 1919 to 1930.

Strikes which were concerned with the length of the working day or week figured in 13 percent of the cases in the United States between 1916 and 1932 and 10.4 percent between 1881 and 1905; but in Great Britain hour disputes accounted for only 4 percent of the strikes in the period between 1919 and 1930.

From this point on the causes of strikes are not so easily classified. Discharge of employees is listed in the United States as a factor in about 5 percent of the cases for 1916–32. This cause is not always identified as such in other countries. In Great Britain 19 percent of strikes occurring in the period 1919–30 are listed as those concerned with the employment of particular classes of persons. In the United States jurisdictional disputes, despite the greater frequency of their occurrence, account for only 1.1 percent of the strikes. Working arrangements, rules and discipline, causes not recorded in the United States, accounted in Great Britain for 8 percent of the cases in the period 1919–30.

Sympathetic strikes amounted to 2 percent of all labor disputes in the United States from 1916 to 1932 and to less than 1 percent from 1881 to 1905. Nor is the sympathetic strike of great significance in Great Britain. In the period 1911–30 such strikes ranged from less than 1 percent to 4 percent of all strikes and exceeded 5 percent of the strikers in three years only—1924, 1926 and 1928. In 1926, the year of the general strike, 1,595,000 persons, or 58 percent of all strikers, were involved in sympathetic strikes. In 1928, despite the law of 1927 forbidding sympathetic strikes, 25 percent of all persons on strike were in this category. In France also there were three years in the decade 1920–30 in which the proportion of workers participating in sympathetic strikes was very high, ranging from 31 percent in 1920 to 34 percent in 1922.

The procedure followed both in conducting a strike and in effecting a settlement tends to vary with circumstances. Influential factors include the nature, economic position and geographical location of the industry involved, the strength and effectiveness of the union, the general economic and social conditions prevailing, the economic and political philosophy of the participants, the legal restrictions and the type of industrial policing applying at the particular time and place and, to some extent, the attitude of the public. For these reasons a strike of coal miners in a remote mountain cañon, even though it may be part of a nation wide dispute, calls for a strategy differing from that involved in a walkout of garment workers in a congested city. Action which would be appropriate to a strike involving a single establishment under local and personal ownership would be inadequate in an industry corporately owned and controlled and covering a wide area. A strike of skilled building craftsmen not easily replaced presents problems different from those of an industrial union, made up in greater or lesser part of comparatively unskilled workers.

Another factor having an influence on strategy is the previous status of the union. In a shop which is unorganized or in which only a small proportion are union members and no recognition has been accorded the union, the strike is apt to be a spontaneous walkout without notice. Such a strike, while indicating a general condition of unrest, usually is the result of some sudden provocation, such as a quarrel with a foreman or some disciplinary action believed to be without justification. Spontaneous shop strikes, usually called "stoppages," may take place even in a well organized industry and in violation of a trade agreement. Where relations between the employer and the union as a whole are satisfactory, these interruptions are of short duration, since both employers and union leaders prefer to settle the controversy quickly lest the agreement itself be jeopardized.

When a strike is the culminating step in a campaign of organization it is considered good strategy to move suddenly and unexpectedly. If the strike involves large numbers distributed over a broad territory, such action is often impossible and there is actual although not official notice to the employers of the intention to strike

and of the date fixed. Thus in the campaign to organize the steel workers in 1919, the steel companies were aware of the vote taken in July authorizing a strike if necessary, not only because of their effective spy system but because of the newspaper publicity given to the decision. The actual strike did not take place until September 22, after the employers had refused to confer with the union leaders.

The circumstances are different when the strike is not for the redress of grievances in a previously unorganized shop or for the purpose of instituting collective bargaining, but is an attempt to renew on satisfactory terms a previously existing agreement. Trade agreements usually provide for conferences to consider the terms of renewal at some time preceding their termination. If negotiations are broken off, a membership vote of the union may empower its officers to call a strike. After such authority is voted, conferences often are renewed on a somewhat more realistic basis. If the conferees are still unable to agree, the strike date is announced.

Once the strike is under way the leaders are confronted with two major problems; they must maintain the enthusiasm and loyalty of the strikers and prevent others from taking their places. Attempts to promote morale include meetings addressed by popular leaders, publication of bulletins carrying news of an encouraging nature, social gatherings and other devices directed toward group solidarity. One of the most important elements in making possible the continuance of the strike is provision for meeting the immediate necessities of life; indeed strike benefits are the most universal form of trade union benefits. A union which enters a conflict with a well filled war chest is in a far stronger position than a group of unorganized workers in a spontaneous strike. A strike of considerable duration and involving large numbers may, however, tax the resources even of the strongest union. Consequently appeals are made to other labor organizations and sometimes to the general public as well. Contributions thus obtained are usually of lesser significance than funds already in the hands of the union or derived from non-striking members of the same organization by special taxes. In the United States the presence in large numbers of non–English speaking immigrants often requires the development of a special technique.

The principal method employed to prevent strike breaking is that of picketing by strikers or their representatives at or near the entrance to the place of employment. Picketing has three chief purposes: first, to inform those unaware of the fact that a strike is in progress; second, to persuade the workers to join the strike; and, third, by moral suasion or, if necessary, by physical obstruction to prevent them from going to work. The extent to which these purposes, especially the last, may be accomplished varies according to the method of picketing employed and the presence or absence of legal difficulties.

It is obvious that violence in the form of physical assault or destruction of property may easily arise in the course of a strike, particularly if it be prolonged or if bitter feeling is engendered. In the long run, responsibility for violence in strikes is fairly evenly divided between employers and strikers. It is usually difficult to find out which party is responsible for the initial step, but available evidence indicates that both sides at times make definite plans for physical resistance or attack.

It is in the settlement of strikes rather than in their direction that the social and political philosophy of the labor organization is apt to manifest itself. Unions proclaiming a radical or revolutionary philosophy are not especially addicted to violence in strikes, since the weapon of violence is reserved for definitely revolutionary purposes. There is no strike method known to the organizations of a left wing tendency that is not employed by the conservative unions as well. But a revolutionary union, while endeavoring to secure improved conditions for its members, utilizes the labor conflict for the additional purpose of attacking the institution of capitalism. Consequently in the settlement of a strike it avoids so far as possible all compromising truces such as are involved in arbitration or time agreements, preferring to retain its freedom to renew the attack whenever circumstances warrant.

A strike settlement may be achieved by default, by direct negotiation of the parties or by the intervention either of individuals or of governmental agencies. The first implies failure of the strike and its unconditional abandonment without any concessions or agreement by the employer, the strikers making individual application for reemployment on the employer's terms. A negotiated settlement indicates some degree of success, ranging from the most limited sort of concession to the granting of all the strikers' demands. Intervention may take the form of mediation, whereby the contestants are

brought together for direct negotiation or assisted in reaching a formula for agreement; or of arbitration, as when the dispute is referred to a third party for settlement. The latter may be voluntary, following an agreement, or compulsory and enforced by the state.

Three types of governmental contribution to the settlement of industrial disputes are to be observed, one or another of which or a combination is to be found in each of the more important industrial countries of the world. In the first, machinery is provided for encouraging voluntary conciliation and arbitration of disputes. This is the characteristic method of the English speaking countries generally, with the exception of Australia and until 1932 New Zealand, which in that year abandoned compulsory arbitration after nearly forty years' experience. Other countries in this group are France and Sweden.

In the second group of countries, mostly those of continental Europe, voluntary action with respect to conciliation is combined with varying degrees of compulsion. An interesting feature of the Belgian law is a provision that if an employer refuses conciliation, his striking employees are entitled to unemployment insurance benefits, while strikers who similarly refuse are barred from the receipt of unemployment benefits for one year.

The maximum of governmental control appears in the third group. Compulsory arbitration of practically all disputes with consequent prohibition of strikes and lockouts is the logical outgrowth of the governmental systems of Italy, Germany and Soviet Russia. Compulsory arbitration of a somewhat milder order is in effect in Australia. Denmark passed a law in January, 1933, prohibiting all strikes or lockouts for one year. Another aspect of the relation of governments to industrial disputes appears in the administration of public employment exchanges. Where the exchange is requested by the employer to supply new workers to replace striking or locked out employees, the general practise is to inform the applicant of the existence of a dispute and to leave the decision to him.

In the absence of specific prohibitions the legal right to strike exists in most countries where compulsory arbitration is not in effect. Some countries forbid strikes by public officials, by workers in public utilities and strikes endangering the safety of the state. Great Britain since 1927 has forbidden sympathetic strikes and those having political objectives. All countries forbid strikes of seamen at sea. In the United States the legality of strikes depends largely upon the decision of courts in injunction cases.

Strike results are recorded under three classifications: those won by the employers, those won by strikers and those compromised. A compromise may range from the most limited concession to what amounts to victory. Until the period immediately after the World War the general trend in all countries was toward a larger proportion of strikers' victories; these fluctuated, however, with periods of depression and prosperity, and there was a marked decline in the last decade. In the United States, in the period 1916–32, of all strikes on which information was available as to outcome 37 percent resulted favorably to the employer, 34 percent to the strikers and 29 percent were compromised. For the period 1881–1905 the corresponding percentages were 37, 48 and 15. For Great Britain for 1919–29 inclusive they were 36, 22 and 42. It must be noted, however, that these figures give no indication of the actual number of workers in each group. Thus in the unfavorable year of 1932 in Great Britain, despite the decline in the number of disputes and the larger proportion of defensive strikes, the figures showed that the 22.6 percent of the disputes won by workers affected only 6.9 percent of the total number of strikers, that the 43.2 percent won by the employers covered 47.9 percent of the strikers and that the compromised disputes, accounting for 34.2 percent of the total, involved 45.2 percent of the strikers.

As stated above, most of the leading industrial countries attempt to compile and publish from time to time statistical data with respect to industrial disputes. The reports vary in completeness, but the information usually includes at least the number of disputes, number of workers involved and number of days lost. In general they indicate that the period immediately following the World War was one of exceptional unrest. In most countries the years 1919 and 1920 were exceptional with respect to the number and severity of strikes. In the United States over 4,000,000 persons were involved in 2665 disputes in 1919. In 1930, 653 disputes were recorded, with 158,000 persons affected. This was the lowest point reached after 1919, and during this period the decline was almost continuous. In 1931, 894 strikes and 279,000 strikers were reported and in 1932 there were 808 disputes involving 243,000 workers. The Canadian reports indicate a trend not unlike that

of the United States. Labor disputes in Great Britain have been relatively more frequent and extensive than in the United States and Canada, but here too the index of severity in general declined in the period 1919 to 1930. In the main a similar trend is to be observed in other countries. Japan alone presents an almost opposite tendency, with strikes increasing both in number and severity after 1920. This is due apparently to the comparatively recent rise of class consciousness and of trade unionism in Japan. The apparent decline in the severity of strikes in other countries is due in part to the abnormal activity in 1919 to 1921. The decline after this period is in the main no greater and is in some cases less than the rise from the decade preceding the war. However, considering the increase both in population and in trade union membership, there seems to have been a real decline in strike activity after 1921. Reasons for this vary according to conditions prevailing in each country. In Europe generally the tendency to set up legal restrictions of one sort or another, calculated to discourage or forbid strike activity, has doubtless had its effect. In England the reaction against the general strike of 1926 together with the drain on resources that that effort entailed had an obvious effect on strike activity in the years immediately following.

In the United States, where the lessening of strike activity since the war has been most noteworthy, the outstanding causes appear to be the rise in real wages, the development of a new and more effective technique of opposition to trade unionism and the decline of trade unionism both in numbers and in aggressiveness, partly as a result of the hothouse growth during the war period.

There was a considerable increase in strike activity in 1933, which was due in large part to the legal protection thrown around organization and collective bargaining by the National Industrial Recovery Act, which took effect in June. In July to October inclusive there were more than twice as many disputes as in the corresponding months of 1932 and more than seven times as many persons affected. There were 1248 disputes in the first ten months of 1933 involving 741,870 persons. This was a larger number of disputes than in any full year since 1925 and a larger number of persons affected than in any year since 1923.

Strike statistics need to be analyzed with great care, however, to avoid misinterpretation. Questions arise as to adequacy and comparability even within a given country. Moveover, in order to get a complete picture of the strike problem, it is necessary to consider not alone number of strikes but also number of persons affected, trade union membership and the size of the wage earning population. In only a few studies has there been any attempt to make the necessary correlations. Temporary or unusual factors also, if not allowed for, may lead to unjustified inferences. Thus in the United States in the period 1881 to 1905 there were 36,757 strikes involving 6,728,048 persons, an average of 1470 strikes and 269,122 strikers a year. In the 17-year period covered in the second series, 1916–32, 31,889 strikes were reported with a total of 16,188,885 strikers, or an average of 1875 strikes and 928,758 strikers a year. The average number of strikes is thus 27 percent higher and the average number of strikers 254 percent higher than in the earlier period. But the major proportion of this increase is to be accounted for by the unusual strike activity in the years 1916–22 inclusive, when the average number of strikers was 1,771,760 per year, and especially in the years 1919 and 1920, when the number and severity of strikes reached an unusual peak in other countries as well.

Account must be taken too of the preponderance in every country of three or four industries in the figures of strikes and lockouts and their increasingly large coverage as conflicts shifted from local to nation wide scope. In the United States coal mining, clothing manufacture, building and textiles were responsible for nearly 75 percent of the disputes between 1926 and 1932. The construction industry, characterized by local strikes, is first in the number of strikes but third in the number of strikers. In Great Britain in years when the number of disputes reached high peaks, mining and the cotton spinning industry have accounted for a large proportion. In 1926, although there were fewer strikes in mines and quarries than in any other year of that decade, the number of persons involved was more than twice as great as in any other year. In the period between 1910 and 1924 in Great Britain, although 48 percent of the disputes involved 100 persons or fewer, and 41 percent 1000 persons or fewer, the disputes affecting 5000 or more workers accounted for 71 percent of all strikers and 83 percent of the time lost.

The question has frequently been raised whether, even in strikes that are "won," possible gains are not outweighed by the wage loss alone.

From the point of view of the community as a whole the question must take into account not only the loss of wages but employers' loss of profits and the loss to society through direct or indirect interference with its activities. Any attempt to estimate these losses in money terms must result in failure. The most intangible item is of course the indirect cost to business generally; but the direct loss to the employer involved in the strike is almost equally difficult to compute, since profits are influenced by many factors, of which the labor conflict is but one. Nor can the losses to strikers be gauged satisfactorily, since it is by no means certain that the wage loss can be reckoned by multiplying the average wage by the number of man days lost. Most industries are somewhat seasonal and the time lost in a strike is frequently made up by work during what would otherwise be the dull season. The average duration of strikes in the United States in the greatest strike year, 1919, was 34 days; it was 51 days in 1921, the highest in the current series of records, and only 16 in 1931 and 1932. For the period 1916–32 the average yearly duration of strikes was 26 days; for the period 1881–1905 it was 25.4 days.

Equally inconclusive are judgments as to the social cost involved in settlement of disputes by strikes. On one side of the balance sheet may be included the heritage of bitterness between employers and workers and between strikers and strike breakers, the loss of morale which sometimes accompanies a prolonged strike and the rupturing of domestic and community ties through the migration of workers who are unable to see it through. Against these items must be weighed, in each individual case, the social cost of acquiescence.

Whatever the facts may be, the great mass of legislation in every industrial country designed to promote the peaceful settlement of disputes or to penalize strikes is evidence of a belief that the cost of such strife is too great. Much of this legislation, when wisely administered, has been helpful. It has not, however, brought an end to industrial conflict. Strikes continue even in countries of compulsory arbitration or where strikes have been declared illegal.

The explanation for the tenacity with which the workers cling to the strike lies in the double purpose for which it is employed. Its first purpose is to secure protection in the enjoyment of recognized rights, and such progress as society as a whole tends to sanction. The second purpose is to a degree revolutionary in character. This is clearly evident in the strikes designed to move the government to any sort of action. It is a substitution of the organized workers for society as a whole in the field of political power. But even in the strikes where the aims appear to lie solely in the industrial field and within the recognized area of the trade agreement there is usually, whether clearly understood or not by the strikers themselves, something more. It is a challenge by a weaker group to the ruling forces in society. The strike is not solely a demand for protection in the enjoyment of privileges or rights already sanctioned; it is in part a move in the direction of new rights. The labor movement seeks not alone the interpretation and application of existing law but the positive achievement of new law. This is what makes compulsory arbitration in the long run a vain weapon against strikes. The labor struggle from the dawn of recorded history has been a movement both for protection and for status. In a society in which there is economic inequality it is this inequality which makes the strike inevitable.

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See: LABOR DISPUTES; GENERAL STRIKE; DIRECT ACTION; BLACKLIST, LABOR; BOYCOTT; POLICING, INDUSTRIAL; LABOR CONTRACT; LABOR LEGISLATION AND LAW; ARBITRATION, INDUSTRIAL; CONCILIATION, INDUSTRIAL; COURTS, INDUSTRIAL; LABOR INJUNCTION; LABOR MOVEMENT; TRADE UNIONS; COLLECTIVE BARGAINING; INDUSTRIAL RELATIONS; TRADE AGREEMENTS; EMPLOYERS' ASSOCIATIONS; COMPANY UNIONS; CLOSED AND OPEN SHOP; CIVIL LIBERTIES; INTIMIDATION.

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STROJNOWSKI, HIERONIM (1752–1815), Polish physiocrat. Strojnowski was educated at the convent of the Piarists and later, as a member of that order, taught for three years at the famous Collegium Nobilium. In 1780 he was appointed professor of natural law and economics at the Academy of Vilna. Subsequently he became rector of this institution and contributed greatly to its development as the cultural center of the Polish frontier. In 1785 he published his chief work, *Nauka prawa przyrodzonego* . . . (The theory of natural law, Vilna 1785, 3rd ed. 1805), which won him wide recognition. In 1787, while traveling abroad, he came into contact with Beccaria, Moschati and Fabbroni and was elected to membership in the Academy of Science of Florence and of Rome.

Strojnowski was one of the leading Polish physiocrats. The principles of physiocracy found wide acceptance in Poland because of the traditional close intellectual contact between France and Poland and also because of the high position accorded to agriculture in the physiocratic system. While Strojnowski followed the broad outlines of physiocratic theory, he understood how to adapt its principles to the economic and social conditions of his country; his physiocratic system was a theory in defense of the oppressed classes, aiming in particular at the emancipation of the peasantry, the single largest class in Poland. He advocated the complete exemption from taxation of the "craftsmen, traders and others" whose earnings were just sufficient to maintain their customary standard of living and, along with other physiocrats, sponsored the introduction for the first time of a tax on the landed gentry; this was the contribution of the tenth *grosz*, a tax which approximated the ideal of Quesnay. In his plea for complete freedom in internal and international trade he went beyond the theory of the physiocrats and approached closely that of Adam Smith. Strojnowski's views in general exerted a profound influence on the Polish statesmen of the Four Years Parliament, particularly on Staszic and Kołłątaj, the leading protagonists of the constitution of May 3, 1791.

STEFAN DZIEWULSKI

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STROSSMAYER, JOSIP JURAJ (1815–1905), Croatian nationalist. Strossmayer studied at the University of Pest and entered the Catholic church, where he rose rapidly by virtue of his unusual ability. In 1847 he was appointed director of the Augustineum, an important theological seminary in Vienna, and two years later he became bishop of Djakavo.

Strossmayer is one of the outstanding figures in the history of South Slav thought. He was the first great exponent of the Jugoslav ideal, the spiritual heir of the Illyrianism of Gaj, which had so greatly impressed him in his student days. The Serbs, Croats, Slovenes and Bulgars he regarded as branches of one great family which should be united. He did not, however, envisage a South Slav union as an immediate possibility and accordingly he contemplated not the dissolution of the Austro-Hungarian Empire but rather its transformation into a federal state in which the South Slavs should constitute one unit. A tireless propagandist, Strossmayer devoted himself to assisting the South Slav peoples, especially the Croats, and to promoting unity among them. His spirit dominated the nationalist party; the article of 1861 which established the independence of Croatia within its historical boundaries, with the understanding that its constitutional relationship to Hungary would be regulated, was his achievement. Believing that the basis of nationalism for the Slavs must be a knowledge of their cultural heritage,

Strossmayer persistently stimulated and encouraged research in this field. Through his efforts the Jugoslav Academy of Sciences and Arts, which tended to be "the literary half-way house of the whole race," was established in 1866 at Zagreb, and the University of Zagreb was founded in 1874. Strossmayer also reorganized the secondary school system in Dalmatia and Croatia. A liberal in church doctrine, he attempted to reconcile the Orthodox and Roman Catholic churches in the hope of removing one of the obstacles to South Slav unity.

Although during the 1860's Strossmayer was active in politics, he was not fitted for political intrigue. Essentially an enthusiast inspiring others with his own ideals, he exerted a profound influence upon several generations of Slavs, especially the Croatians.

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Consult: Wendel, H., *Aus dem südslawischen Risorgimento* (Gotha 1921) p. 103–34; Šišić, V. F., *Ideje Strosmajera* (Belgrade 1928), and a summary of it in French by N. Lalić in *Monde slave*, n.s., vol. vi, pt. iv (1929) 442–49; Loiseau, Charles, "La politique de Strossmayer" in *Monde slave*, n.s., vol. iv, pt. i (1927) 379–405; Seton-Watson, R. W., *The Southern Slav Question* (London 1911) ch. vi.

STRUGGLE FOR EXISTENCE. *See* EVOLUTION; SELF-PRESERVATION.

STRUVE, GEORG ADAM (1619–92), German jurist. Struve was professor at the University of Jena and also a Saxon privy counselor. In his university days he became acquainted with Heinrich Hahn and Hermann Conring; the latter as one of the leaders of the revival of German law introduced him to German legal antiquities. Although his scientific and practical activity was coincident with that of both Conring and Carpzov, Struve may justly be ranked with them by reason of the important role he played in the development of the science of German private law. His *Jurisprudentia romano-germanica forensis* (Jena 1670; new ed. by J. G. Schaumburg and L. Mencke, Frankfort 1771) remained until the beginning of the nineteenth century the most celebrated and influential general legal textbook. It held this eminence because it treated not only the Justinianian law but also the German common law, *usus modernus pandectarum*, which was adapted to German legal requirements and in addition explained Germanic legal concepts. In view of the fact that the artificial Ramistic method was still in vogue, Struve's clear, systematic and empirical method, which indeed he was the first to introduce into jurisprudence, was the more remarkable. Called "the little Struve," to distinguish it from the author's *Syntagma juris civilis universi* (2 vols., Jena 1658–63), which later appeared as *Syntagma jurisprudentiae secundum ordinem pandectarum concinnatum* (2 vols., Jena 1687; new ed., 3 vols., Nuremberg 1738), the work was often annotated and translated. It appeared also in a German version, *Jurisprudenz oder Verfassung der landüblichen Rechte* (Merseburg 1689; 4th ed. by H. E. Flörcke, Frankfort 1718), which closely resembles the Latin original.

In his metaphysical conception Struve regarded the law as derived from God, who has implanted in all men *recta ratio*, the source of *jus naturale*. The law of the state, however, is determined by the *majestas* of the contemporary sovereign. Thus it is necessary to return to empiricism, to pure positive law, which for Struve is compounded of *jus scriptum* and *jus non scriptum*, or *consuetudo*. He then applies this doctrine to the legal situation in Germany, classifying its law into local and common law. The latter is divided into *jus caesareum* (imperial recesses and ordinances), received Justinianian law, *jus pontificum* and *mores sive consuetudines in imperio universaliter*. This division of German law became classic.

JOHANNES BÄRMANN

Consult: Stintzing, R. von, and Landsberg, E., *Geschichte der deutschen Rechtswissenschaft*, 3 vols. (Munich 1880–1910) vol. ii, p. 146–64.

STUBBS, WILLIAM (1825–1901), British historian. Stubbs was born in Yorkshire and studied at Christ Church, Oxford, where under the influence of the Tractarian movement he became a high churchman. He was ordained in 1850 and served as country clergyman until 1866. His routine duties and proximity to London, along with his prodigious industry, led him to publish many learned articles, to compile his *Registrum sacrum anglicanum* (Oxford 1858, 2nd ed. 1897) and to build the foundations of his massive scholarship. In 1864 he edited his first volume in the Rolls Series of mediaeval chronicles, lately established by the government, and soon became the most eminent and productive of the scholars who contributed to that series.

In 1866 he was appointed regius professor of history at Oxford. He planned to create there a school of historical research but, like many others, was unable to withstand the influence

that put history so largely in the hands of the tutors and directed its study toward the passing of examinations. This, however, gave him more leisure to continue the production of his long series of editions of mediaeval chroniclers, to contribute to the *Dictionary of Christian Biography* and the *Dictionary of Christian Antiquities* and to publish the three volumes of his *Constitutional History of England* (London 1874–78, 5th ed. 1891–96). He edited in all nineteen volumes in the Rolls Series with learned introductions, which have since been separately published as *Historical Introductions to the Rolls Series* (ed. by A. Hassall, London 1902). The *Constitutional History*, more scholarly than any other constitutional history of any other country, has so imposed itself on all later writing on that subject that students have found it difficult to emancipate themselves from its influence, even when a new approach to the subject has evidently been called for. Nevertheless, his conception of the English limited monarchy as the normal form of government, his belief in early Teutonic self-government and his stress on Parliament as a legislative body have had to yield to later criticism. In other respects writers have rather extended than corrected his work.

When in 1884 Stubbs was made bishop of Chester, his work as a historian was virtually ended. He threw himself with devotion into his work as bishop and took high church ground in the controversies of the time on questions of ecclesiastical government.

Stubbs' principal achievements were to put at the disposal of scholars a vast mass of previously obscure material, to set an example of unflagging industry, thoroughness and self-effacement in historical scholarship and to write the first comprehensive work on English constitutional history.

EDWARD P. CHEYNEY

Consult: Hutton, W. H., *Letters of William Stubbs* (London 1904), with bibliography p. 409–15; Maitland, F. W., in *English Historical Review*, vol. xvi (1901) 417–26; *Quarterly Review*, vol. ccii (1905) 1–34; Bémont, Charles, in *Revue historique*, vol. lxxvi (1901) 463–66; "Bishop Stubbs" in *Church Quarterly Review*, vol. lii (1901) 280–99; Gooch, G. P., *History and Historians in the Nineteenth Century* (2nd ed. London 1913) p. 340–46; Royal Historical Society, *A Bibliography of the Historical Works of Dr. Creighton, . . . Dr. Stubbs, . . .* , by W. A. Shaw (London 1903) p. 15–23; Petit-Dutaillis, C. E., and Lefebvre, Georges, *Studies and Notes Supplementary to Stubbs' Constitutional History*, tr. by W. E. Rhodes and others, University of Manchester, Publications, Historical series, nos. 7, 22 and 53, 3 vols. (Manchester 1908–29).

STUCKENBERG, JOHN HENRY WILBURN (1835–1903), German American sociologist. Stuckenberg, who was born in Hanover, came to the United States in childhood. After graduating from Wittenberg College, Ohio, he returned to Germany, where he studied theology in the universities of Halle, Göttingen, Berlin and Tübingen. He then served for several years as a Lutheran pastor in Iowa and Pennsylvania. Before joining the Wittenberg faculty, of which he was a member between 1873 and 1880, he had with W. L. Gage translated parts of Hagenbach's *Vorlesungen über Wesen und Geschichte der Reformation* as *German Rationalism* (Edinburgh 1865) and had written the *History of the Augsburg Confession* (Philadelphia 1868). In 1880 after the appearance of the first edition of his *Christian Sociology* (New York 1880) he went to Berlin for further study and research and there served as pastor of the English speaking congregation, later the American Church. He became intimately associated with and was greatly influenced by Adolf Stöcker, the founder of the Berlin Inner Mission work and leader of the Christian Socialists in the German Reichstag. Stuckenberg came to be regarded as a leader among American intellectuals and students in Berlin and was one of the strongest cultural links between Germany and the United States, sharing that distinction with Andrew D. White and Bayard Taylor. It was during this period that he wrote his *Life of Immanuel Kant* (London 1882), *The Final Science* (New York 1885), *Introduction to the Study of Philosophy* (New York 1888) and *The Age and the Church* (Hartford 1893). Upon his return to the United States in 1894 he settled in Cambridge. It was in this second period of residence in the United States that he wrote *Tendencies in German Thought* (Hartford 1896), *The Social Problem* (York, Pa. 1897), *Introduction to the Study of Sociology* (New York 1898) and *Sociology, the Science of Human Society* (2 vols., New York 1903). In sociology he was an idealist and intellectualist, stressing the evolution of sociological concepts and social forms. He was the first in the United States to formulate a Christian sociology.

L. L. BERNARD
F.-K. KRUGER

Consult: Barnes, H. E., "The Social and Political Theories of J. H. W. Stuckenberg" in *Lutheran Quarterly*, vol. li (1921) 389–404; Pihlblad, C. T., "The Sociology of J. H. W. Stuckenberg" in *Ohio Sociologist*, vol. ii (1928) no. 2; Posada, Adolfo, *Principios de sociología*, 2 vols. (2nd ed. Madrid 1929) vol. i, p. 291–97.

SUÁREZ, FRANCISCO (1548–1617), Spanish theologian and legal philosopher. Suárez entered the Society of Jesus in his seventeenth year and after completing his studies in philosophy and theology taught these subjects in various Spanish and Italian universities. From 1597 to 1616 he was a professor at Coimbra, Portugal. The outstanding philosopher of the sixteenth century Spanish school of law, Suárez exerted a profound influence upon scholastic thought and upon the philosophy of politics and law, especially international law.

His *Tractatus de legibus ac Deo legislatore* (1612) is a detailed treatise on law, the systems of law and their interrelationships. Starting with the Platonic categories of law—divine, celestial, natural and human—Suárez discards the second as either superfluous or erroneous. The divine, he holds, is the equivalent of what the theologian calls eternal law, in so far as it exists in God Himself, and temporal law, in so far as it is proposed immediately by God, although outside of Him. The other two categories in Plato's division Suárez calls natural and positive law respectively. He defines natural law as "that which dwells within the human mind for the purpose of distinguishing the upright from the base." This is so not because execution of this law is natural or arises from necessity but because it is a property of nature which God Himself imposes. In a certain sense therefore natural law may be called divine. Human positive law is defined by Suárez as "a precept, common, just and stable, and sufficiently promulgated," supplementing the general principles of natural and divine law. In this connection he discusses many very interesting problems: whether the law is intended to improve subjects; what persons are obligated by it; what kinds of change are possible; and the question of the unwritten law called custom.

Most significant, however, are his chapters on international law, which mark Suárez as one of the founders of that science. Here he establishes for the first time a clear distinction between natural law and the law of nations. The latter he designates as positive law based upon custom, although it may be derived in large part from natural reason. International law moreover, unlike natural law, is not immutable. Suárez also discusses the necessity of an association of sovereign states and of a body of law to regulate it, basing the need for such an association upon the moral and political unity which exists among all peoples. His further contributions to international law are contained in *Opus de triplici virtute theologica* (1621); the section on charity includes a disputation on war which is an excellent summation of the prevailing ideas of the Spanish school and which gives evidence of the deeply moral point of view pervading all of Suárez' writings.

His political doctrines are to be found in *Defensio fidei catholicae . . . adversus anglicanae sectae errores* (1613), a reply to the theory of the divine right of kings as propounded by James I of England. Suárez maintains that government depends upon the consent of the governed; that political sovereignty, or the supreme civil power, is granted immediately by God to men associated together in a state, or perfect political community. Accordingly this power does not reside in one person or in the special association of the many but in the entire people or body of the community. It may be conferred upon a single prince or monarch through the voluntary consent of the people or by the voluntary election of the king, to whom the community transfers its power. Once a stable and perpetual transfer has been made, there is no need for a new election or further consent. In the case of peoples involuntarily subjected to kings through wars, whether just or unjust, title to the exercise of the royal power arises only by prescription. Suárez condemns as false the opinion that a tyrant may be killed by any subject, holding that authority to punish is not the attribute of the private individual. The entire commonwealth, by a public and common council of the cities and leaders, may, however, depose a tyrannical ruler; but this must be "done prudently without greater detriment to the people."

Suárez also attained fame as a theologian. His *Disputationes metaphysicae* (2 vols., 1597) was the last great study in scholastic philosophy. The spirit which Suárez introduced into his speculations helped to prepare the way for neo-scholasticism.

HERBERT WRIGHT

Works: *Opera omnia*, 28 vols. (new ed. by Michel André and Charles Berton, Paris 1856–78).

Consult: *Francisco Suárez; Addresses in Commemoration of His Contribution to International Law and Politics*, ed. by Herbert Wright (Washington 1933); Scott, James Brown, *The Spanish Origin of International Law* (Washington 1928), especially p. 71–111; Plappert, Eugen, *Franz Suarez als Völkerrechtler* (Darmstadt 1914); Wallace, Thomas F., "The Political Philosophy of Suarez" in American Catholic Philosophical Association, *Proceedings*, vol. vii (Baltimore 1931) p. 96–105; Rohloff, Leo, *Der Kampf um die Staatshoheit in Grossbritannien* (Weissenfels 1931) p. 20–22.

SUAREZ, KARL GOTTLIEB (1746–98), German jurist. Suarez, or Svarez as he called himself, was not, as might be supposed from his name, of Spanish ancestry. His family name, originally Schwartz, was changed by his father, a councilor and advocate. Born in Schweidnitz in Lower Silesia, Suarez passed his youth in the tragic atmosphere of the wars of Frederick the Great. He then studied in Frankfort on the Oder and began his juristic career in Breslau, where he was instrumental in establishing a Schleswig credit institution and in the reform of university and *Gymnasium* education. In the year 1780 he was called to Berlin by Chancellor von Carmer. Here he was entrusted with the task of preparing a general legal code. He thus had the opportunity to embody in legislative form the great ideals of the law of nature and the Enlightenment, such as freedom of religion and conscience, the separation of powers and the independence of the judiciary. Suarez was further honored with the responsibility of schooling the crown prince in the legal and political sciences. His pupil, who was twenty-two years old and very impressionable, readily absorbed the ideal view of life and juristic doctrine of his teacher, who fulfilled his duties with disinterestedness and deep earnestness. It was due to Suarez' teaching that the later King Frederick William III was so well versed in the new governmental forms. Indeed the entire so-called Stein-Hardenberg legislation was but the embodiment of the ideas of Suarez.

The Prussian general code contained civil law, criminal law and an unusually large amount of public law. It regulated education as well as the law of the various estates; as the law of the merchant class it comprises the whole of commercial law. The language of the code is simple, but since it is also casuistically explicit it is rather voluminous. Published in 1791, it was suspended in 1792 because of its rule relating to "prerogative judgments"; that is, decisions of the monarch in matters in which the ordinary courts were competent. When the code was finally proclaimed in 1794 under the title *Allegemeines Landrecht für die preussischen Staaten*, the prerogative provision and many others were omitted. The unified law of the Prussian monarchy proved to have very beneficent results and became the model for later German legislations, as, for example, in Austria. As a result of this reception it was adopted in the other German states and in several Swiss cantons. Suarez' work remained fundamentally unaltered for over a century until it was abrogated by the German Civil Code.

EBERHARD VON KÜNSSBERG

Consult: Stölzel, Adolf, *Carl Gottlieb Svarez* (Berlin 1885); Stintzing, R. von, and Landsberg, E., *Geschichte der deutschen Rechtswissenschaft*, 3 vols. (Munich 1880–1910) vol. iii, pt. i, p. 469–70; Schröder, R. K. H., *Lehrbuch der deutschen Rechtsgeschichte* (6th ed. by E. von Künssberg, Berlin 1922) p. 1015.

SUBMARINE WARFARE. *See* WARFARE.

SUBSIDIES. In its broadest application the term subsidy refers to a great variety of grants, loans and allowances, including financial assistance by one authority to another within the state (*see* GRANTS-IN-AID) and by one state to another (*see* LOANS, INTERGOVERNMENTAL). It also comprises governmental financial assistance which is based on a specific sum per unit of an article produced, imported or exported (*see* BOUNTIES). In its narrower meaning, however, as used in this discussion the term is confined to financial or other aid given, without equivalent recompense, by governments, government agencies or government owned corporations to promote or preserve private enterprise in industry, trade, commerce and agriculture. Subsidies always involve an actual outlay in cash or in kind (usually land) by governments or government agencies or assistance, benefits or promises which might lead to government expenditure. They thus effect a shift in the national income, since in the last analysis the government must use for special purposes and for the benefit of a small part of the community funds which have been derived from general taxation. Since subsidies are always calculated to increase the profitableness of the enterprise beyond its extent in an entirely unaided free market, they change the competitive position of different parties in either the domestic or the foreign market. Tariffs, which in many countries are still the most frequent form of government interference with the competitive situation in markets for the benefit of individual interests, are not subsidies, since no governmental expenditure is involved. Financial help by governments for educational institutions can be considered a subsidy only in cases where they are carried on as private enterprises and on a competitive basis with others. Governmental grants for the purpose of lowering the price of food, fuel and other necessaries for certain classes of the population are not subsidies, since they are not intended to help individual businesses or to increase their profit.

A strict classification of the forms in which subsidies are granted is very difficult. The distinction between "direct" and "indirect" subsidies, depending on whether an actual governmental outlay of money is involved, proves in practise to be hardly feasible and without much significance. Cases in which a certain amount of money is actually paid to the enterprises in question are perhaps rarer than formerly, but they still occur frequently. In modern times governments often use methods which disguise the real purpose but which, sooner or later, lead to government expenditure. Loans are granted where credit from private sources would not be obtainable and with the tacit understanding that the money may not be repaid. Sometimes loans are given or procured by the state on much more favorable terms as to repayment or amortization than would otherwise be obtainable. Interest rates may be lowered, either by actual additional payment by the state to the bank granting the credit or by the state's serving as guarantor to the lending bank. In other cases in which the reliability of domestic or, more frequently, foreign customers is uncertain governments make possible sales to them by guaranteeing payments; sometimes these subsidies are on an insurance basis. Not infrequently governments pay prices above those ruling in the market, thus allowing the party concerned to make an additional profit at the expense of the general public. More recently governments have subsidized industries by making contributions to their wage bills or by assuming or canceling some of the cost of social insurance which these industries have to carry. Tax exemptions constitute another common form of subsidy. Although in such cases governments are actually not spending money, such exemptions, from the viewpoint of economics and public finance, have the same significance as the other forms of subsidies. The same is true when governments grant exemptions from import duties; this is sometimes done for importation of machinery or material intended to be used for the establishment or development of home industry. Frequently subsidies take the form of government contributions to freight cost and to ocean and air mail service. Contributions to freight, however, especially preferential railway or shipping rates, are very often bounties. Also in many cases in which certain premiums are granted by governments bounties are usually involved but not subsidies.

New methods of subsidizing private businesses have been invented particularly during the depression following 1929. In connection with programs of public works subsidies have been given in forms which were not previously employed and to an unprecedented extent. An outstanding example is the Reconstruction Finance Corporation in the United States, which made loans in large sums and in many cases where private credit would have been entirely unobtainable and where bankruptcy or collapse would have been unavoidable. The system organized in Germany to make cash grants to private businesses out of money derived from arbitrage transactions with German foreign bonds or from deferred interest payments on such bonds did not involve subsidies in the strict sense, since no government expenditure was entailed. This whole scheme, however, could not have been evolved and carried through without governmental help and supervision. Subsidies vary widely as to their duration; some are given only once, some are given intermittently, regularly for a certain period or permanently.

Economic history offers numerous instances of governmental help accorded to individual interests in using public funds. Very often it would be difficult to determine exactly whether a grant made would fall within the limits of a subsidy or of a bounty or of a similar governmental allowance. Subsidies were a frequent requisite of economic policy under mercantilism and were still used well into the eighteenth century. With the rising influence of Adam Smith, the slow growth of democratic governments and the more liberal era in economic policy the use of subsidies slowed down, although governments in most countries never altogether ceased helping individual interests. But except for all forms of transportation subsidies in the strict sense of the term were more seldom used in that period, not the least because discussions in parliaments, chiefly on the budget, made outright subsidies undesirable. During and after the World War, however, subsidies were revived in almost all countries, and they are now a very considerable element in economic policy.

The motives for subsidies always have been manifold, although not seldom concealed. Subsidies are advocated and granted for economic, military, or "national," and social purposes, in many cases for numerous combinations of these. Those supported on economic grounds include: financial aid given to undeveloped industries and sometimes referred to as "educational" subsidies; subsidies to forestall an emergency; and

those which are calculated to preserve an industry. Subsidies with educational purposes have always been known. Widely used to encourage production, they played a large role in almost all countries in developing the shipping industry and the railway system, as exemplified in the land donations to railroad companies by the government of the United States and of Canada, and they are now very frequent in the development of aviation. Subsidies calculated to meet a special emergency multiplied particularly after the war in some of the belligerent countries. The outstanding instances in that period were the subsidy to the coal industry and the trade facilities act in Great Britain. Furthermore subsidies to meet a special situation have often been adopted since the onset of the depression in 1929. These have been given in various forms, either to prevent further aggravation of the depression, especially to key industries, to mortgage institutions, banks, railways and the like, or to stimulate business through programs of work creation, tax exemption, wage assistance and so on. When countries aim at self-sufficiency, they nearly always resort to "protecting," or assisting, particular industries by tariffs or by subsidies, which are initially supposed to be only a temporary, educational help but which very often become a permanent institution. In practise such subsidies may be very similar to governmental aid in support of industries or trades which, because of new developments at home or abroad, could not survive in entirely free competitive markets.

Subsidies for military, or national, purposes are much more frequent than is commonly supposed. They are frequently concealed in a more or less ingenious way and are preferably given to armament, chemical and steel industries. Sometimes they are identical with subsidies which are granted to increase or secure self-sufficiency in special fields, particularly in agriculture. Subsidies for means of transportation are moreover often justified on military grounds.

Subsidies in connection with large housing programs, slum clearing and the like are sought for purposes of social betterment. Such subsidies were extensively employed after the war, especially in Europe. The so-called productive unemployment aid, through which unemployment benefits are turned over to employers as an allowance for their cost of production, is a subsidy for which social motives are advanced.

The economic, political and social ramifications of subsidies are manifold and complex. Generalizations in this connection are unwarranted, for the special circumstances in each individual case and the concrete facts must be studied before a definite judgment is possible. The decision as to the advisability of subsidies should always be based on an examination designed to determine whether the results which may be achieved will justify the costs involved: the burden upon the budget, the partial upsetting of the functions of free markets, the artificial maintenance of profitableness in private businesses, the shift in national income with all its far reaching consequences, the diversion of capital into "unnatural" channels and last but not least the effects on the international division of labor. These effects might interfere considerably with economic relations with foreign countries and with international trade treaties and might lead to similar actions abroad. The costs incurred may be justified chiefly in cases where it is clear that a temporary emergency is involved and where subsidies probably prevent much larger losses involved in the closing down of particular industries and in the deterioration of large amounts of fixed capital. Moreover in cases where help is needed for "education" for a relatively short time a subsidy may be found advisable. All other instances call for the utmost prudence. In circumstances in which government asistance is either advisable or for political reasons unavoidable subsidies should be preferred to tariffs, since the effects of the former on the economic system and the price structure are often much less harmful than those of tariffs. Finally, political implications are far from negligible. Corruption is sometimes tied up with the subsidizing of private businesses at government expense, and therefore the greatest possible extent of publicity and the avoidance of all secret measures are essential.

OTTO NATHAN

See: ECONOMIC POLICY; COLONIAL ECONOMIC POLICY; SELF-SUFFICIENCY, ECONOMIC; BOUNTIES; DRAWBACK; GRANTS-IN-AID; TARIFF; VALORIZATION; FARM RELIEF; BUSINESS, GOVERNMENT SERVICES FOR; MERCHANT MARINE; SHIPPING; AVIATION.

Consult: International Economic Conference, *Direct and Indirect Subsidies*, League of Nations, Publications, 1927.II.35 (Geneva 1927); United States, Tariff Commission, *Dictionary of Tariff Information* (1924); Patch, B. W., "Government Subsidies to Private Industry" in *Editorial Research Reports*, vol. i (1933) no. 16; Neumark, F., "Subventionen" in *Handwörterbuch des Bankwesens*, ed. by M. Palyi and P. Quittner (Berlin 1933) p. 548–52; Zachau-Mengers, G., *Subventionen als Mittel moderner Wirtschaftspolitik* (Berlin 1930); Jones, Grosvenor M., *Government Aid to Mer-*

chant Shipping, United States, Bureau of Foreign and Domestic Commerce, Special Agents series, no. 119 (1925); United States, Department of Agriculture, *World Trade Barriers in Relation to American Agriculture*, 73rd Cong., 1st sess., Senate Document no. 70 (1933); Palyi, M., "Subventionen," Bloch, Kurt, "Subventionen in der Landwirtschaft," Miksch, L., "Subventionen in der Industrie," and Neumark, F., "Verkehrssubventionen" in Frankfurter Zeitung, *Die Wirtschaftskurve mit Indexzahlen*, vol. ix (1930) 151–67, 264–70, 273–83; Goldschmidt, R. W., *Kapitalpolitik* (Berlin 1933).

SUBURBS. A suburb is one of a cluster of communities immediately surrounding the central city. Whereas the ancient city was confined within walls, the modern city, thanks to civil order and transit facilities, can spread in all directions over a series of concentric zones of diminishing urban character until it merges with the open country. The metropolitan district typically includes also a rural fringe of intensified agricultural production catering to city markets, an unpopulated area for water supply, extensive recreational areas and possibly forest preserves. Complementary to the expansion of cities is their still wider attraction, which tends to concentrate an ever larger proportion of the total population in their tributary areas and to divide the whole nation into a collection of metropolitan regions.

The expansion and gradual thinning out of any city take place upon a particular terrain, which usually presents natural barriers to even development. Expansion first follows natural gateways; actual growth consequently proceeds by a series of radial thrusts along these lines of least resistance, so that intensified urban development is carried much further in some directions than in others.

The urban core is a limited area occupied by many people. The most conspicuous characteristic of the suburban zone is that fewer people occupy much more land. Equally distinctive, however, is the fact that all the suburbs combined decentralize only a fraction of the city's total functions and thus remain fragmentary and dependent communities. They have fewer major institutions than independent towns of equal size, because the city performs part of their community functions and because they lack dependent hinterlands. Suburbs can exist only by virtue of a set of continuously active connections with the city. Dependence and intensity of intercommunication, subject to modification because of unequal radial expansion, are generally proportionate to the distance of the suburb from the central city. Suburbs which existed as independent communities before being caught up into the metropolitan nexus sometimes continue to show exceptional characteristics.

Because the dependence of all suburbs on the central city is only partial and because of the prior organization of their territory into minor political units, their political separation from the city tends to continue except as propinquity and the development of intensive urban character make strongly for annexation. Sociologically speaking, however, political status is no final criterion of a suburb, which should include all areas, whether located within or without city boundaries, that reflect the basic suburban characteristics.

Suburbs differ in type because those elements of city life which have most easily become decentralized under natural urban development do not all move to the same place. The residential suburb represents the decentralization of consumption, the industrial suburb the decentralization of production. Heavy industries and space consuming transit facilities, such as railway freight yards and airports, naturally seek suburban location where land is cheap. They in turn attract other types of industry, thus creating distinctively industrial communities. In other cases industry remains centralized, while the homes and recreational pursuits of its workers are decentralized.

Suburbs thus tend to go to extremes. The typical industrial suburb is more exclusively given over to industry than the central city; frequently it has a greater proportion of foreign born population and, although it is less congested, it may accentuate all the evils of slum housing and social disorganization. Residential suburbs, on the contrary, often do not reflect any trace of the basic economic activities of the city. They show a larger proportion of married people and frequently also of elderly people. Because the wealthiest suburbs are preeminently servant employing communities, they often attract a higher percentage of Negro population.

There are numerous varieties of still more specialized and distinctive suburbs, such as those which develop about a single institution: a school or a university, an asylum, a prison, a military establishment or a county seat. Suburban pleasure resorts are characteristic of every metropolis.

It is not commonly recognized how large a proportion of outlying communities is characterized by decentralization of both production

and consumption. Since they share the city's natural advantages, such as access to its harbor and transportation terminals, and exchange economic services with parts of the same hinterland, these communities may acquire the proportions and major characteristics of a large city and are more properly designated as satellite cities. But within metropolitan districts there are also numerous smaller communities which lack suburban selectivity; they are urban fragments, detached but little modified. Most of the types of suburbs which have been mentioned exist at different economic levels.

Finally, since the hitherto unplanned expansion of cities subjects every suburban venture to the risk of failing to attract a sufficient number of people, multitudes of suburbs must be classed as economic failures, marked by closed factories and abortive real estate developments overgrown with weeds.

The rapid growth of cities ranks among the most conspicuous of modern social tendencies. But suburbs grow still faster. For the eighty-five metropolitan districts listed in the United States census of 1930, the suburbs showed an increase in population of 39.2 percent during the preceding decade, more than twice that of both non-suburban cities and central cities of similar size. This was an acceleration of the tendency of the decade 1910–20. The most rapid growth was in suburbs of 2500–5000 population and in those surrounding the larger cities. The population of London's "outer ring" in 1901 was less than one third that of Greater London, but gained upon that of the "registration" city until in 1931 it constituted 46 percent of the total.

In the rapidity of its development the recent suburban movement reflects the intensity of the struggle for space in the city, where the limits of profitable vertical expansion have already been passed. In the United States the rate of suburban growth has been generally proportionate to the congestion of the central city. This escape from congestion has been made possible physically, technically and in part economically by spectacular improvements in means of transportation (*see* MUNICIPAL TRANSIT).

The costliness in time and money of movement to and from the city, the economy of the multifamily type of urban dwelling and the greater availability for the poor of low rental housing in the extensive deteriorated areas of cities put the advantages of suburban life beyond the economic reach of the majority. Choice of residence as between city and suburb is virtually limited to the most highly paid types of labor and to the upper middle classes. In exchange for a more spacious and healthful environment and possible home ownership these select populations must bear not only the higher individual cost of these improved conditions but also a heavier rate of taxation, especially for education and public improvements.

As suburbs age and their housing becomes somewhat obsolete, it becomes increasingly difficult for them to meet the costs of maintaining their suburban character. They must compete with other suburbs and with new "country club" areas designed by real estate exploiters to attract the more prosperous. Most frequently the older suburbs have escaped economic difficulties by absorbing the urban overflow and adopting urban types of housing and ways of living. In the unplanned expansion of cities one generation has surrendered what the previous generation achieved, so that some authorities have doubted whether the suburban movement as a whole is succeeding in securing suburban advantages for a larger fraction of the people than in the past. A succession in occupancy, generally by populations of lower living standards, tends to characterize the suburbs as it does the older city areas.

Institutional case studies have revealed the profound sociological consequences of this recurrent conquest of suburbs by the city. Psychological analysis of suburban characteristics, on the other hand, has been concentrated for the most part on the residential suburb. Interpreters of urban life have been particularly disturbed over the withdrawal of large numbers of the more competent and successful members of the urban community from responsibility and participation in the life of the central city in which they make their living. This withdrawal has been blamed for the notoriously bad government of cities. The sociological consequences of such segregation are not less significant for the suburb itself. Even the most strictly residential suburbs are extremely heterogeneous. Scarcely more than half of the total population is made up of commuting residents and their families. The remainder consists of tradesmen and servants, often of alien nationality or race. The residential suburb movement is often superimposed upon an old and outmoded community life. For these reasons it involves sharp problems of social integration, among which that of the cleavage between the commuting and non-commuting elements is predominant.

The most distinguishing characteristic of the commuting population is the shuttling of its interest between city and suburb. The disintegrating effects upon personality of the heterogeneity, anonymity and mobility characteristic of urban life are indeed partly counteracted by the definite neighborly ties of the smaller and more coherent community. On the urban side of his experience, however, the suburbanite is subject to all the demoralization which city life brings, while on the suburban side he is greatly handicapped by divided loyalties. And it may well be that this duality of experience introduces an even more serious schism than ordinary urban life involves. For the commuter devotes his creative activity to the city, returning to the suburb when he is fatigued and in need of rest. The suburb is consistently portrayed in fiction as petty, frivolous and lacking in virility.

The development of urban life in great metropolitan communities has increasingly challenged social intelligence in its efforts to understand and control the total complex phenomenon. With respect to suburbs social planning has two chief aims: first, to free the masses of population from urban congestion; second, to control the process so that decentralization shall not merely submerge areas which have already acquired suburban character. The ultimate ideal is to accelerate decentralization and to assure a future distribution of prospective population so as to secure to all outlying metropolitan areas permanent spaciousness of living conditions and easy access to recreational and forested areas. On the technical side planning has shown the physical possibility of such arrangement for all predictable increase of population as well as the economic conditions under which it may be realized.

The most conspicuous results of earlier suburban planning were a few relatively small model garden cities generally created by particular industries for the housing of their workers. Larger scale planning, with an entire metropolitan district as the unit, now tends to advocate the development about a central city of a series of self-contained communities maintaining suburban spaciousness but at the same time decentralizing all elements of a city's life in balanced proportion. This would greatly reduce the uneconomic transportation of workers and goods, add to the cultural and aesthetic independence of the suburb and afford the suburbanite the possibility of an integrated life in a community large enough to command unified loyalties. It would also make suburban life economically available to a much larger proportion of the people.

Local government remains one of the most decentralized of suburban activities, and despite the consolidation of a few counties with cities no political agency corresponding to the metropolitan whole has yet been developed. The need for such an agency is evidenced by the rapid formation of special districts performing single necessary functions. Centralized control adequate to bring order into the desirable decentralizing of functions remains a vital problem.

Meanwhile the most potent factor of metropolitan control is the unifying prestige of the city. Decentralization is likely to throw into still higher relief the unassailable residuum of its central functions. These will include the control of economic credit and the final administration of productive and distributive functions; but they will also be cultural and aesthetic.

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See: CITY; METROPOLITAN AREAS; MUNICIPAL GOVERNMENT; ADMINISTRATIVE AREAS; COUNTY-CITY CONSOLIDATION; CITY AND TOWN PLANNING; REGIONAL PLANNING; MUNICIPAL TRANSIT; HOUSING; GARDEN CITIES; COMMUNITY; NEIGHBORHOOD.

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SUBVENTION. *See* GRANTS-IN-AID.

SUCCESSION, LAWS OF. The idea of succession to property, whether by will of the owner or upon his death without formal declaration of his wishes, scarcely exists in primitive forms of social structure. In tribal or clan organizations the goods of the deceased may be destroyed, burned or buried with him or, possibly because of some religious sanction, they may be abandoned to strangers. Even an agrarian economy, involving settlement of the social group in a more or less fixed territory, does not always give rise to the institution of succession. For the greater portion of the period during which man has tilled the earth, some sort of communal system of possession and use has doubtless predominated. In such a system the death of a member of the group merely requires a repartition by the chief or council of the clan. Modern India and Slavic peoples in the more remote areas of the Balkans still preserve the institution of the joint family, while evidences of its former existence are found in Greek and Celtic law. Sir Henry Maine has said, with some exaggeration, that all laws of inheritance are the débris of the varying forms which the family has assumed. The existence of some sort of concept of individual property and the abandonment of the joint family organization afford the substratum upon which customs and laws of succession are erected.

The development of succession, as exhibited in the history of European law, began with the relaxation of the clan and the enlargement of the powers of the paterfamilias. This is certainly the case with the law of Rome, where the paternal power (patria potestas) amounted to a sort of sovereignty within the state. There is little evidence in Roman institutions of a joint family system excluding succession. Already in the earliest period the patria potestas had largely usurped the place of the gens, or clan, and ancestral property, far from reverting to the community, was subject to control at death by the paterfamilias. Intestate succession occurred where there existed neither a will nor persons under the paternal power of the paterfamilias on the day of his death, the so-called *heredes sui*. Only if the latter was lacking did the law of intestate succession take effect in favor of the agnates, relatives of the deceased who traced descent from a common male ancestor. The gens, the artificial family presumed to be descendants of a remote and usually mythical common ancestor, took by a sort of escheat, if there were no agnatic kin. Intestate succession occupied a minor role in Roman law, for the paterfamilias might disregard the *heredes sui* and the agnates in the exercise of his power of testation.

The early outstanding features of the Roman will were the absolute liberty of testation and the idea of universal succession. The appointment of a *heres*, very different from the English heir, was all important. The *heres* succeeded not only to the property of the deceased but also to his debts. He was regarded as continuing the legal personality of the deceased and was liable for the performance of the latter's religious duties as well as for his debts. So absolute was the power of the Roman testator that in the earlier law he might disinherit his own sons and appoint his slave *heres*.

The oldest form of Roman will was the comitial will, *testamentum in comitiis calatis*. The testator orally appointed the *heres* and the legislative assembly approved the selection, meeting for this purpose on two days in each year. The will *per aes et libram*, adopting the ceremonies of mancipation, akin to the formal acts employed in sales and manumissions of slaves, supplanted the comitial will at an early date. The original irrevocable character of this disposition was later modified, and the praetors gradually relaxed the formalities required for the institution of the *heres*. The result was that a written instrument subscribed, sealed and witnessed by the testator and seven witnesses became in the days of the empire the usual form, the so-called praetorian will. For a time even an unwitnessed will, wholly in the handwriting of the testator, was sufficient. Justinian, however, followed Theodosius in forbidding the holographic will, except where made by a parent in favor of his children. Oral wills, declared before seven witnesses, were recognized under the name of nuncupative wills. Soldiers' wills were permitted to be enforced, with almost no formalities. The work of the praetors, the emperors and the jurists succeeded in evolving out of the formal materials of the early law instruments that were flexible expressions of intent.

The almost boundless power of disposition by will, as it existed in the earlier law, became subject to many limitations in the classical and postclassical periods of Rome's legal history. The principle of express disinherison was developed. A form of contest of wills, the *querela inofficiosi testamenti*, was created, allowing various statutory heirs to upset a will on the ground that the testator's disregard of his natural ties

could be explained only by his insanity. A peculiarity of this procedure was that it might result merely in the partial cancellation of the will. The legislation of Augustus and later emperors restricted the capacity of unmarried and childless persons to receive benefits under wills and limited the amounts of legacies; by other laws a portion of a testator's estate was withdrawn from his power of alienation and devoted to his family. Justinian's legislation increased the amount of the children's portion (*portio legitima*) to as much as one half of the estate in certain cases. The children might, however, be disinherited for certain enumerated causes.

The Roman law of intestate succession underwent changes as profound as those which remodeled the will. The early system which traced descent only through males deriving from a common ancestor, the so-called agnatic system, was supplanted by one which, without wholly rejecting the agnatic principle, found a place for cognates, or blood relatives, counted through males and females alike. Finally in 543 and 547 A.D. respectively Justinian laid the basis of the western law of succession by the famous 118th and 127th Novels. Blood relationship without distinction of sex took the place of agnatic relationship. Another legislative change of great significance introduced into the law of succession by Justinian was the so-called benefit of inventory (*beneficium inventarii*). This virtually changed the character of the *heres*. By taking advantage of this benefit he escaped the personal liability for debts which he otherwise assumed upon acceptance of the inheritance, and became liable only to the extent of the property received from the deceased. In other words, his position approached that of the modern executor more closely than that of a universal successor to the moral and legal personality of his ancestor.

The Germanic law of succession varies widely from the Roman. Tacitus observed a striking difference in the fact that the Germans rested their law of inheritance mainly upon intestate rather than testamentary succession. There was also no conception of universal succession as in the case of the *heres*. The laws of succession in regard to chattels developed independently of those relating to land; likewise inherited lands were treated differently from lands acquired by purchase. Special rules of succession were established in different regions. The Germanic law reckoned kinship by regarding the persons concerned as generations, descendants of parents, of grandparents and so on. A man's own descendants constituted what was called the first parentelic group; the descendants of his parents (other than himself) constituted the second parentelic group; the descendants of his grandparents not included in the first and second groups were the third parentelic group. The kin of the first group were more nearly related to a person than his kin of the second group, and those of the second more closely than those of the third. Ultimately this system of recognizing kinship found its way into the canon law, and it has been basic in the English law of descent. The question whether this scheme of descent antedates feudalism or is the outcome of feudalism is still unsettled.

The succession laws of mediaeval Europe were the result of a multitude of influences. The Roman system never quite died out, and the canon law continued much of its content. The Germanic tribal customs were imposed upon the lands held or conquered, and the different rules of descent under the laws of the Salic and Ripuarian Franks have even affected royal successions, as when Queen Victoria's sex prevented her succession to the throne of Hanover under the Salic law.

English law, because of the establishment of a powerful central government by the royal power, with its regular system of national courts, early developed a system of succession that was fairly uniform throughout the realm when compared with the variant forms found in continental Europe. It has been stated, for example, that prior to 1789 there were 547 customs governing descents of land in France. Even in England, while succession to freehold lands has been governed for centuries by general rules of law, rules of descent varying in important particulars have prevailed almost down to the present day with respect to the descent of lands held by other forms of tenure. The prevailing doctrine of the common law, under which a decedent's lands descended to his oldest son, oldest male descendants or oldest male collaterals of his blood, left room for the existence of the system of gavelkind, under which all the sons shared equally, and for that of borough English, whereby the youngest rather than the oldest succeeded upon intestacy of his father.

Intestacies have been as rare in modern England as they were in Rome. But until 1540 there was in English law no general provision for the disposition of real property by will. The feudal law did not readily recognize the power of a tenant freely to alienate land by conveyance in

his lifetime, much less by postmortem disposition. Although the English law by the end of the thirteenth century had removed the fetters from conveyances *inter vivos*, a devise of land remained impossible because the lawyers held that no seisin, or possession, could be delivered by the dead man and that land could be transferred only by corporeal delivery. The law was evaded, however, by resort to the device of the trust (*see* TRUST AND TRUSTEES). When the Statute of Uses in 1536 destroyed this sort of trust, Parliament enacted the Statute of Wills, which permitted the testator to devise all his lands held by socage tenure and two thirds of those held by knight service. The English will of lands under the act of 1540, however, operated only with regard to lands owned at the date of execution of the will; those acquired subsequently passed to the heir; this rule was not altered until 1837.

The Wills Act of 1540 was defective in its guaranties against fraud and forgery. It did not demand the signature of the testator or attesting witnesses. The testator was merely given "full and free liberty" to devise lands "by his last will and testament in writing, or otherwise by any act or acts executed in his life time." Some of the defects were overcome by the Statute of Frauds in 1677, which required signature by the testator and witnesses in the case of wills disposing of lands. In 1837 a new Wills Act established further precautions against fraud and simplified and unified testamentary law in many respects. The act of 1677 furnished a model for the legislation of the American colonies and still controls the form of wills in many of the states of the United States. In most, however, the act of 1837 has been adopted with slight changes.

The English law of succession to personal property has moved along different lines from those directing successions to land. A compromise between the mediaeval kings and the church left wills and successions involving personal property to the laws and customs of the ecclesiastical courts and those involving the descent of land to the kings' courts, which gradually gathered into their jurisdiction what remained of the powers of the feudal courts. Although the ecclesiastical courts suffered in influence and power by Henry VIII's breach with Rome and although the chancellor's equitable jurisdiction cut into their monopoly of administration of the personal effects of decedents, they continued to exercise a large jurisdiction in respect to wills and successions involving personal property until the latter half of the nineteenth century. Their law was of course influenced by the canon law, which in turn had been deeply affected by the development of the law of imperial Rome.

The earliest English law of intestacy is obscure, but the evidence indicates a prevailing tendency to forfeit the personal property to the feudal lord. The ecclesiastical authorities had secured the right to administer personalty by the thirteenth century, however, and the next of kin administered the intestate's goods under a delegation from the ordinary. After payment of debts one third of the residue of the personalty was given to the wife, one third to the children and one third, called the "dead's part," was expended for pious uses. If there were no children the dead's part was one half. Even before the Norman Conquest intestacy was regarded as something accidental; the church encouraged the drawing of a will as a duty.

The portion of a testator's goods which might be disposed of by will was at first limited tc one third; but this limitation was abandoned by degrees, and the law of the ecclesiastical courts came finally to recognize the privilege of the testator to dispose of his goods at his death to strangers, if he desired to do so. However, the customs of such important places as the province of York, the principality of Wales and the city of London continued to enforce restraints upon testators in favor of their families, until after the beginning of the eighteenth century. But by 1715, when the custom of London was amended by act of Parliament, the power of the owner of goods and chattels to exercise a privilege after his death to the prejudice of his wife and children had been established as the law of England. Even the conservative Blackstone lamented the harshness of the English law, but the pull toward the despotic authority of the property owner in areas where English influence operates has been so strong that the principle of liberty of testation has by legislation supplanted the legitim in South Africa. On the other hand, there has recently been discussion in Parliament in favor of the introduction of the legitim in English law.

The English law of intestate succession as to personalty was codified in a seventeenth century statute, in part modifying and in part restating existing laws and customs. The so-called Statute of Distributions continued to govern until the Administration of Estates Act, 1925, which became effective on January 1, 1926. The latter statute not only set up an entirely new system of

intestate succession for realty as well as for personal property, which for the first time was made the same with respect to both species of property, but abolished intestate succession beyond the issue of deceased brothers and sisters, giving the property in the absence of near relatives to the crown with directions that it might make provision for actual dependents, whether kindred or not. This legislation illustrates pointedly the influence of modern social ideals both in its narrowed limitation of the degrees of succession and in its attempt to effect justice in the case of dependents. The same legislation brought England into line with modern states by abolishing primogeniture, the preference in descent of males over females, the distinction between the whole blood and the half blood (not entirely obliterated, however), differences in rights of succession depending upon whether property was ancestral or acquired by purchase.

The maintenance of such vestiges of ancient Germanic tradition once tempted a French jurist to characterize English law in the nineteenth century as a veritable museum of antiquities. But despite the modernization of the law of intestacy effected by the legislation of 1925 English law still, to quote Sir Henry Maine, exhibits "the greatest latitude ever given in the history of the world to the volition or caprice of the individual." The law of wills must, however, be considered in connection with other legal provisions which affect the use of the will as a device to effect the wishes of the testator. Among these is the well known rule against perpetuities (*q.v.*); the law of restraints upon accumulations of interest and income; the law of entailed estates (*see* ENTAIL), which although they could be barred and conveyed *inter vivos* were not subject to disposition by will; the statutes of mortmain; and limitations upon charitable bequests. Above all, the establishment of family and marriage settlements and the application of the law of trusts and powers to such conveyances have long made the law of wills a secondary law of postmortem disposition.

The English law of wills and inheritance naturally suffered some change in the process of transportation to the American colonies, especially those of New England. Primogeniture seems never to have existed in Massachusetts, although the oldest son received a double portion. The preference of the oldest son to the exclusion of the other children existed, however, in New York and the southern colonies, but it broke down during the period of the American Revolution. Rhode Island was the last state to abolish it in 1798. Distinctions between males and females in regard to succession have been wiped out, and the same is true with respect to the variations between the succession to real and to personal property, although as late as 1927 seven states still retained differences in this regard. However, the essential features of the English law of wills, including the sovereign power of the testator arbitrarily to direct the destiny of his property for many years after his death, remain unchanged. The legitim exists only in Louisiana. Generally testamentary dispositions are simpler than in England, family settlements and conveyances to trustees, with postmortem directions, are less frequent and intestacy is the rule rather than the exception. A recent study of decedents' estates in New York City shows that only one third of the adults who died there in 1929 left estates and that only one eighth of that number died testate. Recently, however, family settlements and wills have been more widely employed, and the tendencies which were operative among a people engaged predominantly in agriculture are beginning to have less force in a commercial and industrial society. There are of course differences among the states as to particular rules and even as to the construction of rules expressed in statutes identical in form. This is illustrated by the difference in interpretation of acts giving children born before the making of a will an intestate share, "unless it appears that such omission was intentional." Parol evidence is admitted in some states to show the intentional omission, while in others such evidence is rejected, although the statute is precisely the same in the different states. Some states permit holographic wills, that is, wills written by decedents without witnesses, but most states refuse them effect; some allow nuncupative wills without the limitations prescribed by the English Statute of Frauds; in one state a testator must declare formally in the presence of witnesses that an instrument is his will, while in a neighboring jurisdiction such declaration is not required; in some a will must be merely "signed," while in others it must be "subscribed," or signed at the end. There is frequently confusion and occasionally injustice because of the variance in state laws in these and other matters of detail concerning both form and substance. Such difficulties have been somewhat diminished by the application of conflict of laws rules relating to succession.

Modern tendencies indicate a disposition on

the part of legislatures to develop the protection of the surviving spouse against disinheritance. The ancient law of dower and curtesy gave interests to the wife and the husband respectively out of the lands of the other. Recently, however, doubtless as a result of the feminist movement, such states as New York, Massachusetts, Connecticut and Pennsylvania have substituted a share in the estate of a deceased husband or wife in place of the ancient claims. Thus in Pennsylvania the surviving spouse may claim the privilege of her intestate share as against the deceased spouse's will. If the survivor accepts a provision made in the will, a waiver follows. The statutory right is more extensive than common law dower or curtesy, which amounted at most to a life estate in freehold lands of the decedent. The interest given is absolute and exists in lands and personalty; it may under some statutes entitle the survivor to the entire estate, where there are no children or close relatives of the deceased. In the eight states in which the community property system exists the testamentary power of the spouses is limited with respect to property acquired by labor during the marriage to one half of such property.

Curiously, however, the claims of infants against the estates of fathers have not yet won the same legislative protection. A New Zealand statute of 1908 provides that if a testator fails to make adequate provision for either the surviving spouse or the children, a court may at its discretion order that suitable provision be made for such persons from the decedent's estate. But when Lord Astor introduced a similar bill in the House of Lords, Lord Haldane argued that it was better to trust people's sense of justice than to have the state attempt to compel them by legislation. The privilege of disinheriting the wife and children in general continues to exist in most American states, although laws making temporary allowances and admitting rights of occupation of a home during the period of administration are common. Courts continue to say that a person has the right to make an unjust will, an unreasonable will or even a cruel will. The verdicts of juries which attempt to correct the effect of such wills are frequently set aside by courts but sometimes succeed by indirection in effecting what the conscience of the community regards as a more just division of property. In some respects the English Statute of Wills was modified during the seventeenth and eighteenth centuries by judicial construction. The courts, quoting Cicero and the Digest, read into the language of the statutes a presumption that a will was revoked where a testator married after its execution and died leaving issue by the marriage. The doctrine of presumed intention might have continued to be used by the courts to correct wills offending the social conscience, but Parliament in the Victorian Wills Act of 1837 expressly forbade the extension of the doctrine of implied or presumed revocation.

Outside the Anglo-American region of law there exists no such absolute power of disposal by will to the detriment of the family. The French Civil Code limits the testator's power by mathematical rule. He may bequeath only one half of his property if he leaves one child, one third if he leaves two children, one fourth if he leaves three—the disposable fraction having for its denominator one more than the number of children. The surviving spouse is otherwise provided for: under the community property system she takes one half of such property where there are children. The *légitime*, so-called, is regarded as a strict right of property, not merely a claim or debt against those succeeding under the will. The rights of children can be affected only by certain acts of immorality, crime and undutiful conduct, which entitle the father to disinherit them; or settlements, entered into before marriage with the mother, may alter the rights of spouses or children. Obviously the system presents a democratic ideal of life, with the protection of the family unit as one of its central purposes. Although choice of various systems of family law is possible under the French law, the vast majority of French people prefer to live under the regime of community of goods and the system of forced successions. The will is infrequent, as might be expected where so slight a power is left to the testator to bequeath his property.

The German Civil Code is not quite so strict. The compulsory portion (*Pflichtteil*) is regarded as a personal claim against the successors, not a direct property interest in the succession, and the amount of the compulsory portion is less than under French law. Collateral heirs are not guaranteed any portion of the decedent's property under either the French or the German system, although parents and grandparents are protected from disinheritance within the group. The Swiss Code of 1912 carries the protection of the reserve to brothers and sisters of the deceased. In view of the close relation between England and Scotland it is worthy of note that the legitim has a place in the law of Scotland.

The law of Soviet Russia promulgated in 1922 permitted successions, intestate and testamentary where the net value, after deduction of debts, did not exceed in value ten thousand gold rubles. Succession was limited to children and descendants, to the surviving spouse and to persons unable to work who were completely dependent on the deceased. Equal division of the property was to be made among the designated persons, and necessary household goods of the deceased but not articles of luxury were included in the property distributed. The privilege of testation, however, was permitted within this field. The decedent, by a will signed and presented to a notary for insertion in the register of acts, might leave the disposable property to others than his wife and children. In 1927 a decree introduced the community of acquests, resembling the French system of marital property. In 1928 a decree incorporated the principle of the compulsory portion into its law of wills, and the descendants of a decedent were declared to be entitled to three fourths of the share they would receive in case of intestacy.

Clearly the law of succession has small importance in the economic and legal life of Soviet Russia; it is probably true also that its importance in the life of other nations is diminishing with the increasing activities of the state and with changing theories as to the distribution of wealth. It is not likely that the mere abolition of the will even in England and the United States would effect profound changes in the actual situation regarding transmission of property on the death of the owner. The solicitor in England and the trust company in the United States are able to suggest to testators means of controlling wealth superior in convenience to the last will and testament. The common resort to life insurance in modern society is another factor which diminishes the sum total of property passing by will or succession, since the insurers pay death benefits on the basis of contracts whose consideration has passed from the insured. The growth of inheritance taxes has stimulated the effort of wealthy property owners to avoid wills and to seek escape from such burdens by gifts in their lifetime, settlements and other devices.

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See: INHERITANCE; MARITAL PROPERTY; PRIMOGENITURE; ENTAIL; LAND TENURE; LANDED ESTATES; PROPERTY; PERPETUITIES; TRUST AND TRUSTEES; FORTUNES, PRIVATE; INHERITANCE TAXATION.

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SUCCESSION, POLITICAL. The problem of political succession is to secure the orderly accession of successive individuals to a given political office. Whenever a society, unwilling to rely solely on the incalculable emergence of informal leadership, crystallizes a significant proportion of its political activities into a formalized institutional structure, the existing social order becomes dependent on the uninterrupted performance by successive individuals of the of-

ficial functions which have been thus established. Since this is particularly true of the highest magistracies of the state, political writers have generally used the method of succession to such offices as a criterion for the classification of the various forms of government, carefully distinguishing, for example, between hereditary and elective monarchy. This extreme emphasis on an apparently minor matter is wholly justifiable, for the adequacy of its method of dealing with the question of political succession is one of the principal factors determining the stability of any given form of government.

The moment of succession is one of the crucial danger points of political life. Unusual opportunities for lawless action accompany the confusions of an interregnum and the comparative weakness of new and inexperienced rulers. Such moments are particularly rich in causes for dissension, placing a severe strain upon the loyalty even of the most ardent supporters of the existing constitutional structure. Since personalities profoundly affect the course of government and of international relations, vital interests are frequently involved in the choice of a particular individual for the exercise of authority over an appreciable period of time. Consequently passions may be raised to a fever heat at the precise moment when the established order is least capable of effective resistance. The result is that such periods have frequently been characterized by bitter conflicts occasionally developing into full fledged wars, of which the Spanish, Polish and Austrian wars of succession are outstanding examples. History bears eloquent witness to the unusual vulnerability of social order in these times of transition.

It is therefore extremely desirable to devise methods which will insure prompt succession under conditions of unimpeachable legitimacy. In order that this end may be attained determinate laws of succession covering all probable contingencies must be established and a determinate arbiter created for their authoritative interpretation. This need is so evident that quite primitive societies often evolve formalized rules of this character, insuring the uninterrupted exercise of authority by means of definite rules of elective or hereditary succession to political office. If political institutions are to be preserved from decay, however, it is not enough to obtain secure and prompt succession; it is necessary also that the ability of those chosen for office should be adequate to the performance of their prescribed functions. Unfortunately these two prerequisites of political stability often prove mutually inconsistent, and it becomes necessary to sacrifice some elements of one or the other. In the relative weight placed upon each of these factors is to be found one of the characteristic features serving to distinguish the several forms of government.

Hereditary monarchy goes farthest in its willingness to sacrifice personal ability to the interests of a secure and prompt succession. With all due allowance for the persistence of inherited or acquired aptitudes in a single family, it is obvious that no consistently high level of ability can be maintained under so arbitrary a system. Compensation for this defect is found, however, in the resulting simplification of the problem of succession. In constitutional monarchies of course the conflict between prompt succession and personal aptitude is of relatively minor significance. Here the monarch's role is such that no unusual ability is required, while the hereditary character of the succession remains an important factor making for stability in government. In monarchies, then, through the mechanical operation of the law of inheritance an unbroken series of heads of the state is provided. Where there is no elective feature the difficulties of an interregnum are wholly avoided, and the phrase "The king is dead, Long live the king," reflects the automatic security of succession under a fully developed monarchical system. Controversies may arise nevertheless even in connection with the relatively simple law of hereditary succession. Special problems are created by the necessity of establishing a regency during the minority or incapacity of the monarch. Moreover when more than one member of the reigning family is eligible for the succession and the new sovereign is elected by the vote of a particular group, factional interests frequently give rise to conflicts. Furthermore there is a danger of royal pretenders, which can be avoided only through the agency of a dynastic council or some other recognized organ of government capable of giving an authoritative interpretation to the law of succession in cases of disputed legitimacy. But the questions of law and fact involved in determining the course of hereditary succession are usually of comparatively minor complexity. Short of the extinction of the royal family, most contingencies can be dealt with in terms of an adequate law of inheritance.

Republics, on the other hand, betray a distinct tendency to exalt talent at the expense of

security. Election, an institution characteristic of all republican governments, including even hereditary oligarchies, surpasses inheritance as a means of providing able rulers; but the inevitable complexity of the electoral mechanism impairs the security of succession. If the selection of a successor is postponed until the office is actually vacant, the slowness of the electoral process creates a troublesome interregnum. It is largely because they moderate the dangers implicit in such a situation by assuming control during cabinet crises that constitutional monarchs retain an appreciable utility under the modern parliamentary system. Such interregna are not of course unavoidable. The maintenance of an unbroken line of succession to the American presidency, for example, is made possible by the fact that the new president is elected before the retirement of his predecessor, while the vice presidency provides against the contingency of premature vacancies. But the problem of disputed legitimacy is peculiarly acute in all republics because of the relative complexity of their institutions. The Hayes-Tilden election controversy in the United States illustrates not only the extraordinary intricacy of the questions of law and fact which may be involved in such cases but also the extreme danger to the security of succession which accompanies the failure to provide for their authoritative solution. The complexity of the republican mechanism involves so many possible points of conflict that loyalty to the constitutional rules of succession is put to an unusually severe test. Venice stands out as a conclusive proof of the possibility of an enduringly stable republic. But the extreme difficulty of maintaining the requisite level of constitutional morality is indicated by the frequency with which the law of succession has broken down in South America under the impact of election controversies and of coups d'état.

Although republics go farther than monarchies in sacrificing security of succession in the interests of personal ability, they are much less extreme than an unconstitutional despotism, which offers very broad scope for the exercise of individual ability but provides no solution whatsoever for the problem of political succession. When the rise of the individual to political office is freed from all constitutional restrictions, powerful personalities naturally enjoy unusual opportunities for advancement. Thus a particularly high level of personal ability is to be found among the tyrants of ancient Greece, the dictators of Latin America and other usurpers. In times of stress society frequently turns to able despots for the solution of its problems. But rulers who have won their position without regard for existing rules of succession usually find it difficult to reestablish the principles of constitutional legitimacy in the selection of those who are to succeed them. Remaining without secure rules of succession therefore an unauthorized despotism depends wholly on the incalculable hazards of conspiracy and rebellion to determine the sequence of rulers. Deprived as it is of the resources of constitutional legitimacy, such a despotism is the least stable form of government.

It is in connection with contemporary European dictatorships, which threaten to attain efficiency at the cost of despotic insecurity, that the problem of succession is of the greatest interest at the present time. Existing principles of succession remain unaffected of course in so far as the power of dictators, without supplanting the formal constitutional structure, rests on an informal position of personal leadership. Even in Fascist Italy, for example, the monarchy remains as the possible guarantor of a stable political succession. If it appears, however, that all traditional constitutional forms have been effectually destroyed by the dictatorial regime, despotic insecurity can be avoided only by the introduction of new principles of succession. Although usurping monocrats of the past have ordinarily failed to effect this result, it is possible that highly organized party dictatorships may prove more successful in this respect than those absolutisms which were more uniquely dependent on the genius of a single individual. Endowed with corporate unity through a conviction of their exclusive fitness for rule, communist or fascist élites may well evolve stable oligarchical institutions. Although no final conclusions can be reached at so early a date, it is perhaps significant that Soviet Russia has developed a complex institutional structure which has survived the death of Lenin and which continues to exist concurrently with the almost wholly unofficial power of Stalin. But if these possibilities of solid constitutional development fail to materialize and the problem of succession remains unsolved, modern dictatorship will be indistinguishable from the various despotisms of the past. Despite its temporary effectiveness it will fail to form the basis of an enduring social order.

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See: MONARCHY; REPUBLICANISM; DICTATORSHIP;

TYRANNY; PRAETORIANISM; SUCCESSION, LAWS OF; ABDICATION; ELECTIONS.

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SUEZ CANAL. Egypt, the gateway to the East, was for centuries a natural highway of commerce. Although it was virtually abandoned after the discovery of the Cape route, there was in France considerable agitation for its revival. Many writers suggested that the two seas be connected by a canal, as had been undertaken by the ancients, and this was one of the aims of Napoleon's expedition in 1798. During the first half of the nineteenth century the project of constructing a canal was taken up successively by the Saint-Simonians, Prince Metternich and the Société d'Études du Canal de Suez, an international financial group organized in Paris; but they all met with the opposition of the Egyptian viceroy, Mehemet Ali. England became interested in a shorter route to India for mails and passengers and considered the possibilities of improving land communications across Egypt. In 1847 Lord Palmerston instructed the English consul general at Cairo to oppose any attempt to construct a canal but to work for a railway from Alexandria to Suez. Fearing that the railway would lead to English control of Egypt, France supported the canal. Mehemet Ali rejected both the rival projects; in 1849, however, he was succeeded by Abbas Pasha, who, under English influence, granted (July, 1851) the concession for a line from Alexandria to Cairo. Despite French protests this was completed in 1854 and four years later was extended to Suez.

While the railway facilitated transit across Egypt, it did not satisfy the needs of merchants and shippers. With the expansion of commerce and industry there had developed an increasing demand for a shorter route to the East. By the middle of the century the proposal of a canal connecting the two seas had gained considerable prominence and many advocates, among them Ferdinand de Lesseps, whose diplomatic training, knowledge of Egypt, courage and will power admirably qualified him to be its projector. Few saw more clearly the possibilities of a canal for eastern trade or had a better understanding of the difficulties confronting its realization. Upon learning that his old friend Sa'īd Pasha had succeeded Abbas as viceroy, de Lesseps wrote to congratulate him and received an invitation to visit Egypt. On November 7, 1854, he reached Alexandria and on November 30 obtained the concession for the canal. The concession (a second was granted in January, 1856) declared that before beginning work de Lesseps must secure the sultan's sanction. This requirement proved to be exceedingly difficult since it shifted negotiations to Constantinople, where English influence was supreme. Having already shown unmistakable hostility, England now bent every effort to prevent the sultan from approving the concession. Secure in India, commanding the Cape route, which it regarded as adequate for British commerce, and enjoying an enviable position in eastern trade, England felt that a canal would threaten its supremacy. Since de Lesseps was a Frenchman, England persisted in maintaining that the canal was a French scheme, although the French government had adopted an attitude of benevolent neutrality toward it. For twelve years, employing almost every pretext, English statesmen opposed the sanction. They held that the canal was physically impossible of construction except at a cost which would make it commercially unprofitable; that it would lead to French control of Egypt and threaten the integrity of the Ottoman Empire; that de Lesseps was a rogue and a swindler.

Against this stubborn opposition de Lesseps fought relentlessly, even carrying his campaign to England, where he tried to arouse public opinion against the government. In November, 1858, he organized his company and marketed the shares (400,000), over half of which were

sold in France; and on April 25, 1859, he started work on the canal near Port Said without the sanction. Finding it impossible, however, to fight British influence single handed, he appealed to his government for support. France, joined by Austria and Russia, demanded the sanction but the sultan, fearing to displease England, held back. A crisis was reached in July, 1863, when the Porte threatened to interrupt the work by force unless the company returned certain lands to Egypt and reduced the number of native laborers. These questions were submitted for arbitration to Napoleon III, who announced his award on July 6, 1864. Forced labor on the canal was to be abolished and the lands returned to the Egyptian government, which in turn was ordered to pay the company an indemnity of 84,000,000 francs. After further delays occasioned by British opposition and accompanied by insistent demands from France the sultan on March 19, 1866, officially recognized the concession. With the removal of political difficulties the work proceeded rapidly and the canal was completed in August, 1869, and formally inaugurated on November 17. The channel was over ninety miles long. It proceeded from the Mediterranean through a narrow region to Lake Menzaleh, traversed this shallow lake, continued its course through a stretch of land to Lake Ballah, five miles in length, again cut through flat country to Lake Timsah, four miles in length, and then crossed a plateau to the Bitter Lakes, which cover a distance of twenty miles. From these lakes there is a short stretch to Suez, the terminal on the Red Sea. Lakes accounted for more than one third of the total distance.

No sooner was the new highway opened than England became aware of its importance for British trade with India. More than half the vessels employing the canal carried the British flag; and as there were many complaints against the arrogance of the company officials and the high toll charges, it was only natural that England should desire a voice in the canal's management. Imperial considerations moreover demanded that it should control every approach to its eastern empire. Late in 1875 rumors reached London that the khedive, Ismā'īl Pasha, in urgent need of funds, was negotiating with certain French banks for the sale or mortgage of his canal shares. Determined that the canal should not become entirely French, Disraeli seized the opportunity and on November 25 purchased for the British government 176,602 shares for the sum of £3,976,580, which he borrowed from his friend Baron Rothschild. This spectacular transaction aroused tremendous enthusiasm in England, where it was thought that the canal must now be under British control. The expectation was somewhat premature, for although England held nearly half the shares, it received merely ten votes in the general assembly of shareholders and was permitted to name only three out of the twenty-four directors. By the purchase the canal was changed from Franco-Egyptian to Franco-British ownership. A few years later a nationalist uprising occurred in Egypt which threatened the security of the new highway. Failing to secure aid from France or the other European powers, England intervened alone and on September 13, 1882, defeated the nationalists at Tel el Kebir. British troops remained and Egypt was converted into a veiled protectorate, while France, having refused to cooperate, lost its position in that country; indeed the French continued hostile to English policy until 1904.

The dangers to which the canal had been exposed revealed the need for some sort of international understanding for its protection. Although the subject had been discussed for years, no official action was taken until January 3, 1883, when England addressed a circular note to the powers urging a general agreement to respect the free navigation of this important waterway. There was no immediate response, but two years later upon the suggestion of the French government a conference met at Paris. Unable to reach a settlement because of the differences in the French and British viewpoints, the conference dissolved after drawing up a draft treaty, to which Sir Julian Pauncefote added a general reservation that the treaty did not limit England's freedom of action so long as that country was in occupation of Egypt. Following an exchange of views France and England agreed to a convention which was signed by representatives of the powers at Constantinople on October 29, 1888. This provided that the canal was to be open to all vessels in time of war as well as in time of peace; that the entrances to the canal were not to be blockaded; that no permanent fortifications were to be erected on the canal; and that in case of danger the Egyptian government was to take measures for the canal's protection. If it lacked the means, it was to call upon the Turkish government for assistance. As a result of the British reservation the convention was held in abeyance until the Anglo-French agreement of 1904; but this did not alter the

actual situation, for the protection of the canal as well as its control remained with England.

Strategically the canal was of great importance to England. As the shortest and most convenient route to India it was regarded as vital to the preservation of the empire, and the government was determined to keep it open at all costs. Any threat to its safety, such as the French ambitions in the Nile basin, the Russian attempts to open the Straits and the German Berlin-to-Bagdad Railway, aroused immediate fears. The World War proved, however, that the canal was not absolutely vital to the British Empire and that its effectiveness depended to a large extent upon conditions in other parts of the oriental highway. This was made clear by the German submarine campaign in the Mediterranean, which forced the diversion of much of the far eastern traffic to the Cape route. There remained also the possibility that in another conflict the canal might be demolished by aërial attacks. The establishment of Egyptian independence raised a new problem for England. In its declaration of February 28, 1922, abolishing the protectorate set up in December, 1914, England reserved to itself the right to protect the canal. Not satisfied with this half measure, Egyptians demanded that British troops should be withdrawn and that the protection of the canal should be left to Egypt or to the League of Nations. England refused to concede these demands and the problem remained unsettled.

In shortening the voyage from Europe to India by from four to five thousand miles the Suez route opened a new era in world commerce. With the substitution of steam for sail and the widening and deepening of the canal it came to be employed more and more regularly. During the first two years the results were disappointing, but beginning in 1872 the traffic showed a fairly steady increase, which continued to 1914; there was a sharp decline during the war but after 1918 another period of rapid growth set in, which lasted until 1929. The net tonnage passing through the canal was only 435,911 in 1870, 761,467 in 1871 and 1,439,169 in 1872; but by 1912 it had reached 20,275,120 net tons, the highest in the pre-war period. From 1919 to 1929 there was a 100 percent increase, while tonnage for 1929 (33,466,014) was 65 percent greater than in 1912. The proportion of British traffic to the total has varied from 60 to 80 percent, most of it representing Indian trade. In 1913 England was first with 60 percent of the tonnage, being followed by Germany with 16.7 percent, Holland with 6.4 percent and France with 4.7 percent. The Cape route in the post-war period continued to be used for much of the eastern shipping, especially in the outbound voyage to Australia and New Zealand. It is interesting to note that the opening of the Panama Canal did not seriously affect the amount of traffic passing through the Suez Canal. From the viewpoint of distance the only areas for whose trade competition between the two routes was possible were northeastern Asia, eastern Australia, New Zealand and the west coasts of North and South America.

Financially the canal more than justified the expectations of its projector. The total cost of construction was 432,807,882 francs, of which 200,000,000 francs were raised through the sale of the shares and the remainder from a bond issue and from sums advanced by the Egyptian government. During the first four years after the opening of the canal the company experienced considerable financial difficulty and actually initiated negotiations for the sale of the waterway. By 1875, however, the situation was much improved and losses began to give way to profits. In round numbers the receipts were 5,000,000 francs in 1870, 9,000,000 francs in 1871 and 16,000,000 francs in 1872; by 1914 receipts totaled 117,000,000 francs. The war brought a decline in revenues but the post-war period saw an immediate recovery, so that receipts reached nearly 204,000,000 francs in 1927. With the growth of business the value of the shares increased. A total of 400,000 shares had been placed on sale in November, 1858, at 500 francs each with interest at 5 percent. After dropping to the low figure of 208 francs in 1871 the shares began to climb gradually, passing par in 1875 and attaining the high mark of 6107 francs in 1912. In 1924 the number of shares was doubled, although the capitalization of the company remained unchanged.

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See: COMMERCIAL ROUTES; INTERNATIONAL WATERWAYS; EGYPTIAN PROBLEM; PANAMA CANAL.

Consult: Hallberg, C. W., *The Suez Canal; Its History and Diplomatic Importance*, Columbia University, Studies in History, Economics and Public Law, no. 348 (New York 1931); Birk, A., and Müller, K. H., *Der Zuezkanal* (Hamburg 1925); Husny, H., *Le canal de Suez et la politique égyptienne* (Montpellier 1923); Newman, E. W. Polson, *Great Britain in Egypt* (London 1928); Roux, J. C. T., *L'isthme et le canal de Suez; historique état actuel*, 2 vols. (Paris 1901); Charles-Roux, F., *L'Angleterre, l'isthme de Suez et l'Égypte au XVIIIe siècle* (Paris 1922); Voisin, F. P. Bey, *Le canal de Suez; historique, administratif, descriptions des*

travaux, 7 vols. and atlas (Paris 1902–07); Reinhard, E., *Kampf um Suez* (Dresden 1930); Bertrand, A., and Ferrier, É., *Ferdinand de Lesseps, sa vie, son oeuvre* (Paris 1887); Lesseps, F. de, *Lettres, journal et documents pour servir à l'histoire du canal de Suez*, 5 vols. (Paris 1875–81); Smith, G. B., *The Life and Enterprises of Ferdinand de Lesseps* (2nd ed. London 1895); Hoskins, H. L., *British Trade Routes to India* (New York 1928); Sargent, A. J., *Seaways of the Empire* (2nd rev. ed. London 1930).

SUFFRAGE is defined as voting in support of some opinion or measure or some candidate for office, and derivatively as the right or privilege of participating in elections. The term is substantially synonymous with franchise when used in connection with political activity. The suffrage and related questions acquire importance only in governments which are to some extent democratic; the problem does not arise in pure monarchies or oligarchies. The suffrage is generally associated only with popular elections in which a large or at least a considerable element of the community takes part. This element of the community which exercises the suffrage is properly spoken of as the electorate; it is often very incorrectly identified with the people as a whole, as in the statement "the people have decided the question at the polls."

The history of the suffrage is connected with five different basic conceptions, or theories, of its nature, most of them not explicitly stated but inherent in the current practise. These are: first, the theory, effective among primitive peoples and in the city-states of antiquity and of the Renaissance, that the suffrage is an attribute or function of citizenship; second, the later feudal theory that the suffrage is a vested privilege, an incident of a particular status, usually connected with the possession of land; third, the theory of the early constitutional regime that the suffrage is an abstract right founded in natural law, a consequence of the social compact and an incident of popular sovereignty; fourth, the theory of modern political science that voting is a function of government, that the voter in casting his ballot performs a public office and that the electorate, like the legislature or the courts, is an organ of government; and, fifth, the ethical theory, which is strongly urged at the present time by certain writers, that the suffrage is an important, indeed an essential means for the development of individual character, a condition necessary for the realization of the worth of human personality.

The basic social bond among primitive people is kinship or some extension of kinship. The concept of citizenship emerges from the family, the clan and the tribe. Participation in the political as in the social, the religious, the artistic and the economic life of the state is viewed originally as a prerogative of citizenship. In the early history of both Greeks and Romans certain families (eupatridae or patricians) monopolized civic rights, and there was a long period of internal struggle before a broader basis of citizenship could be secured. In Athens the reforms of Solon early in the sixth century B.C. swept away all distinctions of birth but recognized four classes of citizens on the basis of property. It took more than a century for class lines to be obliterated and for a complete equality of citizenship to be achieved. The suffrage in the Greek popular assembly was always viewed as an adjunct or attribute of citizenship and no differentiation was made between citizens. Aristotle discusses the question as to whether artisans and tradesmen should be admitted to citizenship; that is, to membership in the state. But no question was raised as to the right of all citizens to the suffrage. The same underlying conception obtained among the Romans. Civic participation in government occurred through the several assemblies, or *comitiae*. Originally only the patricians were considered citizens; they alone at first had voting rights in the *comitia curiata*. With the establishment of the *comitia centuriata* and the *comitia tributa* the plebeians, as a result of a series of measures, obtained the rights of citizenship. The right of suffrage (*jus suffragii*) was thus extended to the lower class along with the right of marriage (*jus connubii*), the right of trade (*jus commercii*), the right of holding office (*jus honorum*) and the right of suing in the courts (*jus legis actionis*). Roman citizenship was extended to the Latin peoples when they were brought under the control of Rome and eventually to various other communities. The citizenship thus granted was restricted in various ways, and for a time some of these communities were denied the suffrage, their inhabitants being *cives sine suffragio*. In the first century B.C., however, this distinction completely disappeared. In the Greek cities and in Rome the suffrage was limited to adult males. The admission of the youth to the full rights of citizenship was an event which was usually marked with distinctive ceremonies. The same concept of the suffrage underlay the political institutions of the Germanic peoples of the early Middle Ages. Participation in the folkmoot was a consequence of membership in the tribe. Dif-

ferences in rank and social status involved no political inequality. In the national assemblies of the German peoples important questions, such as peace and war, were decided by the body of armed men, the citizenship, by the shaking of spears or the clash of arms. The suffrage in the self-governing cities of Renaissance Italy was likewise dependent on citizenship, often narrow and exclusive, frequently hereditary in certain families. Only those who were citizens possessed the right to vote, but all citizens enjoyed this right equally.

In the socially stratified society of the later Middle Ages the suffrage was an adjunct or attribute of some special status. The right to elect representatives to the House of Commons in England, to the Estates General in France and to similar assemblies in other European countries rested upon the same kind of legal basis as the right of the nobles to be summoned in person to the House of Lords or the Assembly of Notables. The suffrage was a privilege attached to a particular status, such as that of taxpayer, freeman, burgess, pot-walloper or "forty-shilling" freeholder. It was generally although not always connected with the possession of land and was thus tenurial or patrimonial in character. Sometimes women who possessed the status had the right to vote, just as noblewomen frequently had the right to be represented by proxies in the estates of the nobility. Chief Justice Holt, in the case of Ashby *v.* White (1703), stated the accepted legal doctrine as follows: "The election of knights belongs to freeholders of the counties, and it is an original right vested in and inseparable from the freehold, and can no more be severed from their freehold, than the freehold itself can be taken away. . . . As for citizens and burgesses, they depend on the same right as the knights of shires, and differ only as to the tenure, but the right and manner of their election is on the same foundation." The suffrage in the American colonies and indeed in the states until well into the nineteenth century reflects the predominance of this vested right theory. This conception of the nature of the suffrage persisted in England until the electoral reform of 1918. The several reform bills in England in the nineteenth century simply provided new and additional statuses under which the right to vote could be exercised. Thus "ten-pound" copyholders, householders, "twelve-pound" occupiers, "fifty-pound" leaseholders and other special classes were given the ballot.

This theory was historically the basis for all property and taxpaying qualifications for the suffrage, some of which still persist even in the United States. It was responsible also for the systems of plural and weighted voting. Until the reform of 1918 in Great Britain a man might vote in a number of parliamentary constituencies in which he possessed a qualifying status. This theory was also responsible for various systems of weighted or plural voting on the continent, such as the three-class system in Prussia and the Belgian system of plural voting, both of which obtained before the World War.

The theory that the suffrage is a natural right of man may be traced back to the Middle Ages or even to antiquity, but it became effective only with the revolutions of the seventeenth and eighteenth centuries and is closely related to the principle of popular sovereignty. It was a cardinal doctrine of the Levellers in England during the Commonwealth and underlay the Agreement of the People which they proposed as a written constitution. It was urged as an essential basis of government by most of the leaders of the French Revolution. Condorcet declared: "We would have a constitution, the principles of which are solely founded on the *natural* rights of man previous to social institutions. . . . One of these rights we consider to be that of voting for common interests, either personally or by freely elected representatives." He urged that women be accorded the same rights as men, including the suffrage. The Declaration of the Rights of Man and of the Citizen declared: "The law is the expression of the *volonté générale*. All the citizens have the right of concurring personally or by their representatives in its formation" (art. vi). Paine contrasted this principle with the practise in England, where the basis of representation consists in royal patents and embodies a grant or boon. The electoral law of 1789 did not, however, give full application to the natural right theory of voting. The suffrage was limited to citizens who paid a certain amount of direct taxes. But in the electoral law of 1792 the abstract right to vote was fully accepted in theory; and with the establishment of the Convention the right to vote was recognized as universal and was extended even to certain classes of foreigners domiciled in France. Limitations were actually maintained with respect to age, sex, mental competence and the like. Montesquieu had said earlier that "All the inhabitants . . . ought to have a right of voting at the election of a representative, except such as are in so mean a situation as to be deemed to

have no will of their own" (*Esprit des lois*, bk. xi, sect. 6). Women, minors and imbeciles were considered deficient in this respect. In the United States the doctrine of man's natural right to vote has been urged effectively since pre-revolutionary times. Samuel Adams held that the establishment of the legislative power is one of the rights which no man can either relinquish or take away from others. The Declaration of Independence, in basing government upon the consent of the governed and in maintaining that it is the right of the people to alter or abolish tyrannical governments and institute new governments, implies a theory of an abstract right to vote. A resolution adopted in Ipswich, Massachusetts, in 1778 declared more specifically that "All the members of the State are qualified to make the election, unless they have not sufficient discretion, or are so situated as to have no wills of their own." The early state bills of rights frequently contained expressions of the theory of a natural right to vote, but generally they were modified and confused by suggestions of the vested privilege theory.

The theory of the suffrage generally accepted by contemporary political scientists is that voting is a function of government. The voter does not exercise a natural right when he casts his ballot, but performs a public governmental office. The electorate is not identical with the people, the sovereign authority in the state and the ultimate source of law; it is an organ of government, established, organized and determined by the law, which can moreover limit, expand or totally abolish it. The problem of who shall vote becomes, under this theory, one of mere political expediency, similar to the problem of the composition and organization of the legislature or the courts. Ritchie clearly expressed this viewpoint in the statement: "The suffrage, by all thoughtful persons at least, is regarded as a means to the working of the Constitution; and the right of voting is obviously a right created by the law . . . , and cannot intelligibly be represented as a right prior to and independent of law. . . . On whom the suffrage should be conferred is a matter not to be settled *a priori*, but by reference to the particular circumstances of the country" (*Natural Rights*, 3rd ed. London 1916, p. 255). Restrictive proposals such as educational and taxpaying qualifications are usually justified today on the ground that they would make the electorate a more efficient organ of government. This functional theory of the suffrage is the basis for proposals for proportional representation, the representation of economic interests and the short ballot. It would seem also to be the basis for age and residence requirements and for the exclusion from the suffrage of criminals, paupers and the insane.

A fifth theory of the suffrage postulates the equal moral worth of all men and insists upon the value of the vote as an instrument for its realization. Civil rights are the conditions which the political experience of a community has discovered to be essential to the achievement of the good life; they constitute the minimum of opportunity necessary to give effect to the inherent moral worth of the human personality. It is urged, however, that the possession of civil rights alone is not sufficient. "Political equality," says MacCunn, "follows from the same ultimate ideas that justify equality before the Law. . . . The right to vote can alone open to its possessor that sphere of public activity, which cannot be closed on him who is fit for it without contracting his life and stunting his development" (*Ethics of Citizenship*, Glasgow 1894). "The ballot indeed," says Dole, "is only a piece of machinery. It is a method for the expression of men's manhood. Its use is not itself a natural right. The natural right is that a man shall express himself in some valid form touching the interests which affect him" (*The Spirit of Democracy*, New York 1906). Laski in his *Grammar of Politics* (New Haven 1925) likewise insists that "Every adult citizen has the right to indicate what persons he desires should undertake the task of government." "No test," he says, "has been devised which enables us to limit the franchise in such fashion as to equate civic virtue with its possession." This right is, however, not an abstract right of nature but an essential condition of freedom, and "the permanent essence of freedom is that the personality of each individual should be so unhampered in its development, whether by authority or by custom, that it can make for itself a satisfactory harmonisation of its impulses." There is no doubt that this ethical theory of the suffrage has contributed to the extension of the suffrage in recent times. Woman suffrage was urged as a natural right and as functionally desirable. But it was justified also on the ground of its value in affording an opportunity for the moral self-realization of half the adult population. The adoption of the Fifteenth Amendment to the Constitution of the United States was hailed in some quarters as a means of ennobling and enriching the lives of the recently emancipated Negroes of the south.

The five theories concerning the suffrage are all mingled in the thought of the present time. No single consistent basic concept has gained general acceptance. Tangled and confused, this conglomerate of ideas offers no satisfactory explanation of the existing institutional arrangements or any adequate criterion by which proposed innovations may be judged. The clarification of the underlying theory of the suffrage is one of the important obligations of contemporary political science.

W. J. SHEPARD

See: DEMOCRACY; VOTING; ELECTIONS; CITIZENSHIP; NATURAL RIGHTS; EQUALITY.

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SUGAR. For many centuries sugar was a costly luxury, but today it is a necessary of general consumption. It is indispensable in the nourishment of the human body, and it is an important foodstuff for many animals and plants. In the United States about three quarters of the sugar output is consumed directly. Another quarter is used, as either raw or refined sugar, as a basic raw material in the manufacture of confectionery, candy and chocolate or as a more or less important admixture in ice cream, condensed milk, canned goods, beverages and other products. The importance and growing use of sugar are evident in the per capita consumption in the United States, which rose from 71.7 pounds in 1900 to 103.5 pounds in 1931, nearly five times as much as in 1850. Although sugar may be produced from many plants, the only important industrial sources are sugar cane and sugar beets, particularly the former, although a small amount is produced also from the sap of maple and palm trees.

Among all primitive and most ancient peoples the sugar necessary for the body was derived from fruits, vegetables or cereals containing sugar or starch. The production of sugar and syrup was known in India perhaps a few centuries before the Christian era, and certainly by 400 A.D. For sweetening purposes the Teutons, Greeks and Romans used honey almost exclusively. From India the growing of sugar cane and its use in the making of sugar spread to China, Ceylon and Java, to Persia in the sixth century and to Spain in the eighth. In the course of their conquests from the seventh to the ninth centuries the Arabians introduced the growing of cane and the making of sugar into Cyprus, Egypt, north Africa, Spain and Sicily. The Egyptians so perfected the refining process that their white sugar enjoyed the highest reputation in the Middle Ages. Northwestern Europe was acquainted with the use of sugar by the crusaders, who themselves promoted its production in Syria, Palestine and Cyprus. The trade in sugar was dominated by Venice and Genoa, and it was a particularly important factor in Venetian commercial supremacy. At this time, however, sugar was essentially a luxury, although it was also used for medicinal purposes.

While Venice imported sugar from Syria and Egypt as early as 996, the refining of sugar was

not practised in Europe until the fifteenth century. Refining was a Venetian monopoly for one hundred years or more and then spread to England, Germany and Holland. In the seventeenth century the refining of sugar was practised on a considerable scale in France, where it was encouraged by the government.

The cultivation of sugar cane was promoted in all the tropical colonies of the European nations after the discovery of America. Cane planting, which was first introduced in Haiti, was originally a failure but subsequently succeeded on a large scale. It spread to Cuba in 1511, Mexico in 1522, Porto Rico in the following year, Jamaica in 1527 and Peru and Brazil at about the same time. The Turkish conquests, by virtually destroying the cultivation of sugar cane, favored the industry in the New World; the large colonial supply completed the ruin of the sugar industry in Syria, Cyprus and Egypt and also eventually eliminated the competition of Spanish and Portuguese possessions in Africa. From the beginning Negro slaves supplied the labor force of the sugar plantations.

Severe restrictions were imposed upon the colonial sugar industry by the mother countries. In the French, Spanish, British and Portuguese colonies there was usually a prohibition against sugar refining in the colony itself and against exporting raw sugar to any country other than the motherland, from which moreover all machinery and implements had to be imported. The result of these restrictions may be seen indirectly in the fact that when they were lifted in Cuba the exports of sugar rose from 2000 tons in 1753 to 13,940 tons in 1790. The European powers, in accord with their general colonial policy, desired to retain a monopoly of sugar refining, with the colonies supplying raw materials and buying manufactured goods. Political disturbances also interfered with the growth of the sugar industry. When the Portuguese expelled 20,000 Dutch from Brazil in 1655, the cultivation of sugar cane was practically wiped out; many of the Dutch planters went to Haiti. The uprising of the Negroes in Haiti in 1791 forced many planters to flee; for many years the island lost all significance as a sugar producer, while the Cuban industry flourished.

By the end of the eighteenth century the world was dependent mainly upon American sugar, although a considerable supply came from Java and Ceylon. During this period also new varieties of cane with a higher yield were bred, and the plant was made more tolerant of or completely immune to diseases, frost and insects. The most striking success in this respect, however, has been achieved only in recent years.

During the seventeenth and eighteenth centuries there was a considerable intercolonial trade in sugar, much of which was smuggling. Some large fortunes were made by New England merchants who imported sugar from Cuba and used it to make molasses and rum largely for export. In 1751 the Jesuits introduced the cultivation of sugar cane into Louisiana, which became the principal North American producer of raw sugar. The first refinery in the colonies was opened in New York City in 1730—"A Refining House for Refining all sorts of Sugar and Sugar-Candy." By the time of the revolution there were substantial sugar production and trade.

Sugar consumption was stimulated both by price reduction and by the growing use of coffee, tea and cocoa. This encouraged the development of refining in Europe and national struggles to control the lucrative business. Colbert in 1684 introduced differential duties on raw and refined sugar to protect the French refining industry. His efforts resulted in ousting English and Dutch refined sugar from the French market and in increasing exports of refined sugar. Colbert's policy, which involved a subsidy in the form of a drawback on raw sugar import duties, marked the commencement of the bounty system, which gained great importance in Europe in the nineteenth century.

Sugar cane, a tropical and subtropical plant, was virtually the sole source of raw sugar until the development of the beet sugar industry at the beginning of the nineteenth century. Although the juices of certain roots had been used as sweetening, it was not until 1747 that a German chemist, Andreas Marggraf, observed that beets contain "genuine perfect sugar identical with that in the sugar cane." A pupil of Marggraf, Franz Karl Achard, experimented with the cultivation of beets rich in sugar and containing a juice of higher purity. He devised machinery for the extraction of beet sugar, obtained the first lot of raw sugar in 1799 and in 1802 erected a factory. The rise in sugar prices following upon the destruction of commercial cultivation in Santo Domingo and Napoleon's proclamation of the Continental System in 1806 stimulated the development of the beet sugar industry. Napoleon himself encouraged the cultivation of sugar beets in France and the countries under his control. As soon as colonial sugar was obtainable, the new industry declined everywhere

except in France; but it revived again in other countries, and by the middle of the nineteenth century sugar beet cultivation was firmly established in Germany, Austria, Russia, Belgium, Sweden and Holland. Beets can be grown on farms with other crops, they are an important factor in crop rotation and parts of the beets serve as valuable fodder. Only in exceptional cases, as in Java, is cane planting adaptable to crop rotation. Because it provided a source of revenue, beet sugar production enjoyed government encouragement and protection, including bounties. These brought about undesirable conditions in the world sugar market, since for various reasons the bounty system could not be introduced in the colonies. The beet sugar industry itself suffered as bounties became increasingly more generous, and only those factories derived full benefit which received the bounty at the highest rate. Moreover the profit from the bounty was in part lost, because some countries levied counter duties on bounty fed sugar, the first to do so being the United States in 1890. The system eventually proved more or less of a drawback for all parties concerned, and it was finally abolished by a convention signed at Brussels on March 5, 1902.

While the beet industry, owing to the bounty system, was able to increase its output up to 50 percent of the world's sugar production, the cane industry regained part of the lost ground after the adoption of the Brussels convention. The beet sugar industry, however, was far from ruined by the abolition of export bounties, as had been prophesied by antagonists of the convention: in 1913–14 it supplied 45 percent of the world's sugar (Table 1).

TABLE I

WORLD PRODUCTION OF RAW SUGAR, 1900–14
(In 1000 metric tons)

YEAR	CANE SUGAR	BEET SUGAR
1900–01	6,485	6,019
1901–02	6,835	6,909
1902–03	6,808	5,702
1903–04	6,773	5,988
1904–05	7,467	4,926*
1905–06	7,336	7,281
1906–07	8,031	7,199
1907–08	7,670	7,037
1908–09	8,251	6,939
1909–10	9.018	6,627*
1910–11	9,120	8,616
1911–12	9,369	6,909*
1912–13	10,099	8,947
1913–14	11,094	9,015

* Small output due to crop failure in the greater part of Europe.

Source: Mikusch, G., *Geschichte der internationalen Zuckerkonventionen* (Berlin 1932) p. 34, revised by author.

Meanwhile the refining industry had made great progress, particularly in the United States. In 1830 there were 38 American refineries. The scale of production increased and by 1845 there were several refining mills, each of which cost over $300,000 to erect and equip, with a daily capacity of 10 to 15 tons. Technical progress was rapid, including new and more efficient methods of extraction, evaporating and drying. By 1850 American mills were able to produce more than half of the total sugar consumed. The number of refineries grew to 50 in 1870, but ten years later they had been reduced to 27 by a process of concentration which set in at the time, and which resulted in the formation of the Sugar Refineries Company in 1887, merging several other concerns. The sugar trust, of which Henry O. Havemeyer was the guiding spirit, waged ruthless war upon its competitors and strengthened its control. In 1891, after the dissolution of the trust, the American Sugar Refining Company became its successor and dominated the industry for years, owning 10 of the 17 existing refineries but producing a much larger share of the total output. The government investigated the company's affairs under the pressure of public opinion,which resented the company's large profits. At the same time costs of production were lowered considerably. Expansion of sugar refining was stimulated by the results of the Spanish American War. Hawaii was already a colony of the United States, producing 204,834 tons of sugar in 1898. Cuba's sugar industry was more firmly attached to American capital and American interests, while the annexation of Portc Rico and the Philippines provided another great source of raw sugar supply. Sugar imported into the United States from these colonial possessions was either given a preferential tariff or admitted free of duty.

The efforts of the refining interests to secure free imports of raw sugar met the opposition of the cultivators of beet sugar. This industry was growing slowly but steadily; by 1879 there were a dozen or more beet sugar factories. The McKinley tariff of 1890 granted a bounty of 2 cents per pound on home produced sugar, but this was repealed four years later. A definite policy of protection of domestic sugar was established by the Dingley tariff of 1897, which resulted in a rise in output of domestic sugar from 37,536 tons in 1896 to 214,825 tons in 1903. This development was facilitated by production in American factories of the necessary machinery and implements for the cultivation of beets and

manufacture of sugar. In 1913, when there were 71 beet sugar factories, Congress passed the Underwood-Simmons tariff bill, which reduced the duty on sugar 25 percent, granted duty free admission to Philippine sugar and provided that all sugar should be placed on the free list on May 1, 1916. The free clause, however, was repealed. This repeal and the high sugar prices prevailing during the World War gave a new impetus to the beet sugar industry.

The war completely changed the world's sugar situation. It was a disaster for the European beet sugar industry; many factories, particularly in France, Belgium and Russian Poland, were paralyzed. Production declined also in Germany and Austria and even in the neutral nations, because of the demand for labor by the war industries. The cane sugar industry, far from the scene of war, greatly increased its output (Table II), both absolutely and relatively. This was particularly true in Cuba, which augmented its output 33 percent. In the United States and in most European nations, both belligerent and neutral, the limited sugar available and the high prices led to state control.

When the war came to an end in 1918, the economic situation in central Europe became still worse for a while; but after 1919–20 there was a steady increase in beet sugar production. Despite this recovery the cane sugar countries kept on producing a constantly larger output, particularly in Cuba, where production in 1924–25 was 97 percent higher than in 1913–14. In May, 1920, the price of sugar reached the peak of 22.5 cents per pound. Then the crash came, and in December, 1920, the price had fallen to 3.6 cents. Cuba realized that its overproduction menaced the world market and its own interests, and in 1926 a crop restriction law was enacted. It was not Cuba alone which suffered. All the sugar exporting countries were harassed by the fall in prices, the shrinking of the world market and the accumulation of surplus stocks (Table III). Despite an increase in consumption up to the close of 1929 output regularly exceeded consumption, as the exporting countries increased production and capacity while formerly importing countries expanded home production, often encouraged by government aid, such as the British subsidy act of 1925. Thus both the importing and exporting countries increased their sugar output (Table IV), with disastrous results. Overproduction was intensified by greater productivity; for example, the cane yield per acre in

TABLE II

WORLD PRODUCTION OF RAW SUGAR, 1913–33

(In 1000 metric tons)

YEAR	TOTAL WORLD PRODUCTION	CANE SUGAR				BEET SUGAR		
		TOTAL WORLD PRODUCTION	UNITED STATES*	CUBA	JAVA	TOTAL WORLD PRODUCTION	EUROPEAN COUNTRIES	UNITED STATES
1913–14	20,109	11,094	1,412	2,672	1,531	9,015	8,257	740
1914–15	19,537	11,266	1,347	2,658	1,474	8,271	7,519	730
1915–16	17,963	11,842	1,456	3,094	1,389	6,121	5,215	880
1916–17	18,440	12,600	1,549	3,107	1,722	5,840	4,998	829
1917–18	18,658	13,549	1,401	3,544	1,928	5,109	4,319	771
1918–19	17,459	13,054	1,392	4,082	1,875	4,405	3,606	767
1919–20	16,923	13,590	1,285	3,837	1,413	3,333	2,576	732
1920–21	18,414	13,514	1,364	4,049	1,634	4,900	3,750	1,098
1921–22	19,398	14,304	1,583	4,112	1,785	5,094	4,028	1,029
1922–23	19,695	14,358	1,402	3,706	1,913	5,337	4,627	680
1923–24	21,444	15,377	1,577	4,170	1,899	6,067	5,135	888
1924–25	25,111	16,798	1,982	5,269	2,118	8,313	7,146	1,103
1925–26	26,194	17,614	1,849	5,019	2,444	8,580	7,610	907
1926–27	25,015	17,105	1,941	4,639	2,103	7,910	6,950	905
1927–28	26,851	17,707	2,196	4,155	2,546	9,144	8,003	1,085
1928–29	29,056	19,440	2,219	5,307	3,160	9,616	8,484	1,070
1929–30	28,257	18,901	2,636	4,806	3,112	9,356	8,256	1,027
1930–31	29,548	17,620	2,606	3,214	3,171	11,928	10,627	1,217
1931–32	27,205	18,252	3,002	2,678	3,004	8,953	7,678	1,175
1932–33	26,279	18,382	3,108	2,053	2,759	7,897	6,408	1,363
1933–34†	26,856	17,954	3,367	2,220	1,505	8,902	7,119	1,648

* Including outlying possessions.

† Estimate.

Source: Mikusch, G., *Geschichte der internationalen Zuckerkonventionen* (Berlin 1032) p. 38–39, revised by author.

Java rose from 30 short tons in 1895 to 59.6 in 1932, and the sugar yield from 3.4 short tons to 6.7.

TABLE III

WORLD PRODUCTION, CONSUMPTION AND STOCKS OF SUGAR (RAW SUGAR VALUE), 1923–33

YEAR	PRODUCTION	CONSUMPTION	STOCKS	CONSUMPTION PER CAPITA
	(In 1000 metric tons)			(In pounds)
1923–24	21,444	21,594	1,276	26.0
1924–25	25,111	23,513	1,983	27.9
1925–26	26,194	24,834	2,361	29.2
1926–27	25,015	25,179	2,619	29.3
1927–28	26,851	26,775	2,474	30.8
1928–29	29,056	27,655	3,325	31.5
1929–30	28,257	26,762	4,228	30.1
1930–31	29,548	26,940	6,526	30.0
1931–32	27,205	26,136	7,308	28.9
1932–33	26,279	26,500	7,129	29.1
1933–34	26,856			

Source: Mikusch, G., *Geschichte der internationalen Zuckerkonventionen* (Berlin 1932) p. 41, revised by author.

TABLE IV

WORLD SUGAR PRODUCTION BY IMPORTING AND EXPORTING COUNTRIES*
(In 1000 metric tons)

YEAR	EXPORTING COUNTRIES	SELF-SUPPORTING COUNTRIES	IMPORTING COUNTRIES
1923–24	10,646	2,768	8,030
1924–25	13,232	3,361	8,518
1925–26	13,509	3,987	8,698
1926–27	12,268	3,743	9,004
1927–28	12,563	4,437	9,851
1928–29	14,694	4,836	9,526
1929–30	14,550	4,211	9,496
1930–31	13,522	5,689	10,337
1931–32	11,157	5,235	10,813
1932–33	9,375	4,116	12,788
1933–34	8,425	4,070	14,361

*Figures compiled by author.

Cuba, whose whole economic life is practically dependent upon the sugar crop, realized in its desperation that if it alone were to adopt restrictive measures there would be sacrifices but no lasting success. Negotiations were therefore opened by the Cuban government, through Colonel J. M. Tarafa, with the large exporting countries for united action to restrict output and exports. The project was frustrated by the opposition of the Java industry, by the hesitant attitude of the European producers and by the abandonment of the Cuban restriction policy in 1928. It was soon realized in Cuba, however, that unrestricted production was even worse than restriction. Another attempt at governmental control was embodied in the presidential decree of July 26, 1929, which set up a unified selling agency. But the depression which set in after 1929 made it impossible for the plan to succeeed. Cuba suffered not only from low prices but also from the decline in its exports to the United States, where because of tariff preference colonial and domestic sugars acquired an increased share in the market (Table II). The unified selling agency was dissolved in April, 1930. As a result prices fell to a new low of 1.04 cents a pound. Another attempt at international action led to adoption of the Chadbourne plan in 1931, by which Cuba, Java, Germany, Czechoslovakia, Poland, Hungary and Belgium agreed upon export quotas. The plan provided that accumulated surplus stocks were to be disposed of during the five years covered by the agreement and that no surplus stocks should exist upon its expiration on September 1, 1935. Subsequently two other producing countries, Peru and Jugoslavia, signed the agreement, and a number of other states which were not exporters but suffered from surplus stocks adopted the principles of the Chadbourne plan without joining the agreement. The restrictive measures of the agreement are to be carried out with governmental assistance. This development is another indication of the spread of state intervention in industry. Fifteen nations, out of which nine are members of the International Sugar Agreement, are at present bound by a restriction plan.

The sugar crisis aggravated the conditions of workers engaged in the production of cane and beet sugar. Unemployment increased and wages fell to extremely low levels particularly in Cuba. Seasonal workers coming from foreign countries are frequent in both cane and beet production—Filipinos in Hawaii, Mexicans in the United States, Haitians and West Indians in Cuba and Belgians or Slavs in France. However, increasing unemployment has brought about some antagonism against foreign hands. In times of depression some aversion to foreign interests arises from the fact that sugar growing in several countries is largely controlled by foreign capital. In 1924 not less than two thirds of the $950,000,000 invested in Cuban sugar production was controlled by Americans, and this proportion has not changed materially since then. In some countries unions of sugar workers exist and collective agreements are made with manufacturers and, more rarely, with the agricultural producers.

Part of the cane and beets manufactured into sugar is grown by the sugar factories. In Java

almost all the cane is planted by the factories themselves; this, however, is unusual. By far the larger part of the cane and beet supply is delivered by more or less independent planters. In the beet industry the independent planter is typical, while in some cane growing countries the *colono* system of cultivation prevails. In some countries, for example, Germany and the Netherlands, most of the factories are owned by the planters; the shareholders of these factories are usually obliged to deliver annually a certain quantity of beets per share to the factory.

In 1929 there were 21 cane sugar refineries in the United States, with an output of $507,389,000. They employed 13,912 workers, who received wages amounting to $20,044,000. The value of the output of beet sugar factories in that year was $108,553,000; they employed 7496 workers and paid $10,021,000 in wages. The productivity of labor has been increasing steadily in recent years; refining is a highly mechanized process, and many workers have been displaced. The American Sugar Refining Company, with assets in 1933 of $123,358,169, still dominates the industry; in that year it owned 5 refineries on the Atlantic coast and in Louisiana and 2 cane sugar factories in Cuba. The cane sugar refineries are suffering from the competition of the domestic beet sugar industry and from the expansion of sugar refining in the American insular possessions, in Cuba and in the Dominican Republic; existing capacity is more than double the actual requirements. Refiners are energetically demanding special tariff protection for their product. A sugar quota law was enacted in 1934. Moreover as many of the refiners control raw sugar factories in Cuba, they are the natural allies of the Cubans in the demand for an increase in the tariff preference. The American Sugar refiners are organized in the Sugar Institute, which in recent years has carried on an advertising campaign to stimulate sugar consumption.

In normal times the consumption of sugar has increased steadily, and there is no evidence that the saturation point has been reached in any country. It is quite possible that the industry may experience renewed expansion with improvement in world economic conditions.

GUSTAV MIKUSCH

See: PLANTATION; FOOD INDUSTRIES; RAW MATERIALS; NATURAL RESOURCES; COLONIAL SYSTEM; BOUNTIES; VALORIZATION; TRUSTS; PHILIPPINE PROBLEM.

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SUGGESTION. *See* CROWD; MOB.

SUICIDE. Group patterns, standards of life, conceptions about death and religious convictions, all of which vary from place to place, determine the attitude with which suicide is regarded. Some peoples endorse and recommend it under specified circumstances; others oppose it resolutely and uncompromisingly. Among primitive groups there is no uniformity of judgment. In some tribes it is practically unknown;

in others it is a rare and reprehensible act; in still others it is relatively common; and sometimes it may be the only fitting answer to a trifling insult. The determining factor whether in primitive or sophisticated societies is the emphasis that is placed upon individuality. Where there is no striving for leadership and no desire to attain personal recognition and prestige, suicide is infrequent. But where the pressure exerted by the group is weak, personal ambition keen and rivalry between individuals intense, suicide is found.

In the Orient certain forms of suicide have always been considered praiseworthy. Brahman and Buddhist doctrines with their denial of the flesh approve the idea that the body is a dwelling place to be abandoned at the will of its owner. Institutionalized forms of suicide such as suttee, the sacrifice of wives upon the death of their husbands, and hara-kiri, a deliberate ceremonial act, reflect great credit upon the willing victims. The suicides of defeated generals, dethroned rulers and statesmen protesting against political policies are regarded as honorable; personal insult, insolvency, dishonor or a slight offered to the memory of an ancestor are also adequate reasons for self-destruction. In direct contrast to the other religions of the East, Islam severely condemns suicide. While neither the Old Testament nor the New Testament specifically prohibits suicide, the Koran stigmatizes it as a much graver crime than homicide. The teachings of Judaism have emphasized the sacredness of life, and throughout Jewish history until recently suicide has been extremely rare. The Talmud condemned it as sinful and did not permit the customary mourning rites for the suicide, whose body was denied funeral honors and was buried apart with criminals and outcasts.

Since the time of St. Augustine, who denounced suicide as a sin under all circumstances, Christianity has regarded it as murder. The arguments against suicide are deeply rooted in such Christian doctrines as the sacredness of life, the duty of submission to God's will, the positive value of suffering and the impossibility of expiating a sin committed at the moment of death. The teachings of the Catholic church were legalized in Europe and suicide became a crime as well as a sin. The first civil laws against suicide in England, which date from about the eleventh century, provided that the offender's property be confiscated and the body denied Christian burial or interment in consecrated ground. The corpse was treated with indignity and was mutilated, dragged through the streets and hung on the public gallows. In England up to 1823 it was legal to bury a suicide at crossroads with a stake through his body; when this was prohibited burial was allowed only at night, without religious rites; these restrictions were removed in 1882. A provision concerning the confiscation of the property of a suicide in a law passed during the reign of Henry III remained in force until 1870, when all forfeitures for felony were abolished; but suicide is still classed as a crime in England. In other countries of Europe also ignominious burial and confiscation of property were regular punishments of suicide until the nineteenth century. In America, since the ratification of the constitution, the completed act of suicide has never been punished by confiscation of the estate or ignominious burial and therefore is not considered criminal. Attempted suicide, however, has been regarded as felonious in some jurisdictions and is still treated as a crime in four states. Some state statutes likewise consider aiding and abetting suicide a crime and prosecute a person who advises another to kill himself.

Popular opinion regarding the sinfulness of suicide had been changing before stringent punishments had been annulled. In some quarters opinion was veering around to the viewpoint of the Greeks and Romans, who had contended for the right of a man to take his own life. During the seventeenth and eighteenth centuries Donne and Hume in England, Montaigne, Montesquieu, Voltaire and Rousseau in France and Beccaria in Italy protested against the rigorous condemnation of suicide by church and state and argued that suicide was not necessarily a heinous offense, and their views are now widely held.

The variety of traditions, religious practises and social attitudes of different countries of the world is reflected in the suicide rates. In the United States about 22,000 persons kill themselves each year. Under present conditions of mortality 10 males and 3 females, out of every 1000 persons born, will eventually take their own lives. For each suicide there are countless unsuccessful attempts which are never recorded. The official statistics are underestimates, for the families often conceal the fact that death was self-inflicted and many suicides are recorded as accidents. On the other hand, some few homicides are registered as suicides. The United States occupies a middle position in suicide frequency, along with Belgium, Sweden, New

Zealand and Australia; England and Wales, Scotland, Canada and Italy rate somewhat lower; France and Denmark somewhat higher. Extremely high suicide mortality is recorded for Japan, Germany, Austria, Hungary, Czechoslovakia and Switzerland, and very low rates are found in the Irish Free State, Northern Ireland and Spain (Table I).

Mortality records of the last three decades do not warrant a conclusion that suicide is definitely increasing or decreasing. In 1900 the rate was 11.5 per 100,000 persons in the expanding registration area of the United States; it reached 17.8 in 1908, then fell and remained fairly stationary around 16 per 100,000 in the period before the World War. From 1917, when the United States entered the war, it declined steadily, until it fell to a low point of 10.2 in 1920. Since then the general trend has been upward with a definite increase since 1925, until the rate stood in 1932 at 17.5 per 100,000 population. When the pre-war period between 1910 and 1914 is compared with the period between 1926 and 1930, one finds a decline in the United States, Sweden, France, Denmark and Spain but definite increases in England and Wales, Scotland, Germany, Italy, Belgium and Holland.

Negroes do not commit suicide nearly so frequently as do whites; in 1930 their suicide rate in the United States was 5.1, compared with 15.6 among the total population. Age and sex are also important factors in determining suicide frequency. Contrary to prevailing opinion, suicides increase consistently with advancing years. Children and adolescents rarely kill themselves, but at the older ages of life the rate is very high; more than half of all suicides occur among persons forty-five years of age and over, although they constitute only a little over a fifth of the total population. For all age periods combined over three times as many men as women kill themselves each year. The age distribution of suicide in the two sexes differs: the rates for men and women are about equal between ten and twenty, and then the male rate rises sharply and steadily; while the female rate rises gradually up to the age of thirty, after which there is but a slight rise until old age. Consequently in the last age period there are almost seven times as many men as women suicides per unit of population (Table II).

Suicide is more common in cities than in rural areas in the United States and in a number of European countries; in 1929 the urban rate in the United States was 58 percent higher than the rural. In general the larger the city, the higher is its suicide rate. The explanation probably lies in the greater stability of the country family, its lower divorce rate and larger number of children and in the more unified interests, traditions and beliefs of a farming community. The best proof

TABLE I

DEATH RATES PER 100,000 FROM SUICIDE IN PRINCIPAL COUNTRIES OF THE WORLD, 1912–1930

COUNTRY	1930	1928	1926	1924	1920	1916	1912
United States Registration Area	15.6	13.6	12.8	12.2	10.2	14.2	16.0
England and Wales	12.7	12.4	11.4	9.6	9.0	7.3	9.9
Scotland	10.2	9.8	8.7	7.4	4.9	4.6	5.9
Irish Free State	2.8	3.3	3.3	3.2	2.0	2.2	3.7
Northern Ireland	4.9	5.1	5.0	5.4	2.7	3.2	3.9
New Zealand	13.5	14.5	11.3	12.2	11.2	13.4	11.9
South Africa		11.2	11.5	11.2	10.5	7.6	11.2
Canada	10.0	7.8	8.7	8.0			
Australia	14.6	10.1	11.8	11.2	11.9	11.7	13.6
Germany	27.8	24.9	25.9	22.8	21.3	17.5	22.5
France		18.9	19.2		18.9	15.5	22.9
Belgium	16.8	15.8	15.3	13.7	13.1		13.5
Italy	9.6	9.5	9.6	9.5	7.3	6.9	8.5
Austria	39.9	37.1	34.1	30.9	21.8		
Switzerland	26.1	25.6	25.9	23.5	22.6	20.4	23.3
Netherlands	8.1	6.8	6.6	6.2	7.3	5.7	6.0
Sweden	15.0	14.0	13.8	14.5	14.7	13.2	18.3
Norway	7.2	6.6	6.3	6.1	5.0	4.6	6.6
Denmark	17.6	17.6	15.9	13.6	14.3	15.7	18.2
Finland		16.7	14.8	13.8	9.9	6.9	9.3
Chile			3.5	3.0	3.1	2.1	3.4
Spain	3.5	5.8	3.8	6.3	5.1	6.1	4.6
Czechoslovakia	30.1	28.1	28.2	24.2			
Japan	21.6	21.1	20.0	18.6	18.5	17.4	18.2

Source: Dublin, L. I., and Bunzel, B., *To Be or Not To Be* (New York 1933) p. 375.

TABLE II

DEATH RATES PER 100,000 FROM SUICIDE, BY SEX AND AGE PERIODS, UNITED STATES, 1911–30*

SEX AND AGE PERIODS	WHITE		COLORED		TOTAL	
	1926–30	1921–25	1926–30	1921–25	1916–20	1911–15
Males: 10–14 years of age	0.6	0.6	0.2	0.2	0.6	0.5
15–19	4.7	3.7	1.8	2.3	4.7	5.6
20–24	12.8	11.3	8.5	7.6	12.8	18.1
25–34	19.6	18.1	12.5	9.9	20.5	26.9
35–44	31.8	28.2	13.4	13.2	27.2	36.2
45–54	47.9	39.4	14.8	10.1	33.9	51.8
55–64	61.2	50.8	17.0	12.1	45.2	66.2
65–74	71.4	58.4	19.2	16.0	51.8	61.9
All ages, 1–74	22.7	19.0	8.1	6.6	17.8	24.3
Standardized, 1–74	19.9	17.0	8.0	6.6	16.5	22.6
25–44	24.9	22.4	12.9	11.3	23.4	30.9
45–74	56.6	46.6	16.3	11.8	40.9	58.4
Females: 10–14 years of age	0.3	0.4	0.2	0.1	0.4	0.5
15–19	4.1	4.3	2.5	2.4	4.7	7.2
20–24	7.6	6.7	4.6	4.0	8.2	10.6
25–34	9.3	8.2	5.3	4.7	9.1	11.2
35–44	10.9	9.5	3.9	3.2	10.0	11.3
45–54	13.0	11.5	3.4	2.7	11.7	12.6
55–64	13.4	12.1	3.4	2.2	11.8	13.6
65–74	11.9	10.3	2.4	1.0	10.9	11.4
All ages, 1–74	7.1	6.3	2.8	2.3	6.6	7.9
Standardized, 1–74	6.6	5.9	2.7	2.3	6.4	7.6
25–44	10.0	8.8	4.7	4.0	9.5	11.2
45–74	12.9	11.5	3.2	2.2	11.6	12.7

* For expanding death registration area in 1911–19; and for death registration states of 1920, including District of Columbia, in 1920–30.
Source: Dublin, L. I., and Bunzel, B., *To Be or Not To Be* (New York 1933) p. 382.

of the effect of urban life on suicide mortality is found in the high rates of southern cities in the United States, although southern states have extremely low rates. Very high rates are found on the Pacific coast.

There have been many erroneous generalizations as to the effect of the weather on the suicide rate. In the United States suicide rates are highest in the spring; the rate rises from January through April, reaching a peak in May. Beginning with June through the summer, autumn and early winter suicides decrease, until the lowest point is reached in December.

The existing data on the relationship between economic status and suicide are scanty; but a few scattered European and American studies seem to show that suicide predominates at both ends of the social and financial scale. The rates are highest among the wealthy; but among the laboring classes, skilled and unskilled, suicide is most frequent among those nearest the poverty line. An abrupt loss of wealth and position is a destructive psychological experience and is provocative of self-destruction. Thus it follows that suicide rates, especially among males, tend to rise in times of business depression and to fall when prosperity comes. An exception to this general rule is that the suicide rate rose steadily from 1925 on, even during years when business was flourishing. The recent upward trend in suicide was probably accelerated by the economic crisis, but it is not the result of economic stringency alone. There is no simple causal relationship between the two; suicide is a highly complex reaction to many interlocking factors.

Although economic stress and group attitudes influence the amount of suicide and cultural patterns act as inhibiting or encouraging forces, the personal factors which lead men to self-destruction are important underlying factors. Suicide is a reaction to problems that apparently cannot be solved in any other way; it is the final response which a human being makes to inner emotional distress. The motives behind it are as varied as the number of people who seek this method of escape. Hardships of various kinds, like unemployment, poverty, hunger and other deprivations; ill health, mental abnormality, physical pain and deformity, often induce thoughts of suicide. The loss of honor, position, freedom or love as well as failure with its accompanying feeling of inadequacy, disgrace, sex

difficulties and tangled personal relationships make death seem necessary as an escape. But ordinarily no one of these alone would drive a person to suicide unless he were already harassed by a serious emotional conflict. Usually external events merely intensify latent disturbances and provide the immediate provocation in any given case.

To understand suicide therefore one must uncover the basic causes of psychic conflict. The usual explanations given in suicide notes cannot be accepted, because they are rationalizations covering up powerful buried impulses. Abnormal grief at the loss of a loved one, jealousy, marital difficulties, infidelity, desertion, family discord, pride, remorse and shame are but symptoms of difficulty in personal adjustment. Far more fundamental forces are fear and anxiety, feelings of inferiority, hatred, aggressiveness, revenge, guilt and the other mental disorders that prevent people from attaining emotional maturity. Psychoanalysts, who have given the most satisfactory explanation of how these emotions drive individuals to despair and suicide, have shown that the way to prevent them from ending in self-destruction is to build up each personality through self-discipline so that it can adapt itself readily to life's demands. The individual who is able to accept the exigencies of fortune with equanimity will not find it necessary to choose suicide as the only solution of seemingly insurmountable difficulties.

BESSIE BUNZEL

See: MALADJUSTMENT; POVERTY; HONOR; DEATH CUSTOMS.

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SULEIMAN I (The Magnificent) (1494–1566), Ottoman sultan. Suleiman I succeeded his father, Selim I, in 1520 and inherited from him a most efficient military organization. His task was to keep the army employed, to exclude powerful enemies and to enlarge the boundaries of his dominion. Ten times during his reign he led the complete army into Europe and three times into Asia. His victorious fleets sailed as far as Morocco and India and he annexed Hungary, Tunis, Algeria, Tripoli, the Yemen and Mesopotamia. In 1536 he agreed with France upon rights of exterritoriality for the French in Turkey and thereby inaugurated the modern system of Turkish capitulations.

The greatest achievement of Suleiman's outstanding rule was the perfection of the governmental organization, so that in spite of feeble leadership, internal decay and the growth of powerful enemies the Ottoman Empire was able to endure substantially unchanged for three centuries. It is impossible to discriminate precisely between what he found and what he added. Under Suleiman virtually the entire structure of the Ottoman power at its height depended upon two administrative institutions, the "Ottoman ruling institution" and the "Moslem institution in the Ottoman Empire." The former attended chiefly to the tasks of war and administration and was composed of about eighty thousand persons, almost exclusively Christian by birth and slave by status. They were recruited from captives and purchases in the market, supplemented by the regular *devshurmeh*, or levy, by which ten or twelve thousand boys were recruited every four years, chiefly from the Greek, Albanian and Slavonic Christians of southeastern Europe. About one tenth

of the recruits were trained for administrative tasks, the others for the army; the more intelligent became generals, admirals, governors and ministers of state. The chief administrative official under the sultan was the grand vizier, who with a dozen high officials constituted the divan, or supreme administrative council.

The members of the "Moslem institution," concerned with law and education, were almost exclusively Moslem born and were educated in Islamic law, the more capable becoming professors in the legal-theological schools, cadis, or judges, and muftis, or legal counselors. Suleiman reorganized this educational system, particularly by establishing schools of university grade, and he regulated the hierarchy of judges and counselors. Promotions and demotions in the two great institutions may be said to have been his principal task.

The Turks call Suleiman *El Kanuni*, or "the legislator." He is credited with several codes, or *Kanunnames*, relating to Egypt, to police and markets, to the subject Christians and to the feudal system. Most of these laws appear to have been simplifications of practise and readjustments demanded in a prosperous and growing community. Like his great predecessors, Suleiman was a poet, a patron of literary and holy men and a founder of many famous buildings.

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SULLY, DUC DE, MAXIMILIEN DE BÉTHUNE (1560–1641), French statesman. Sully was born in Rosny and from his youth was one of the most intimate companions of the future Henry IV, who enlisted him in the service first of the government of Navarre and then of France. He was secretary of state, chief inspector of roads, superintendent of finances, governor of Poitou, duke and peer of France and fulfilled the functions of a prime minister until the king's death. In 1611 he was dismissed and retired from active politics except to give support to his Protestant coreligionists.

Sully was an agrarian in the fullest sense of the term. He believed that cattle breeding and agriculture constituted the only true wealth of France. He therefore encouraged land clearing, undertook irrigation projects and constructed roads and canals. He pursued this passion for agriculture to such an extent that he even vainly opposed the attempts of Laffémas to establish silk manufacturing as well as all other measures favorable to industry.

His principal work was concerned with financial administration. He reconstructed an administration which had been dislocated by thirty years of civil war. He established a rigorous control, which made it possible for him to save a portion of the royal receipts; he set up an account of the general and particular revenues and expenditures, centralized as far as possible the collection of tariff duties and consolidated one portion of the debt and refunded another. The economy realized in the reduction of the public debt and in the correction of abuses served to provide for the protection of the national frontiers and to furnish the army with an effective artillery. As a servant of the crown Sully contributed to the consolidation of the royal power. With somewhat different ideas he was engaged in the same task as that pursued later by Richelieu, Mazarin and Colbert. His political and economic ideas as well as the record of his ministry are revealed in his *Mémoires des sages et royales oeconomies d'Estat de Henry le Grand* (4 vols., Amsterdam and Paris 1638–62; reprinted in Collection . . . des mémoires relatifs à l'histoire de France, 2nd ser., vols. i–ix, Paris 1820–21; tr. by C. Lennox, new ed. London 1856). This history of his ministry is not beyond criticism, for it is poorly written and abounds in unreliable documents. Sully falsely attributed to Henry IV the Grand Design whereby Europe was to be organized on a federal basis with a supreme court of arbitration and a council presided over by France. This project did not exist outside Sully's imagination, but he did not hesitate to falsify documents to this end just as he had no scruples about enriching himself in the service of the state.

PAUL HARSIN

Consult: Lavisse, Ernest, *Sully* (Paris 1880); Pfister, C., "Les économies royales et le grand dessein de Henri IV" in *Revue historique*, vols. liv–lvi (1894) 300–24, 67–82, 291–302, 39–48, and 304–39; Rupin, C., *Les idées économiques de Sully* (Rennes 1907); Gauthereau, J., *Un précurseur financier, "Sully"* (Toulouse 1912); Turgeon, Charles, "Les idées économiques de Sully" in *Revue d'histoire économique*

et sociale, vol. xi (1923) 249–69; Stawell, F. M., *The Growth of International Thought* (New York 1930) ch. v.

SUMMARY JUDGMENT, as its name implies, is a judgment summarily rendered in a civil action without the lengthy formalities of the ordinary lawsuit. It represents a special form of procedure developed in England and the British colonies and adopted in some of the American states by statute or rule of court.

Although it is generally advocated in the United States as one of the most important of modern procedural reforms, the procedure is not a new legal development or one unique in Anglo-American law. It has in fact a long history in continental procedure. In the early Romano-canonical practise the popes had been accustomed to enjoin the judges whom they appointed to dispatch the simpler, smaller and more pressing cases without the formalities of the ordinary procedure; and in the year 1306 Pope Clement v issued his famous statute *Saepe contingit* establishing a simple procedure for such cases, which were initiated orally and subject to direct control of the judge, who was given authority to reject dilatory exceptions. This *Clementina saepe* was of great importance in its influence on later law; provisions for summary and simple procedure existed in mediaeval law and are still applied in modern continental European countries, including Germany, Austria, France and Italy.

A summary procedure was developed also in South Carolina and Kentucky and in several other states as a result of emigration from Kentucky, but these ventures did not survive the adoption of modern procedural codes. An early motion procedure in Virginia, copied in West Virginia, did, however, survive and has recently been expanded.

The essence of summary procedure as developed on the continent of Europe has been a simple, mainly oral, practise controlled by the judge, with the entire case being quickly heard and disposed of. This was, however, at variance with the whole spirit of English common law pleading, which was devoted to the objective of obtaining by successive formal steps of the parties an issue affirmed by one side and denied by the other. While this objective may not originally have been due to the institution of trial by jury, yet the latter gave it its great force and all pervading importance. Since the jury was not to be confused by complicated issues, it was necessary to have a system of successive steps of pleading whereby the parties themselves by assertion, admission, counterassertion and denial stripped away the non-essentials or undisputed points. Any procedure which dispensed with this orderly progression was therefore foreign to the common law. It is noteworthy, however, that the original development of equity procedure, with its informal appeal to the chancellor, was in the summary form ordained by the *Clementina saepe*. But equity in time became as rigid a system as the common law. A summary procedure seems to be one of the ways in which a court system that has solidified through long observance of administrative rules is again brought back to efficient action.

The modern summary judgment was introduced in England in 1855 in actions upon bills of exchange and promissory notes, and in 1873 it was greatly extended to include actions for the recovery of debts or liquidated demands and those between landlord and tenant for the recovery of land. It then spread to the English colonies, Ontario developing a practise outstanding in its extent and simplicity. The English rule was adopted in the District of Columbia in 1873, in New Jersey in 1912, in Michigan in 1915, in a much more limited form in New York in 1921 (since twice extended) and thereafter also with modifications or extensions in Connecticut, Massachusetts, Rhode Island and (effective 1934) Illinois. A few other states, such as Virginia and Pennsylvania, have a somewhat analogous practise, while yet a few others provide for summary procedure against certain persons, such as public officials and co-sureties for any amounts due.

Following the English model the tendency has been to limit the procedure to actions on claims generally of a liquidated nature, although the Connecticut and amended New York rules follow the Ontario model in adding various other types of action dealing with real and personal property. Under the practise after the action is instituted the plaintiff moves at once for judgment, supporting his motion by affidavit showing the facts and asserting that there is no defense (in Ontario the plaintiff need not file an affidavit). Thereupon unless the defendant by counteraffidavit shows explicitly that there is a real defense and thus a question to be decided by trial, judgment is entered summarily in favor of the plaintiff. Under the earlier provisions it has been held that questions of law cannot be tested by the motion nor can judgment be entered

summarily for a defendant who shows that he has a complete defense. More recent provisions expressly make the procedure available in these cases.

In England the procedure has been so effective that four out of five judgments rendered are on motion for summary judgment. In the United States there has been considerable hesitancy on the part of judges in granting the motion, since they fear to deprive a party of his right to trial upon a defense asserted by him. In New York a determined attack was directed against the practise on the ground that it was unconstitutional, in that it deprived a defendant of his constitutional right to a trial by jury. But the courts have uniformly sustained the practise on the theory that a defense shown to be false may be stricken as sham, thus leaving the action in a situation where essentially a default judgment may be entered. The procedure is now being used more frequently in New York City, where it has been estimated that the time of three trial court judges is saved. With the trial calendars in arrears, at times as much as for two years in jury cases, there is special need of the practise in order that justice be not delayed so long as to be in reality denied. The safeguards for a defendant who has a real defense seem adequate.

Since the summary procedure forces the opposing party to disclose at once any defense he may have, it partakes somewhat of the old equity procedure of "discovery," which has been now generally authorized by statutes. The discovery procedure is, however, generally hedged about by two serious limitations: first, that discovery is had not by oral questioning of the opponent but only through formal and inflexible written interrogatories; second, that it may be had only of matter supporting the movant's own case and not of matter supporting the opponent's case. The limitations seem to be due in part to the sporting theory of justice, whereby a party may conceal his case until he discloses it by surprise attack. A reason usually assigned, however, is the increased disposition to perjury if the case which must be overthrown is known in advance. On the other hand, there is increasing recognition of the fact that perjury is not prevented by any purely mechanical means and that justice is aided by the greater knowledge of the parties and the court concerning the dispute. As urged by students of the subject, discovery seems therefore a proper adjunct of the summary judgment. Moreover in addition to expediting litigation in the many formal situations where, as judicial statistics show, the overwhelming majority of cases results in judgments for the claimants, both are advances toward what is perhaps the next most important step in civil procedure reform—the development of some device more or less automatic in operation to sort the cases so as to send them to those parts of the court which can most properly dispose of them.

CHARLES E. CLARK

See: JUDGMENTS; JURY; PROCEDURE, LEGAL; JUSTICE, ADMINISTRATION OF.

Consult: *A History of Continental Civil Procedure*, ed. by R. W. Millar, Continental Legal History series, vol. vii (Boston 1927); Millar, R. W., "Three American Ventures in Summary Civil Procedure," and Clark, C. E., and Samenow, C. U., "The Summary Judgement" in *Yale Law Journal*, vol. xxxviii (1928–29) 193–224, and 423–71; Cohen, Felix S., "Summary Judgments in the Supreme Court of New York" in *Columbia Law Review*, vol. xxxii (1932) 825–58; Ragland, George, *Discovery before Trial* (Chicago 1932) ch. xxv; Finch, Edward R., "Summary Judgments under the Civil Practice Act of New York" in American Bar Association, *Report of the Forty-seventh Annual Meeting* (Baltimore 1924) p. 588–94, "Recent Extension of the Right of Summary Judgment in New York" in *California State Bar Journal*, vol. viii (1933) 67–73, and "Summary Judgment Procedure" in American Bar Association, *Journal*, vol. xix (1933) 504–08; Boesel, F. T., "Summary Judgment Procedure" in *Wisconsin Law Review*, vol. vi (1930–31) 5–20; Clark, C. E., *Handbook of the Law of Code Pleading* (St. Paul 1928) p. 381–87; Sunderland, E. R., "Scope and Method of Discovery before Trial" in *Yale Law Journal*, vol. xlii (1932–33) 863–77.

SUMNER, CHARLES (1811–74), American statesman. Sumner played a central part in American politics from his entrance into the United States Senate from Massachusetts in 1851 until his death. The questions in which he participated most actively were concerned with slavery, the Civil War, reconstruction and foreign relations. In the field of domestic affairs he became notable for the decided stand which he took against the Fugitive Slave Law of 1850, the Kansas-Nebraska Act of 1854, secession and efforts to compromise in 1860–61 with the Confederate states. After the southern states left the Union he developed his theory of reconstruction, which was based on the idea that the states in seceding had become *felos-de-se*. Therefore he held that in fact they had resumed the status of territories and that their readmission into the Union was subject to determination by the legislative department of the govern-

ment. As conditions precedent to readmission they should grant equal civil, political and social rights to the Negroes. This stand brought him into opposition to President Lincoln's reconstruction policy and into bitter conflict with President Johnson. Ultimately Sumner had his way, and perhaps he more than any other man was responsible for the course of reconstruction in the South.

During the Civil War Sumner, as chairman of the Senate Foreign Relations Committee and by means of a voluminous correspondence with many powerful friends in England, threw his influence on the side of maintaining peace with that country. After the war, however, he insisted that England, by recognizing southern belligerency and by failure to maintain a strict neutrality, had been responsible for doubling the duration of the conflict and hence was morally, and by inference legally, liable to the United States for the sum of about $2,000,000,000. This attitude dismayed and angered the English authorities to such an extent that it is altogether probable that the *Alabama* claims could not have been peacefully adjusted had not Sumner been removed by his party associates from the chairmanship of the Foreign Relations Committee, incidentally not so much because of his baiting of the English as because of his bitter attack on President Grant's attempt to bring about the annexation of Santo Domingo. After this humiliation Sumner's influence declined rapidly and his support of Horace Greeley, the Liberal Republican and Democratic candidate in the presidential election of 1872, caused the severance of his connection with the Republican party, in whose councils he had figured so largely since its organization.

BENJAMIN B. KENDRICK

Works: *Works*, 15 vols. (Boston 1870–83; new ed. with introduction by G. F. Hoar, 20 vols., 1910).

Consult: Pierce, Edward L., *Memoir and Letters of Charles Sumner*, 4 vols. (Boston 1877–93); Haynes, George H., *Charles Sumner*, American Crisis Biographies (Philadelphia 1909); Storey, Moorfield, *Charles Sumner*, American Statesman series, vol. xxx (Boston 1900).

SUMNER, WILLIAM GRAHAM (1840–1910), American economist and sociologist. Sumner graduated from Yale College in 1863 and then studied at Geneva, Göttingen and Oxford. After a tutorship at Yale in 1866 he was ordained as an Episcopal clergyman and served in that capacity in New York and in Morristown, New Jersey. In 1872 he returned as professor of political and social science to Yale, where as a compelling teacher and a dynamic publicist he exercised very wide influence.

Sumner was an unequivocal exponent of the doctrines of economic individualism in their most extreme form. He condemned socialism and trade unionism, social legislation including child labor laws and legislation for the eight-hour day, and governmental efforts to control monopoly, such as the Interstate Commerce law, on the ground that such measures interfered with the natural laws of supply and demand. Through public addresses and widely circulated tracts he became one of the most prominent leaders of the agitation for free trade and sound money. The slogan of "the forgotten man," which gained wide currency through its use by Franklin D. Roosevelt during the presidential campaign of 1932, was originally coined by Sumner, in the course of his vigorous polemics in favor of laissez faire, to characterize the individuals who bore the costs of the protective tariff, of governmental social services and of the increased wages secured through trade union activity. His was a stark, drastic, social Darwinian philosophy unrelieved by any concession to humanitarian sentiments, which he ridiculed. Defending what he designated as the sacredness of private property in its industrial uses, he criticized plutocracy as manifested in the use of political power by capital; he declared it, however, to be an inevitable result of the baneful extension of control by the state over industry, and he opposed any attempt to curb it by legislation. The Spanish American War he regarded as a blunder in statecraft and he attacked the imperialism involved in the subjection of Cuba. In his many controversies he used none of the arts of the diplomat but was blunt, uncompromising and overtly partisan.

After 1890, following an illness, Sumner withdrew from active political agitation and devoted himself largely to sociology, which he preferred to designate the science of society. Under the influence of Spencer's *Principles of Sociology* and Lippert's *Kulturgeschichte der Menschheit* he compiled from library sources the vast collection of anthropological data on the origin and evolution of social institutions which formed the content of his *Folkways* (Boston 1907) and which was used by him and his disciple and successor, A. G. Keller, as the basis of their *The Science of Society* (4 vols., New Haven 1927–28). *Folkways* ranks as one of the most influential works in American sociology. Although it is not

a systematic treatise, it added to the vocabulary of sociology such terms as folkways, mores, in-group and out-group and ethnocentrism and furnished valuable descriptive materials. The book, however, applied no original method; Sumner was scornful of emphasis on methodology and in particular denied the applicability of the statistical method to the subject matter of the social sciences. *Folkways* likewise formulated no original concept but merely elaborated the theme, familiar since Montaigne, of the variability of custom in time and space, the lack of rationality in human sanctions and the exaggerated value placed by members of each social group on the merit of its own behavior. Its chief contribution was in its analysis of the mores as a superorganic system of relations, conventions and institutional arrangements, sanctioned as conducive to societal welfare, which were by origin chance products of a long series of minute trial and error adjustments to physical, social and supernatural environments, dictated by needs and motivated by hunger, sex passion, vanity and fear. Believing that the mores functioned through individuals without coordination by any formal authority, Sumner found his theories of the origin and nature of social institutions consistent with his advocacy of laissez faire.

BERNHARD J. STERN

Other works: *What Social Classes Owe to Each Other* (New York 1883); *War, and Other Essays*, ed. by A. G. Keller (New Haven); *Earth-Hunger and Other Essays*, ed. by A. G. Keller (New Haven 1913); *The Challenge of Facts, and Other Essays*, ed. by A. G. Keller (New Haven 1914); *The Forgotten Man, and Other Essays*, ed. by A. G. Keller (New Haven 1918); *The Financier and the Finances of the American Revolution*, 2 vols. (New York 1891); *A History of American Currency* (New York 1874); *A History of Banking in the United States* (New York 1896); *Andrew Jackson as a Public Man* (Boston 1882); *Alexander Hamilton* (New York 1890).

Consult: Starr, H. E., *William Graham Sumner* (New York 1925); Keller, A. G., *Reminiscences (Mainly Personal) of William Graham Sumner* (New Haven 1933); Cooley, C. H., *Sociological Theory and Social Research*, ed. by R. C. Angell (New York 1930) ch. xi; Park, R. E., "The Sociological Methods of William Graham Sumner . . ." in Social Science Research Council, Committee on Scientific Method in the Social Sciences, *Methods in Social Science*, ed. by S. A. Rice (Chicago 1931) p. 154–62; Barnes, H. E., "William Graham Sumner (1840–1910)" in *Sociological Review*, vol. xiv (1922) 209–12.

SUMPTUARY LEGISLATION is the term applied to ordinances which regulate the private expenditures of individuals. A representative expression of paternalism in government, they are based sometimes upon economic but more often upon social and moral considerations. They are enacted generally when customs and conditions of life are changing and are intended to correct departures from more ancient ways. Directed against the outward manifestations of economic transition, sumptuary laws are always difficult to enforce, for the extravagances which they attempt to curb are reflections of fundamental transformations in social life rather than causative factors themselves.

Laws regulating expenditure appear at an early date in the written history of European countries. Among the laws of Solon, who reformed the constitution of Athens about 594 B.C., one provided that a bride, in addition to the dowry given to her husband, could not take with her personal ornaments beyond three robes and certain minor articles of furniture. Funerals were to avoid excessive display, and prices were fixed for the animals used in public ceremonies. In Rome the increase of wealth which followed the conquests endangered the equalitarian social system; the sumptuary legislation of the republic was an attempt to force a return to the early simplicity of the Romans and to prevent the embarrassment of the poorer citizens by the extravagances of the wealthy. The laws of the empire were induced by the nobility, who saw in the enormous wealth of the capitalists a threat to their own influence. According to the Oppian law of 215 B.C., in force for some twenty years, a woman could not possess more than a half ounce of gold or a dress made of different colored materials and was forbidden to ride in a carriage within a mile of a city or town unless she were en route to a public sacrifice. Down to the time of Augustus Caesar the rules were concerned for the most part with entertainments and expenditure for food. Tiberius, Nero and their successors attempted to check the increase of luxury in dress, ornaments and food but with apparently little or no effect.

During the later Middle Ages and early modern times sumptuary legislation reached its most extensive development. Governments which regulated minutely the economic life and the status of their citizens naturally considered it within their province to control expenditure and consumption, whether in order to encourage savings, domestic industry and class distinction or to prevent the moral decline which high living was sure to induce. Sumptuary legislation appears very early in mediaeval times but is es-

pecially prominent in records dating from the thirteenth century until the close of the eighteenth, a period during which the feudal and guild systems declined and capitalism developed. Many of the laws were accordingly directed toward the maintenance of fast disappearing class differences in dress and manner of living. Other ordinances, forbidding the wearing of foreign apparel, were due as much to the inspiration of mercantilist theory as to a horror of strange fashions and extravagances. Legislation of this sort was to be found in all the principal countries of western Europe, although there was wide variation as to origin, content and methods of enforcement. The lawmaking power was sometimes national, as in France and England, or local, particularly where central authority was less effective, as in the cities along the Rhine and in Switzerland. In France under the *ancien regime* the ordinances extended from 1294 under Philip the Fair to the close of the reign of Louis XIV, nearly one third of them being issued by the latter monarch. In both English and French laws there were many similarities, including prohibition of various precious stones, velvets and silks for certain classes and limitation of expenditure for clothing according to rank, income or both. The English laws have a stronger economic tinge, as shown in prohibitions of foreign goods or occasionally in a direct command to wear English fabrics, such as woolen caps, or to use woolen shrouds for burial. In England sumptuary legislation was of much shorter duration than in France, extending from Edward III to James I, under whom it was finally repealed in 1604. Although subsequent regulations in England forbade the use of certain foreign materials, their function was obviously protective only in an economic sense and they were by no means intended as a prohibition of extravagant spending.

In addition to the decrees of emperors and diets sumptuary laws were passed by city councils in central Europe and Italy. These vary in detail but all conform to prevalent conceptions of political duty. They were designed explicitly to restrain extravagance, which was considered not only displeasing to God but economically ruinous to individuals, to encourage patriotism by requiring the wearing of the national costume and to maintain class distinctions by regulating the cost and material of clothing for each class.

The powers enjoyed by city governments explain the important position of sumptuary rules in their legislation. In independent towns like Basel, Berne or Zurich the city council had the powers of the ruler of a sovereign state; the regulation of funerals, christenings, wedding gifts, banquets, prices of clothing and similar matters is part of a conception, frequently expressed in preambles to the laws, of the patriarchal right and duty to oversee all activities of the citizens. Much interesting light is shed on social habits by the itemized regulation of private expenditure for dress: many precious stones were forbidden; and there were restrictions upon the use of velvets, satins and silks and gold thread. City councils even went so far as to prescribe the length of certain garments, the number of flounces, width of lace, length of shoe points or height of bonnets. Arguments in support of the law were often found in external events. The sins of the people had brought on hard times, misery and disaster. The earthquakes of the early sixteenth century served as a warning text for more than fifty years, and the belief in an interfering Providence was incorporated into the acts of city councils. Up to the end of the eighteenth century sumptuary ordinances were frequently reenacted; for the Reformation had no effect on details but merely provided a stronger religious motive. Modifications indicate changes in fashions: some articles were no longer forbidden, while others were newly proscribed.

In England the administration of sumptuary laws was in the hands of sheriffs, justices of the peace, mayors and aldermen, so that there was wide dispersion of responsibility. The records are so scarce that only the preambles to the laws and the complaints in literary publications serve to indicate that they were indifferently obeyed. In Switzerland before the Reformation execution was entrusted to the ecclesiastical courts which had jurisdiction over marriage laws. Later sumptuary laws were enforced in the cities by a small tribunal, a *Reformationskammer* or a *consistoire*, whose membership was chiefly secular and which continued in operation down to the French Revolution. Penalties were entirely monetary. In Basel, Berne and Zurich the courts consisted of eight to thirteen persons drawn from the highest officials and the ranks of respected citizens. Their duties covered not only costume and festive expenditure but also profanity, absence from church, Sabbath observance, dancing and various other matters. Records of these courts are incomplete, but in the archives of Basel a docket of its Chamber of Reform covers the years from 1674 to 1796 and in

Zurich there are records for the eighteenth century. A statistical study of these records presents a picture which fits any country where sumptuary laws were enacted. Periods of high activity alternate with times of little or no action. The growth of wealth made it practically impossible to enforce such laws. Statutes repeat their stiff rules to the end; but sumptuary prosecutions gradually fade out, until the rare sittings of the courts are wholly taken up with other matters. The eighteenth century with its doctrines of individual liberty and its leanings toward economic freedom finally sealed the doom of sumptuary law. Class distinctions persist in life, but they are evidently sustained by other social forces.

In New England such laws had appeared at an early date and displayed the same spirit as those of Europe, made more emphatic, however, by the Puritan sentiment, which regarded ornament as a sin as well as an extravagance. These statutes, however, form but a small part of the so-called blue laws, for the colonists devoted more effort to the eradication of profanity, desecration of the Sabbath and heresy. In Massachusetts the enactment of sumptuary laws extended from about 1634 to 1676, and at that time in spite of repeated efforts at enforcement the courts were already beset with widespread disobedience. The laws did not embody such detailed regulation of dress as did those in Europe, but they expressed a similar desire to maintain distinctions between an upper and a lower class.

Sumptuary laws are sometimes compared with modern tariffs and excise duties on luxuries; but the motives of the latter are revenue and the protection of industry, not the prevention of extravagance. They are effective in restricting the use of expensive merchandise by the less affluent classes, as in the case of automobiles and gasoline in various European countries, but their desirability has become a fiscal rather than a social question. Laws restraining and forbidding the use of liquor and tobacco have more kinship with sumptuary legislation, for they are based upon the same principle, the protection of individual and public welfare and morality.

J. M. VINCENT

See: LUXURY; EXCISE; FASHION; DRESS; BLUE LAWS; PROHIBITION; MONOPOLIES, PUBLIC.

Consult: Kraemer, Pierre, *Le luxe et les lois somptuaires au moyen âge* (Paris 1920); Vincent, J. M., "European Blue Laws" in American Historical Association, *Annual Report for the Year 1897* (Washington 1898) p. 357–72; Baldwin, F. E., *Sumptuary Legislation and Personal Regulation in England*, Johns Hopkins University, Studies in Historical and Political Science, 44th ser., no. 1 (Baltimore 1926); Hooper, Wilfred, "The Tudor Sumptuary Laws" in *English Historical Review*, vol. xxx (1915) 433–49; Greenfield, K. R., *Sumptuary Laws in Nürnberg*, Johns Hopkins University, Studies in Historical and Political Science, 36th ser., no. 2 (Baltimore 1918); Schwarten, Julius, "Verordnungen gegen Luxus und Kleiderpracht in Hamburg" in *Zeitschrift für Kulturgeschichte*, n.s., vol. vi (1899) 67–102, 170–90; Newett, Mary M., "The Sumptuary Laws of Venice in the Fourteenth and Fifteenth Centuries" in *Historical Essays*, ed. by T. F. Tout and James Tait (London 1902) p. 245–78; Pinetti, Angelo, "La limitazione del lusso e dei consumi" in Ateneo di Scienze, Lettere ed Arti in Bergamo, *Atti*, vol. xxiv (1917) pt. ii, no. iii; Myers, Gustavus, *Ye Olden Blue Laws* (New York 1921) ch. ii.

SUN YAT SEN (1866–1925), Chinese nationalist and political theorist. Sun Yat Sen was born near Macao, south China, and was educated in village schools and in Hawaii. He became a Christian and attended the medical schools at Canton and Hongkong from 1885 to 1892. After a brief period of medical practise he identified himself with the revolutionary movement against the Manchu dynasty and despite tremendous obstacles carried on revolutionary propaganda among Chinese students and merchants overseas and inspired the organization which succeeded in establishing a republic in 1911. He was the founder and recognized leader of the Kuomintang (*q.v.*), or Nationalist party, which after the revolution of 1926–27 set up the Nationalist government at Nanking.

Sun traveled widely as both a political refugee and an agitator, and he studied political and economic conditions in western countries and the literature concerning them. As early as 1900 he began to formulate his political and social doctrines, fully expounded in his published writings of later years, in which he endeavored to combine what he believed best in western and in Chinese social thought and experience. He possessed considerable insight into his country's condition and problems and knew the temper of his people, but he was not a deep or thorough scholar and his literary work is marred by not a few inconsistencies, unverified statements and general abstractions for mere effect.

In 1918, in his *Chien kuo fang lüeh* (A program of national reconstruction), Sun called for three types of reconstruction—psychological, social and material. The psychological involved a reversal of the old Chinese philosophy that

"knowledge is easy but action is difficult." Sun felt, on the contrary, that exact scientific knowledge is most difficult to attain and that it must precede effective and progressive action. Material reconstruction meant the modernization of China through new systems of communication and development of the nation's rich resources. His famous "Three Principles"—nationalism, democracy and livelihood—were interpreted at length in lectures delivered at Canton in 1924 (*San min chu i*). The book was widely circulated and had a profound effect. China must secure national unity and an equal place in the family of nations, and this was to be achieved both by a revival of its old racial and national spirit and by a frank recognition of the serious dangers which China faced within and without. While an ardent advocate of political and social democracy, Sun repudiated the theory of natural equality: the republic should find suitable place for men according to their varying endowments. Liberty had been the watchword of western revolutions but China should struggle for national rather than for individual freedom. To avoid the weaknesses of western democracy Sun proposed a new kind of balance between popular sovereignty and the "government of experts" whereby the people should be given the suffrage, initiative, referendum and recall while the government should exercise the legislative, judicial and executive powers familiar in the West and in addition two other functions modeled upon historic institutions in China—a civil service branch for selection of officials and an independent censoring or impeaching branch.

Sun's doctrine of the "people's livelihood" was a moderate form of socialism. He emphatically opposed class war and rejected Marx' materialistic conception of history for what he called, following Maurice William, the "social interpretation." Capital and labor must seek harmonious cooperation. The state must see that all people are provided with food, clothing, shelter and adequate means of communication; to this end there should be regulation of private capital through various types of social legislation. Sun spoke of a communism of the future but objected to Russian communism as ill suited to China's needs. A phrase from the Confucian classics, "All under heaven will work for the common good," became Sun's favorite description of the ideal state and a popular slogan of the revolution which began in 1926. In his *Chien kuo ta kang* he describes the three stages on China's road from revolution to complete democracy: a military stage, during which the country is to be unified; then a period of political tutelage; and, finally, a constitutional era. In his "will," or final message to the Chinese people, dictated upon his deathbed, he reviewed his forty years of struggle and urged his compatriots to work for the realization of his dreams.

Sun attracted to himself and to the revolutionary cause an extraordinary number of able and devoted followers, firing their imaginations with his visions of the new China and compelling loyalty and self-sacrifice by his own patriotic ardor, perseverance and integrity of character. But he was more of a political prophet than a practical statesman and administrator, never seeming fully to appreciate the difficulty of realizing his vast ideas. He set the patterns of political ideology which largely control public opinion and state education in China today and laid important foundations for the new social and economic structure which is slowly emerging. He was the most influential single figure in China's awakening and transition to a modern state; his prestige has grown steadily since his death and his tomb at Nanking has become a national shrine.

FRANK WILSON PRICE

Important works: *Chien kuo fang lüeh* (Shanghai 1918), pt. i tr. in *Memoirs of a Chinese Revolutionary* (London 1927), and pt. iii tr. in *The International Development of China* (2nd ed. London 1929); *San min chu i* (Canton 1924), tr. by F. W. Price as *The Three Principles of the People* (Shanghai 1927), and tr. into French with introduction and notes by P. M. d'Elia as *Le triple démisme . . .* (2nd rev. ed. Shanghai 1930); *Chien kuo ta kang* (Canton 1924), tr. by E. B. S. Lee and S. S. Chow as *Outlines of National Reconstruction* (Nanking 1929), this translation also appeared with one by F. W. Price in *China Weekly Review*, vol. xlviii (1929) 542–43.

Consult: Restarick, H. B., *Sun Yat Sen, Liberator of China* (New Haven 1931); Kuo Min Tang, Central Executive Committee, *Dr. Sun Yat-Sen; His Life and Achievements* (Shanghai 1925); Wou Saofong, *Sun Yat-Sen, sa vie et sa doctrine* (Paris 1929); Holcombe, A. N., *The Chinese Revolution* (2nd ed. Cambridge, Mass. 1931) ch. v; Tai Chi-Tao, *Die geistigen Grundlagen des Sun Yat Senismus* (Berlin 1931); Otte, Friedrich, "Sun Yat-Sens wirtschaftliche Einstellung" in Berlin Universität, Seminar für Orientalische Sprachen, *Mitteilungen*, vol. xxxii (1929) 55–70; Shotwell, James, "Sun Yat-Sen and Maurice William" in *Political Science Quarterly*, vol. xlvii (1932) 19–26.

SUNDAY LAWS. *See* BLUE LAWS.

SUNDBÄRG, AXEL GUSTAV (1857–1914), Swedish statistician. Sundbärg studied at the University of Uppsala, where he developed an

interest in statistics. In 1880 he joined the permanent staff of the Central Bureau of Statistics of Sweden. While the scope of his studies covered a wide field of statistical inquiry, his main interest centered in demography. Sundbärg was influenced particularly by the work of Eilert Sundt, whose law of the flow and ebb of births he elaborated. Among other works Sundbärg investigated early Swedish demographical material dating back to 1749 and by the use of ingenious methods of calculation succeeded in correcting and supplementing the old population tables. He published the essential results of his researches in *Statistisk tidskrift* and also in his *Bevölkerungsstatistik Schwedens 1750–1900* (Stockholm 1907), which he prepared on the occasion of the Fourteenth International Congress of Hygiene and Demography in Berlin in 1907. Sundbärg took an active interest in international statistics and from the year 1895 published a survey of international statistics at first in *Statistisk tidskrift* and later in the form of a separate publication, *Aperçus statistiques internationaux* (2 vols., Stockholm 1906–08). At the behest of the Swedish government he prepared for the international exhibition at Paris in 1900 *La Suède* (Stockholm 1900), a statistical manual of the country and population of Sweden; this was followed by a Swedish edition in 1901 and in 1904 by an English edition (2nd ed., 2 vols., 1914).

In 1910 Sundbärg resigned from the Central Bureau of Statistics to occupy the new chair of statistics at the University of Uppsala. He was entrusted by the government with the study of emigration, a problem of great significance in the economic life of Sweden. His work not only yielded a wealth of economic and population statistics but contained a brilliant although much disputed description of the national character of the Swedish people.

E. AROSENIUS

Other important works: *Bidrag till utvandrings frågan, från befolkningsstatistisk synpunkt* (Contribution to the emigration question from the standpoint of population statistics), Uppsala University, Årsskrift, 1884, no. 4, and 1885, no. 3, 2 vols. (Uppsala 1885–86); *Utvandringsstatistik* (Emigration statistics), and *Det svenska folklynnet* (The Swedish character), Sweden, Statistiska Central Bryån, Emigrationsutredningen, nos. 4 and 16 (Stockholm 1910–11); *Sveriges jordbruk, vid 1900-talets början* (Swedish agriculture at the beginning of the twentieth century), in collaboration with W. Flach and H. Juhlin-Dannfelt (Göteborg 1909).

Consult: Institut International de Statistique, *Bulletin*, vol. xxi (1923–25) 385–87.

SUNDT, EILERT LUND (1817–75), Norwegian sociologist, statistician and social reformer. After studying theology, Sundt became interested in Norwegian gypsy and vagrant types, and in 1847 began to study them from the ethnological, linguistic and sociological points of view. In 1850 he published the results of his investigations in a valuable book, *Beretning om fante- eller landstrygerfolket i Norge. Bidrag til kundskab om de laveste samfundsforholde* (Report on the gypsies or vagabonds in Norway. Contribution to a study of the lowest social class, Christiania 1850, 2nd ed. 1852), which led the government to appoint him to study the increase of pauperism in Norway as well as social conditions in general. From 1850 to 1868 he wandered through the country investigating the life of the poorer classes.

Besides a new series, *Beretninger om fantefolket* (4 vols., Christiania 1859–65) he published a number of works, chiefly concerning the population in the suburbs of Christiania and the health, mortality, hygienic conditions, marital customs and moral habits of the poorer Norwegians. His later books, one of the most important of which is *Om husfliden i Norge* (Domestic industry in Norway, Christiania 1867), deal especially with what he called Norwegian industries, such as house and shipbuilding, fishing, clothing and home crafts. In these studies Sundt did pioneer work in social statistics and in many phases of population statistics for Norway. His writings, although popular in style, were based upon sound scientific research. One of the best known is *Om giftermaal i Norge* (Marriage in Norway, Christiania 1855).

Sundt's originally pessimistic reaction to the poverty and degrading conditions with which he came in contact gradually gave way to a more optimistic view. He came to believe that the growth of immorality had its basis in the increasing pauperism of the people but held that this might be counteracted by education and self-help. The Kristiania Arbeidersamfund (Workers' Corporation), which he founded in 1864 and of which he was president until 1870, organized lectures, a library, sick benefits and other activities and provided great impetus to the establishment of similar societies in other cities. Sundt was also a founder of the Norwegian Society for the Advancement of Popular Education and from 1857 to 1866 was the editor of its review, *Folkevennen* (The people's friend).

FRANCIS BULL

Consult: Lunde, Hjördis, *Eilert Sundt som folkelaerer*,

Literaturisk Seminar, Smaaskrifter, no. 16 (Christiania 1917); Rygg, N., in *Statsökonomisk tidsskrift*, vol. xxxi (1917) 157–68, tr. in *Nordic Statistical Journal*, vol. i (1929) 253–64; Arnesen, Arne, in *Norsk bibliotekforenings smaaskrifter*, no. 3 (Christiania 1917) p. 43–59.

SUPERSTITION. *See* CULTURE.

SUPILO, FRANO (1870–1917), Croatian politician and publicist. Supilo began his journalistic and political activities at an early age. In 1900 he became the editor of the *Novi list* (New journal), a nationalist organ published in Fiume, which advocated the political, propagandistic and organizational methods of Mazzini and the Italian socialist movement. Within a short time the journal had become a nationalist nucleus, one of the most important political periodicals in Croatia. Through it Supilo spread his doctrines over Dalmatia, Croatia and Bosnia, giving a new orientation to Croatian nationalism by his thesis that the Serbs and Croats were one people. He strove for a union of the Slovenes, Croats and Serbs on a democratic basis and for the complete emancipation of the Austrian South Slavs. Croatian clericalism he attacked as the enemy of emancipation and the prop of spiritual enslavement. In democratic Serbia he saw a Jugoslav Piedmont, which would serve as the political and moral center of nationalist policy.

Supilo, together with Trumbić, took a leading part in drawing up the Fiume Resolution (1905) by which a Serb-Croat coalition was initiated; Croatian politics was thus given a new direction, which led ultimately to the Jugoslav state. In 1906 he was elected to the Croatian and Hungarian assembly, where he was one of the leading exponents of the new coalition, uniting also with the Magyars against Vienna. Subsequently he opposed the Magyar plans for hegemony in the administrative and political field.

During the World War Supilo, an important figure in the Jugoslav Committee, visited all the allied countries, carrying on propaganda for an independent Jugoslavia. In this task his unusually extensive connections with authoritative political personalities were invaluable. He was the first to uncover the secret understanding with Italy whereby the latter in the London Pact (1915) received important assurances that it would obtain a dominant influence in Dalmatian territory in return for entering the World War; Supilo campaigned against this scheme among the English and Russian diplomats. In 1916 he resigned from the committee because of differences with regard to plans for the internal structure of Jugoslavia. But in 1917 he supported the Corfu Declaration, which stated that the Serbs, Croats and Slovenes were one people who on the basis of self-determination wished to unite in an independent national state.

JOSEF MATL

Works: *Politika u Hrvatskoj* (Croatian politics) (Fiume 1911).

Consult: Paulova, M., *Jugoslavenski odbor* (Jugoslav committee) (Zagreb 1925); Seton-Watson, R. W., and others, in *Nova Europa*, vol. xiv (1926) 337–76; Prelog, M., in *Narodna enciklopedija srpsko-hrvatsko-slovenačka*, vol. iv (Zagreb 1929) p. 551; Loiseau, C., "Frano Supilo à Rome (Avril 1916)" in *Monde slave*, n.s., vol. v (1928) 161–77.

SUPINO, CAMILLO (1860–1931), Italian economist. Although he had no formal university training, Supino early acquired a considerable reputation as an economist and in 1887 he was appointed professor of economics at the Istituto Tecnico at Genoa; later he occupied chairs at the universities of Messina, Siena and Pavia. Supino's scientific interest comprised economic theory, monetary and banking problems and economics of transportation. His works on economic theory are fragmentary in nature. Of greater importance are his contributions in the field of money and banking, which include *La storia della circolazione bancaria in Italia* (Turin 1895, 2nd ed. Milan 1929), presenting a complete history of monetary circulation in Italy from 1861 to 1928, *Il saggio dello sconto* (Turin 1892) and *Il mercato monetario internazionale* (Milan 1910), in which he sought to prove that the markets for short and long term credit are not closely related and that consequently the rate of discount and the rate of interest are determined and fluctuate independently of one another—a very debatable thesis, at least in the rigid form presented by the author. In *Le crisi economiche* (Milan 1907) he offered what may be considered the best discussion of the seismology of the business cycle. Supino's most important work, however, is *La navigazione dal punto di vista economico* (Rome 1890, 3rd ed. Milan 1913), a comprehensive and systematic treatment of the economics of navigation; this is comparable to Sax' standard treatise on transportation and includes a discussion of naval construction, cost of transportation, agreement between shipping lines and of the various forms of naval protectionism. While he was generally opposed to government interference, Supino

recognized the efficacy of certain forms of subsidies to navigation. His later works include "Salario e profitto nell'economia corporativa" (in *Annali di scienze politiche*, vol. iii, 1930, p. 247–75), in which he displayed thorough familiarity with the theoretical problems involved in the Italian socio-economic experiment; and "Il capitale immaginario" (published posthumously in Università di Pavia, Facoltà di Giurisprudenza, *Studi nelle scienze giuridiche e sociali*, vol. xvii, 1932, p. 1–85). He regarded as imaginary capital the additional value which capital goods acquire as a result either of an increase in their productivity or of a decrease in the rate of capitalization.

MARCO FANNO

Consult: Loria, Achille, "Commemorazione di Camillo Supino" in Università di Pavia, Facoltà di Giurisprudenza, *Studi nelle scienze giuridiche e sociali*, vol. xvii (1932) x–xix; Diena, Giulio, "Commemorazione di Camillo Supino" in R. Istituto Lombardo di Scienze e Lettere, *Rendiconti*, 2nd ser., vol. lxv (1932) 945–56; Fanno, Marco, in *Giornale degli economisti*, vol. xlvii (1932) 1–3.

SUPIŃSKI, JOZEF (1804–93), Polish sociologist and economist. Supiński studied under Fryderyk Skarbek at the University of Warsaw. Upon the collapse of the Polish insurrection of 1831 he migrated to France but in 1844 returned to Lwów, where he divided his time between the task of earning a livelihood as a minor official and pursuit of his studies in the social sciences. Because of weakening eyesight he was early compelled to retire; thenceforth he devoted himself entirely to the completion and publication of his numerous works.

Supiński's most important works are *Myśl ogólna fizjologji powszechnej* (General thought of universal physiology), a treatise on general sociology written about 1850 and published in Lwów in 1860, and the uncompleted *Szkoła polska gospodarstwa społecznego* (The Polish school of social economy, 2 vols., Lwów 1862–65). Both works attracted wide attention and contemporary critics frequently compared Supiński with Bastiat and Carey. In the realm of sociology Supiński stressed the essential unity of all social disciplines and the need for an integrated science of man. Among the numerous specific problems he discussed the nature of man, the role of habit in individual behavior, the position of the individual in group life, the nature of social change, the process of social disintegration and integration and the concept of social progress. In the field of economics he attempted to lay the foundation of a Polish school of economic theory which in opposition to the classical school was national in approach and scope and organic in its conception of society; it assigned a greater role in the production of wealth to immaterial factors, such as accumulated knowledge and skill. Supiński rejected the Ricardian doctrine of rent but accepted the Malthusian theory of population.

EDWARD ARNEKKER

Works: *Pisma*, 5 vols. (Lwów 1872, 3rd ed. Warsaw 1883).

Consult: Korbut, G., *Literatura polska*, 4 vols. (Warsaw 1929–31) vol. iii, p. 350–53, with bibliography; Daszyńska-Golińska, Z., "Les valeurs caractéristiques de la science économique en Pologne" in International Congress of Historical Studies, Comité National Polonais, *La Pologne au Ve Congrès . . . Bruxelles 1923* (Warsaw 1924) p. 37–52.

SUPPLY. Although in such phrases as "demand and supply economics" or "the law of demand and supply" the two terms appear to be correlative, the meaning of the term is not strictly parallel or symmetrical with that of demand. While demand is commonly used to designate a functional relation between the price of a commodity and its rate of flow out of the market into use, supply means the rate of flow itself of the product into the market. Thus demand is synonymous with demand function, and the quantity demanded under given conditions must be separately specified; but supply is the quantity supplied—generally in a unit of time, hence rate of supply—and the supply function or curve must be explicitly designated. The crucial fact preventing symmetry in the usage of the two terms is that in the natural view of demand price determines quantity taken, but only under restricted conditions (perfect competition and increasing cost) and never in a parallel sense can the quantity supplied be treated as determined by price. Moreover the analysis of short run and long run relations is quite different in the two cases.

Notoriously it is this matter of varying lag of effects behind their theoretical causes which is the main source of difficulty in economic analysis generally; this is peculiarly true of the problem of supply. Demand and supply analysis has two aspects, appealing to two problem interests. On the one hand, it attempts to explain prices and other economic magnitudes "scientifically" in terms of impersonal market forces; on the other, it deals with the general problem of social economic policy, the question whether, in what

degree and under what circumstances the automatic working of market forces leads to the efficient and equitable use of economic resources in satisfying the wants of the people. Obviously this whole problem is on the practical side essentially one of the supply of means of want satisfaction. In both the practical and the theoretical connection it is necessary to take careful account of the fact that different forces working under different conditions produce movement at various rates toward positions of stability or equilibrium more or less permanent. The underlying axiom of the analysis is that in the long run the supply, or the amount produced, of any good or service must be equal to the consumption, along with the closely related principle that all resources tend to be employed at maximum yield. But production and consumption may or may not be equal in a short period of time, and the tendency toward full employment of resources at the highest efficiency operates slowly at best.

In a society where the maintenance of wealth forms a part of the physical sequence between productive activity and the enjoyment of its fruits and where both the wealth used in production and the active human beings themselves are more or less specialized in ways which it requires time to change, there is a considerable and highly variable lag between a change in consumers' demand and the ultimate adjustment of production to the new demand conditions. Moreover many productive activities, notably those of agriculture and outdoor construction, are periodic and are affected with a considerable degree of uncertainty; similarly consumption is both more or less periodic and subject to unpredictable changes. For all these reasons there can be no exact correspondence over very short periods between production and consumption. There is always a buffer in the twofold shape of stocks of consumption goods and surplus capacity of productive equipment.

Variations in the supply of any single consumption good or service are in fact connected with changes in the production and consumption of most other goods and in the use and remuneration of a considerable part of the productive resources of society. If supply is to be treated apart from the general equilibrium of an economic system, the problem must be limited and simplified by abstraction from related changes, so far as this is possible. Growth in wealth must be ignored; and effects of other "historical" movements, such as increase of population and new inventions, are also to be eliminated. It is usual to take the case of a single commodity and, assuming consumers' incomes fixed, to consider only the effects of changes in their preferences for this commodity in comparison with others. The first effect of a shift in consumer preference is a change in the price of the commodity, upon which as cause the changes in supply follow in turn. The problem of supply is thus defined as one of the relation under "given conditions" between output and price for the individual commodity. This is the partial equilibrium method of Marshall and his followers of the neoclassical school, the only method practicable without the use of simultaneous equations and more complicated mathematical devices as a medium for exposition.

In the long run the supply of a particular commodity is the rate of its production on the assumption that all productive resources are employed in the most profitable manner. Under perfect competition this means that the marginal productivity of any productive resource is equalized in all alternatives of use, the resource being apportioned among the alternatives in such a way as to achieve this result. To the producer this means equality between the selling price per unit and the necessary elements in the money cost of producing any unit, i.e. the payments for resources which must be made to prevent their going into some other use where they would have a greater yield. These costs are distinguished from rents, which are price determined, and from pure profit, which does not exist under competition. Under monopolistic production, however, output is reduced below the competitive level, resources yield more than in competing uses and price is above cost per unit. In fact the monopolist's aim is to maximize the difference between total selling price and total cost for his output as a whole; that is, marginal cost—the increment of total cost due to producing the final unit—is made equal to the marginal revenue similarly defined. Most producers in fact possess more or less monopoly power; they are in a position to vary price and output within some range, whereas a producer under perfect competition can only produce more or less at a price over which he has no influence. In technical language, the elasticity of demand for the output of the latter is infinite, regardless of the character of the demand in the industry as a whole—a condition which requires that every producer in the industry operate at a point on his cost curve at which cost is constant.

A tolerably realistic treatment of the response of supply to a price change under effective competition must distinguish a number of elements in the process of adjustment. In the very short run—if the price change is or is believed to be a temporary fluctuation—there will be little or no change in production, but the supply in the sense of sales of the commodity and its flow into consumption will respond through a drawing down or piling up of the accumulated stocks in the hands of dealers all along the line from retailers back to producers. The role of professional speculators may be decisive in this connection, and in theory all holding of stocks must be viewed as a speculative provision for fluctuations in demand. All this applies only to a product which can be stored; in the case of a service or a consumption good which cannot be stored essentially the same effect is achieved through surplus productive capacity in the industry. If the change in demand is expected to be of longer duration, the price change will be transmitted back to producers and will appear in a rise or fall of business profits—which are a part of cost, not pure profit—away from the normal level. The next step is a tendency to expand or contract production.

Again in the process of changing production a number of elements must be distinguished, which it is well to consider roughly in the time order in which they will presumably come into action. To begin with, the intensity or speed at which resources used in an industry at a given time are worked may be changed within certain limits. And since the specialization of resources to the uses in which they are severally employed at any moment differs in degree, changes in demand, the expected duration of which is still longer than in the previous case, will be met by a movement of resources (or at least of the productive capacity of resources) of the highest mobility into or out of the particular industry. This involves using the more mobile resources in varying proportions in combination with those less mobile or more specialized. The resources transferred into or out of an industry will in the main come from or go into other industrial uses, but this is not necessarily true of all of them; production may be expanded by drawing upon resources not previously held by business enterprises or upon those which have been really idle even though formally devoted to some industrial use. The latter must be distinguished from resources deliberately held idle in speculative anticipation of fluctuations in demand; the payment for resources not demanded for making other salable products is a rent and not a supply conditioning and price determining cost. Strictly speaking, the use of resources at an increased activity rate—the case mentioned above—may itself represent a transfer of capacity from nonpecuniary use and absorption of idle capacity held speculatively or resulting from previous miscalculation of demand. In this connection there appear certain differences between the behavior of laborers and of material instruments, but most of them are differences in degree and not major differences in kind; the "irksomeness" of labor reflects competing uses of time and strength to which other instruments are also subject. There are moreover innumerable differences between types of labor and types of other agencies and still other distinctions depending on contractual relations of the productive agency and the enterprise in which it is employed.

A fourth set of changes operating over still longer periods in adapting supply (flow of product) to a change in demand (demand conditions) involves such factors as reconditioning or remodeling of equipment and retraining of laborers without loss of identity. These phenomena also admit of indefinite variation in degree and merge into the fifth and last mode of adaptation, which is the outright retirement of individual laborers or items of equipment and replacement by individuals or items of another type differently specialized. It is in connection with this mode of shifting productive capacity that a categorical difference between laborers and other productive instrumentalities is first encountered. The difference, however, is institutional rather than natural; it is due to the fact that since the human individual is legally free, laborers (in the inclusive sense) are not produced and retired under economic conditions, on the basis of capital accounting in terms of gain and loss. The transfer of the productive capacity through replacement of one item of material equipment by another of a different type can generally be accomplished without loss if and only if the occasion of change is correctly anticipated a long time in advance. It is a limitation on all economic theory as applied to long period changes that the conception of economic behavior implies accurate foreknowledge on the part of the behaving subject of all consequences, however remote, knowledge of which would influence his acts.

While changes in supply adapting it to a change in demand have been listed in a rough

order of the time within which they work out their effects, it is not possible to take these processes of adaptation separately as bases for relatively short or long period supply curves. Regarding this time relation two general statements can be made. The first is that the more permanent and more extensive a change in demand is expected to be by those who make the adaptive responses, the greater will be the predominance of the modes of adaptation given later in the order of treatment; thus in the event of a change expected to be permanent all the changes considered will begin at once and go on concurrently. A realistic supply curve must be drawn independently in both directions, increase and decrease, from a point representing an initial condition; and the two parts will not usually be continuous. The second statement possible is that the longer the period allowed for adjustment, the greater will be the elasticity of supply. This concept, analogous to that of elasticity of demand, is to be defined quantitatively as the amount of productive adjustment which will result from a given price change. Concretely it is the ratio between the relative price change and the relative change in the output of the commodity, computed for changes of negligible magnitude. The symbolic expression for the elasticity of supply is $E = \frac{dx}{dy} \cdot \frac{y}{x}$, where x is product quantity (rate of production, or supply) and y its price per unit. In view of the character of production in the large it may be said that there is practically no limit to the elasticity of supply, if adequate time is allowed for readjustment and the change is anticipated far enough in advance. Infinite elasticity of supply means constant cost. An approximation to this condition for slow changes—very slightly increasing cost—probably holds typically in industry as a whole; that is, the occurrence of productive factors specialized to particular uses and not ultimately replaceable by others differently specialized, coupled with diminishing returns in their combination with mobile factors in increasing proportions, is not a phenomenon common enough and of sufficient magnitude to play an important role.

Under perfectly constant cost in the long run a price change due to a demand change will be temporary, although it will nearly always be present during productive readjustment, for output can rarely be increased quickly without increasing cost. Actually, however, cost must generally tend to increase somewhat even in the long run, if other things remain equal; that is, if there are no changes in technical conditions and if competitive production normally obtains. For there is some specialization in resources which economic adjustment can never remove, particularly in the human factor, and in some cases natural resources are a significant limitation. A tendency to decreasing cost can result only from economies of organization which more than offset the increase in cost involved in all the phases of productive change discovered by analysis; such economies moreover must be unobtainable by expansion of an individual firm or their result would be a tendency to monopoly.

In view of these long run conditions the notion of a supply curve representing output as a function of price must be regarded as unreal. Under monopoly supply is obviously not dependent upon price as an independent variable. Under competition with constant cost at any price above the cost point an indefinitely large output would be produced and at any lower price none at all. With decreasing cost any fixed price would lead to either infinite or zero production. Under constant or decreasing cost competitive production equilibrium must be represented as equality between price and cost, each dependent on output, not as equality between supply and quantity demanded viewed as functions of price.

Thus far supply has been treated as the continuous flow of a product from production or out of accumulated stocks into the market. This is the problem which is of general interest in the study of economic organization. A special problem of supply and of demand and supply equilibrium arises in a market isolated in space and time, as in the case of a local daily market for perishable produce or of a market for a crop which is not imported or carried over when a year is taken as the unit. In application to such markets the notion of a variable supply based on reservation prices, which is often employed, has little justification. For the owners of supply have generally produced it for sale and have little possibility of making use of the product themselves if it really cannot be held over for more favorable conditions in the same market or transported to another market locality. In so far as isolation is effective, the supply is typically an approximately fixed amount rather than a function of price, and the equilibrium price is the highest price at which demanders will take this supply out of the market. If isolation is imperfect, holding over or removal to another center is

likely to be a specialized function of speculative dealers rather than of producers themselves. Such dealers will figure in the perishable produce market on the side of demand rather than of supply when and where there seems to be an excess of the product, becoming a source of supply when conditions are reversed. The phenomenon comes then under the head of short period variations in flow of commodities to market discussed above. In the market for agricultural staples the demand of producers for their own produce is again generally inconsequential. Wheat or cotton growers, for example, have reservation prices only on their output chiefly because they really speculate to the same effect as specialists in that field. In general the short run theory of supply, in the sense of variations independent of changes in production, is merely the theory of speculation; but it is never more than a relatively small thing in comparison with the speculation to which production itself is necessarily subject.

FRANK H. KNIGHT

See: DEMAND; COST; PRODUCTION; DIMINISHING RETURNS; INCREASING RETURNS; MONOPOLY; VALUE AND PRICE; PRICES, section on THE PRICE SYSTEM.

SUPREME COURT, UNITED STATES.

The legislative history of the United States Senate began with a bill to implement article III of the federal constitution, providing for the establishment of "one Supreme Court" and "such inferior courts as the Congress may from time to time ordain and establish." The scheme for a federal judicial establishment, of which the chief architect was Oliver Ellsworth, himself a future chief justice, became law on September 24, 1789. There were many contenders for the chief justiceship and the five associates for which the first Judiciary Act provided, and not until February 1, 1790, was the day set for the organization of the court. Even then a majority of the court were not able to reach New York and the first formal session of the court could not be held until the following day. From then on for a period fast approaching a century and a half the Supreme Court has maintained unbroken its very special relation to the constitutional scheme of American society, although during the first three years practically no business came before the court. The Supreme Court mediates between citizen and government; it marks the boundaries between state and national authority. This tribunal is the ultimate organ—short of direct popular action—for adjusting the relationship of the individual to the separate states, of the individual to the United States, of the forty-eight states to one another, of the states to the union and of the three departments of government to one another.

A tribunal having such stupendous powers inevitably stimulates romantic interpretation. Men of learning on both sides of the Atlantic have characterized the Supreme Court as the great political invention of the framers of the constitution and have appraised it as their most successful contrivance. The most successful it is, but the claim of originality must be denied. Certainly neither the presidency nor the Congress has better withstood the fluctuating winds of popular opinion than the Supreme Court. Despite intermittent popular movements against it the court is more securely lodged in the confidence of the people than the other two branches of the government. But the establishment of the court was not a fruit of the creative intelligence of the federal Constitutional Convention. It was a continuation of means for adjustment which the colonies first and then the thirteen sovereign states and finally the Confederation had evolved. The various controversies, most of them regarding boundaries between different colonies, had to be settled, and partly they were settled by the Privy Council. After independence these controversies did not cease. To them were later added difficulties between the states and the Confederation. At first the Continental Congress tried to adjust these conflicts, but eventually it became necessary to set up a technical judicial tribunal, the Court of Appeal. Not merely the recognition of the need for a body to compose the difference between the states *inter se* and between the states and a central government but the practical response to that need evolved by the predecessor of the United States dictated the necessity and furnished the materials for the Supreme Court which the constitution outlined and the First Congress established. At least one litigation that began during the Confederation before its Court of Appeal had its final stage before the Supreme Court. In effect the Supreme Court constituted not the invention of a new institution but the perpetuation and perfection of an old one.

Indeed some mechanism for adjusting conflicts between the center and the constituent units is indispensable to a federalism. Such adjustments might be left to the federal legislature, as in part and ineffectively they were under the

Confederation. But where the powers in a federalism between the center and the circumference are distributed by a legal document, certainly in any political society where the ideas of public law derive from the common law, it is natural that conflict regarding this distribution of power should become legal issues to be resolved by a judicial and not a political tribunal. Canada, Australia and the proposed dominion of India represent three different forms of federalism. The distribution of governmental authority as between center and circumference is different in all three. In all three a court with functions similar to our own Supreme Court is part of the scheme not in imitation of the American Supreme Court but as an inevitable mechanism of a federal state. To be sure the scope of authority of this adjusting mechanism may vary and is itself defined either explicitly or by the implications imported into constitutions in the document distributing governmental powers in a federalism. That the Supreme Court should have been given all the powers it has is of course not a matter of natural law. But if any federalism is to endure, it must provide for some checkrein on the constituent units, and the history of the American colonies and states made it inevitable that that checkrein should be a court and not Congress. "I do not think," wrote Justice Holmes, "the United States would come to an end if we lost our power to declare an Act of Congress void. I do think the Union would be imperilled if we could not make that declaration as to the laws of the several States. For one in my place sees how often a local policy prevails with those who are not trained to national views and how often action is taken that embodies what the Commerce Clause was meant to end."

But judicial adjustments in the English speaking world operate within traditional limitations. By confining the power of the Supreme Court to the disposition of "cases" and "controversies" the constitution in effect imposed on a tribunal having ultimate power over legislative and executive acts the historic restrictions governing adjudications in common law courts. Most of the problems of modern society, whether of industry, agriculture or finance, of racial interactions or the eternal conflict between liberty and authority, become in the United States sooner or later legal problems for ultimate solution by the Supreme Court. They come before the court, however, not directly as matters of politics or policy or in the form of principles and abstractions. The court can only deal with concrete litigation. Its judgment upon a constitutional issue can be invoked only when inextricably entangled with a living and ripe lawsuit. In lawyer's language the court merely enforces a legal right. The rationale of the Supreme Court's function has been admirably expressed by one of the leaders of the American bar: "But august as are the functions of the court, surely they do not go one step beyond the administration of justice to individual litigants. . . . Shall we say that when an American stands before the court demanding rights given him by the supreme law of the land, the court shall be deaf to his appeal? Shall wrongs visited upon him by the illegal excesses of Congresses or legislatures be less open to redress than those which he may suffer from courts, or sheriffs, or military tyrants or civilian enemies? If this be so, if in any such case the ears of the court are to be closed against him, it is not the power of the court that has been reduced but the dearly-bought right of the citizen that is taken away" (John W. Davis in his address as president of the American Bar Association, 1924).

How subtle and unfamiliar this traditional view of American constitutional law is to even the most eminent English lawyers appears from the comment made by an English lord chancellor, Lord Birkenhead, upon the distinction taken by Davis: "Your President is one for whom intellectually I have a great admiration. . . . His masterly address today carried me entirely with him. But surely one refinement was a little subtle. He said that the Supreme Court had not the right *in abstracto* to construe your fundamental constitutional document; but only in relation to the issues presented by an individual litigation. But is this in ultimate analysis a very serious derogation? When an issue challenged by an individual raises the question whether a law is constitutional or not, the decision of the Supreme Court decides this question for all time; and if the decision is against the legislature, the attempted law is stripped of its attempted authority."

In thus passing on issues only when presented in concrete cases the Supreme Court is true to the empiric process of Anglo-American law. But the attitude of pragmatism which evolved the scope and methods of English judicature and subsequently its American versions was powerfully reenforced by considerations of statecraft in defining the sphere of authority for a tribunal of ultimate constitutional adjustments. For in

the case of the Supreme Court of the United States questions of jurisdiction are inevitably questions of power as between the several states and the nation or between the court and the executive and Congress. Every decision of constitutionality is the assertion of some constitutional barrier. However much a judgment of the House of Lords may offend opinion, the Parliament can promptly change the law so declared. But a decision of constitutionality by the Supreme Court either blocks some attempted exercise of power or releases the cumbersome procedure of changes of fundamental law. Therefore the Supreme Court, and very early, evolved canons of judicial self-restraint. Thus it would avoid decisions on constitutionality not merely by observing common law conventions. The court very early in its history refused to give merely advisory opinions [Hayburn's case, 2 U.S. 409 (1792); Muskrat *v.* United States, 219 U.S. 346 (1910)]. Partly this was an assertion of its independence, a refusal of the role of subordination either to legislature or executive. The court withholds utterance unless a controversy is so molded as to give the court the last word. Partly also this is a manifestation of the psychology underlying the development of English law, which has special pertinence to the unfolding of American constitutional law. To refuse to give advisory opinions, to refuse to speak at large or indeed until litigation compels, is to rely more on the impact of reality than on abstract unfolding. In the workings of a constitution designed for a dynamic society this means a preference for "a judgment from experience as against a judgment from speculation" [Tanner *v.* Little, 240 U.S. 369 (1915)]. To pass on legislation *in abstracto* or still worse in advance of enactment would too often be an exercise in sterile dialectic and as a practical matter would close the door to new experience. But the court has improved upon the common law tradition and evolved rules of judicial administration especially designed to postpone constitutional adjudications and therefore constitutional conflicts until they are judicially unavoidable. The court will avoid decision on grounds of constitutionality if a case may go off on some other ground, as, for instance, statutory construction. So far has this doctrine been carried that at times the court will give an interpretation to a statute much more restrictive than its text or the intention of Congress apparently indicated. Again, in order to avoid the projection of a conflict between state and national authority the court, in reviewing state court decisions, is alert to find that the state court merely enforced some state law which the Supreme Court is bound to respect and thereby to deny the existence of a federal controversy.

The court has thus evolved elaborate and often technical doctrines for postponing if not avoiding constitutional adjudication. In one famous controversy, involving a conflict between Congress and the president, the Supreme Court was able until recently to avoid decision of a question that arose in the First Congress. Such a system inevitably introduces accidental factors in decision making. So much depends on how a question is raised and when it is raised. For the composition of the court decisively affects its decisions in the application of constitutional provisions and doctrines which by their vagueness not only permit but invite conflicting constitutional views on the part of the justices. But time is the decisive element in all phases of government, as in war. The cost of uncertainty in result due to changes in the personnel of the court, through postponing constitutional adjudication until such a decision is unavoidable, is more easily absorbed than would be the mischief of premature judicial intervention in the multitudinous political conflicts arising in a vast federal society like the United States. Political harmony would not be furthered and the court's prestige within its proper sphere would be inevitably impaired. And so it is as important for the court not to decide when a constitutional issue is not appropriately and unavoidably before it as it is to decide when its duty leaves no choice.

Some claims of unconstitutionality, however much they may be wrapped in the form of a conventional litigation, the court will never adjudicate. Such issues are deemed beyond the province of a court and are compendiously characterized as political questions. Thus although according to the constitution "The United States shall guarantee to every state in this union a republican form of government," the Supreme Court cannot be called upon to decide whether a particular state government is "republican." This and like questions are not suited for settlement by the training and technique and the body of judicial experience which guide a court. What such questions are and what they are not do not lend themselves to enumeration. In these, as in other matters, the wisdom of the court defines its boundaries.

To be sure judicial doctrine is one thing, practise another. The pressure of so-called great

cases is sometimes too much for judicial self-restraint, and the Supreme Court from time to time in its history has forgotten its own doctrines when they should have been most remembered. On the whole the court has had to weather few popular storms. Even these few could have been avoided by a more careful regard for its own canons of judicial administration. The avoidable political conflicts which the Supreme Court has aroused by transgressing its own technical doctrines of jurisdiction demonstrate the large considerations of policy in which those doctrines are founded.

In the same soil of policy is rooted the canon of constitutional construction to which the Supreme Court throughout its history has avowed scrupulous adherence. The court will avoid if possible passing on constitutionality; but if the issues cannot be burked, if it must face its responsibility as the arbiter between contending political forces, it will indulge every presumption of validity on behalf of challenged powers. This is not merely the wisdom of caution but the insight of statesmanship. For the cases involving conflicts between the states and the nation or between Congress and the executive that touch the sensitive public nerves usually turn on such ambiguous language or such vague restrictions of the constitution as to afford a spacious area of choice on the part of the primary political agencies of government. And the Supreme Court, being a court even in these matters affecting closely the nation's political life, has enunciated again and again the doctrine that the court cannot enforce its notions of expediency or wisdom but may interpose its veto only when there is no reasonable doubt about constitutional transgressions. Here too the Supreme Court has sinned against its own rules. Especially in construing such vague generalities as "due process" and "equal protection of the laws" it has overlooked their significance and failed to observe that they express "moods and not commands." Cases like Lochner *v.* New York [198 U.S. 45 (1904)] and Adkins *v.* Children's Hospital [261 U.S. 525 (1922)] illustrate what Chief Justice Hughes has characterized as "self-inflicted wounds," because the deep resentment they aroused was due essentially to the court's departure from its own postulates for deciding constitutional issues.

A rhythm, even though not reducible to law, is manifest in the history of Supreme Court adjudication. Manifold and largely undiscerned factors determine general tendencies of the court, much too simplified by phrases like "the centralization" of Marshall or "the states' rights" of Taney. Thus there are periods when the court seems to forget its doctrine against declarations of unconstitutionality so long as there is room for reasonable doubt. Thus the liberality of the Waite period was followed by the dominance of the strict views of Justice Field, in turn yielding to the reaction which made the Holmes outlook prevail. After the World War, during the decade when William H. Taft was chief justice, the court again veered toward a narrow conception of the constitution, although Taft himself, especially in a classic dissent, admonished against this tendency. Between 1920 and 1930 the Supreme Court invalidated more state legislation than during the fifty years preceding. Merely as a matter of statistics this is an impressive mortality rate, and it is no answer to point to the far larger number of laws which went through the court unscathed. All laws are not of the same importance, and a single decision may decide the fate of a great body of legislation. Moreover the discouragement of legislative effort through an adverse decision and a general weakening of the sense of legislative responsibility are influences not measurable by statistics. The trend has been reversed since Charles E. Hughes became chief justice, and the court is apparently in one of its alternating swings.

Other factors than personnel explain much of the court's history. Thus on a long view what the court does and how depends much on the amount and the nature of its litigation. And these largely turn on the sources of its business. Few suits begin in the Supreme Court. Only the United States or a state or a diplomat can become an original suitor. All other litigants reach the Supreme Court by way of appeal from some other court. While boundary controversies or other contests between states (as, for instance, the litigation arising out of Chicago's attempted use of the waters of the Great Lakes) involve sharp conflicts and invoke one of the most important functions of the Supreme Court, they are relatively few in number. The chief work of the Supreme Court is furnished by appellate business, and that business comes from the highest courts of the forty-eight states as well as from inferior federal courts. The last fact is of profound importance in the history of the court. Unlike its analogues in Canada, Australia and the proposed all India federation, the Supreme Court is the head of a hierarchy of federal

courts. Waiving negligible exceptions, the Supreme Court of Canada and the High Court of Australia have before them only constitutional and federal questions coming for review respectively from decisions of the provincial and state courts. Similarly in cases coming to the Supreme Court from the state courts only questions involving the federal constitution or controlling federal legislation arise. But through the federal courts there reaches the Supreme Court a stream of litigation having nothing to do with the federal constitution and federal legislation but involving the myriad problems that arise under the common law and under state law and state constitutions.

The constitution empowered the establishment of inferior federal courts not merely for the enforcement of federal law but also to provide tribunals of impartiality to which non-resident suitors may resort. Congress acted upon this authority, established a nation wide system of federal courts and not only entrusted them with the enforcement of federal laws but also conferred upon them the so-called diversity jurisdiction; that is, cases between citizens of different states. Thus instead of setting the Supreme Court apart as a court for adjustments of legal conflicts within the federal system, such as is the position of the corresponding tribunals of the British Empire, the first Judiciary Act and its successors also gave the Supreme Court a vast budget of common law business. Indeed down to 1875 the Supreme Court was concerned much more with common law than with issues of federal public law. In that year the power of the lower courts over federal matters was widened and consequently a stronger federal content was given to the cases coming before the Supreme Court. This enlargement of jurisdiction of the lower courts and the increase generally of litigation because of the country's expansion in size, population and enterprise produced an amount of business which was beyond the physical powers of the court. It took from three to four years for a case to reach argument after an appeal was perfected. Such delays plainly were denials of justice.

Nor could the court give itself up completely to grappling with its appellate docket. The federal judicial system as originally established was patterned on the English judicature in including the system of circuit riding. Circuit courts were established, but no circuit judges were created. The members of the Supreme Court were also made circuit justices with nisi prius duties in their respective circuits. In plain English, they had to sit as judges in the lower courts and later as a collective body hear appeals from their judgments on circuit. As the court's appellate work steadily mounted, the justices had either to neglect their circuit work, especially in view of the difficulties of travel in early days, or their Supreme Court work. In fact the administration of justice suffered both in the Supreme Court and on the circuits. Only partly was the pressure eased by the creation in 1869 of circuit judges in collaboration with circuit justices for circuit work. The obvious remedy was to relieve the judges of the duty of circuit riding. This was urged as early as 1790 by Edmund Randolph, Washington's attorney general, in reporting to the House of Representatives on the workings of the new federal judicial system. But circuit riding was an obstinate institution. Tradition and provincial attachments no less than the desire to promote national sentiment through the peregrinations of the Supreme Court justices maintained the circuit riding system until 1891. Since then it has fallen into desuetude.

Indeed all efforts to enable the Supreme Court adequately to discharge its essential function foundered on the circuit court system. Instead of the obvious remedy various mechanical devices for keeping abreast of the Supreme Court docket were urged. With a too frequent misconception as to the nature of the judicial business and the conditions for its wise disposition, it was assumed that more business calls for more judges. The first Judiciary Act provided for a Supreme Court of six members, which was increased to seven in 1807 and to nine in 1837. Subject to short fluctuations from a tribunal of ten to one of seven between the years 1863 to 1869, this has remained the size of the court. There is no magic in the number nine, but there are limits to effective judicial action. Deliberation by the court is the very foundation of sound adjudication, as is also a lively sense of responsibility by every member of the court for its collective judgment. Experience is conclusive that to enlarge the size of the Supreme Court would be self-defeating. When this recurring proposal for increasing the number of justices was once more made by the American Bar Association in 1922, Chief Justice Taft authoritatively rejected it.

Variants of the proposal to increase the membership of the court for dealing with the increase of its business after the Civil War were

recurrently urged. Thus a larger membership of the court was proposed, ranging from fifteen to twenty-four, so as to permit shifts in the sittings of the court or work by standing divisions. England and France were cited as examples of such schemes of judicial organization, and their experience has been drawn upon by some of the states of the United States. But either of these devices would be fatal for the special functions of the Supreme Court. A contemporaneously shifting personnel would disastrously accentuate the personal factor in constitutional adjudications, and divisional courts within the Supreme Court would require a mechanism for adjusting conflicts among the divisions. Happily these devices never attained enactment. But their persistent advocacy delayed the only efficacious remedy. Not till 1891 did Congress pass the requisite legislation. Instead of increasing the size of the court, it decreased its business.

This was accomplished by establishing intermediate courts of appeal for each of the nine circuits (in 1929 increased to ten). These were given final authority over a large field of appeals which theretofore had gone to the Supreme Court, leaving the latter court discretionary power to resolve conflicts among the intermediate courts or, when an important national interest otherwise required finality of determination, by the Supreme Court itself. By thus giving to the Supreme Court obligatory appellate jurisdiction over a restricted type of litigation and for the rest letting the Supreme Court decide whether to review, the Congress enabled the court to keep abreast of its docket. It did more. It introduced a principle of procedure capable of progressive application, which saved the court for the discharge of duties peculiarly its own in maintaining the constitutional system. When after the Spanish American War and the World War the vast expansion in economic enterprise and the resulting governmental regulation of business again produced a volume of judicial business beyond the court's powers, Congress in 1925 came to the court's rescue at its own request, by still further withdrawing the types of cases which can be taken to the Supreme Court as a matter of right and extending the area of litigation in which an appeal can be had in the Supreme Court only by its leave. At present in about nine cases a year leave is asked of the court for review, and in only about one case in six is the leave granted.

The Supreme Court has thus ceased to be a common law court. The stuff of its business is what on the continent is formally known as public law and not the ordinary legal questions involved in the multitudinous lawsuits of Doe *v.* Roe of other courts. The construction of important federal legislation and of the constitution is now the staple business of the Supreme Court.

Constitutional interpretation is most frequently invoked by the broad and undefined clauses of the constitution. Their scope of application is relatively unrestricted and the room for play of individual judgment as to policy correspondingly broad. A few simple terms like "liberty" and "property," phrases like "regulate Commerce . . . among the several States" and "without due process of law" are invoked in judgment upon the engulfing mass of economic, social and industrial facts. Phrases like "due process of law," as Judge Hough reminded us, are of "convenient vagueness." Their content is derived from without, not revealed within the constitution. The power of states to enact legislation restricting an owner's use of natural resources, providing a living wage for women workers, limiting the rents chargeable by landlords, fixing standard weights for bread, prohibiting the use of shoddy in comfortables, prescribing building zones, requiring the sterilization of mental defectives, fixing the price of milk and other commodities—these powers hinge on the court's reading of the due process clause. The Stockyards Act, the Grain Futures Act, the West Virginia Natural Gas Act, the recepture clause of the Transportation Act, the First Child Labor Law, all involved interpretation of the commerce clause; but the fate of these laws depended on adequate information before the court on the economic and industrial data which underlay this legislation, and judgment on these facts by the court. Again, the Steel Trust case [United States *v.* United States Steel Corp., 251 U.S. 417 (1919)], the Shoe Machinery case [United States *v.* United Shoe Machinery Co., 247 U.S. 32 (1917)], the Duplex case [Duplex Printing Press Co. *v.* Deering, 254 U.S. 443 (1920)], the Bedford Cut Stone case [Bedford Cut Stone Co. *v.* Journeyman Stone Cutters' Ass'n., 47 Sup. Ct. Rep. 522 (1926)], all involved interpretation of the antitrust acts. But the interpretation of this legislation was decided by the facts of industrial life as seen by the court. The conflicting opinions of the justices in the recent series of cases involving the activities of trade associations are not due to any differences in their reading of the Sherman law *in vacuo*. The differences are attributable to the economic

data which they deemed relevant to judgment and the use which they made of them. What constitutes a "spur track," when public convenience justifies a railroad extension or abandonment, under what conditions one railroad must permit use of its facilities by a rival, how far the requirement of a state for the abolition of grade crossings depends on approval by the Interstate Commerce Commission—these and like questions cannot be answered by the most alert reading of the Transportation Act. Their solution implies a wide knowledge of railroad economics, of railroad practises and the history of transportation as well as a political philosophy concerning the respective roles of national control and state authority.

These are tremendous and delicate problems. But the words of the constitution on which their solution is based are so unrestricted by their intrinsic meaning or by their history or by tradition or by prior decisions that they leave the individual justice free, if indeed they do not compel him, to gather meaning not from reading the constitution but from reading life. It is most revealing that members of the court are frequently admonished by their associates not to read their economic and social views into the neutral language of the constitution. But the process of constitutional interpretation compels the translation of policy into judgment, and the controlling conceptions of the justices are their "idealized political picture" of the existing social order. Only the conscious recognition of the nature of this exercise of the judicial process will protect policy from being narrowly construed as the reflex of discredited assumptions or the abstract formulation of unconscious bias.

Thus the most important manifestations of our political and economic life may ultimately come for judgment before the Supreme Court, and the influence of the court permeates even beyond its technical jurisdiction. That a tribunal exercising such power and beyond the reach of popular control should from time to time arouse popular resentment is far less surprising than the infrequency of such hostility and the perdurance of the institution. No political party has been consistent in its support or its hostility to the court. Every American political party at some time has sheltered itself behind the Supreme Court and at others has found in the court's decisions obstructions to its purposes. This is a reflection of the fact that the court throughout its history has not been the organ of any party or registered merely party differences. Clashes of views, and very serious ones, there have been on the court almost from the beginning, but these judicial differences have cut deeper than any differences as to old party allegiances; they involve differences of fundamental outlook regarding the constitution and the judge's role in construing it.

Whenever Supreme Court decisions have especially offended some deep popular sentiment, movements have become rife to curb the court's power. In Marshall's days such efforts were invoked by decisions promoting centralization and subordinating the states. In recent times invalidation of social legislation, both state and national, has aroused popular disfavor. In the earlier period we find proposals for repealing the famous section 25 of the Judiciary Act of 1789, whereby the Supreme Court had power to review decisions of state courts denying some federal right. A brake upon a finding of unconstitutionality was also proposed by requiring the concurrence of seven justices and not a mere majority. The latter safeguard was revived by Senator La Follette in 1924, while in an earlier stage of the Progressive movement, in 1912, Theodore Roosevelt proposed a recall by popular referendum of decisions nullifying state but not congressional legislation. But no proposal for curtailment of the Supreme Court's power over legislation has ever been adopted. The wise exercise of this power, it has shrewdly been discerned, cannot be assured by any mechanical device. The only reliance rests in the quality of the judges and the temper and training of the bar, for no graver responsibilities have ever confronted a judicial tribunal, no more searching equipment was ever required of judges. The spirit and culture and insight which should be the possessions of a justice of the Supreme Court have been stated by Judge Learned Hand: "I venture to believe that it is as important to a judge called upon to pass on a question of constitutional law, to have at least a bowing acquaintance with Acton and Maitland, with Thucydides, Gibbon and Carlyle, with Homer, Dante, Shakespeare and Milton, with Machiavelli, Montaigne and Rabelais, with Plato, Bacon, Hume and Kant, as with the books which have been specifically written on the subject. For in such matters everything turns upon the spirit in which he approaches the questions before him. The words he must construe are empty vessels into which he can pour nearly anything he will. Men do not gather figs from thistles, nor supple institutions from judges

whose outlook is limited by parish or class. They must be aware that there are before them more than verbal problems; more than final solutions cast in generalizations of universal applicability. They must be aware of the changing social tensions in every society which make it an organism; which demand new schemata of adaptation; which will disrupt it, if rigidly confined."

All told, seventy-five judges have thus far (1934) sat on the Supreme Court. A goodly number of them have been men of intellectual distinction. But hardly a half dozen are towering figures: Marshall, the creative statesman; Story, a scholar of vast learning; Taney, who adapted the constitution to the emerging forces of modern economic society; Holmes, the philosopher become king; Brandeis, the master of fact as the basis of social insight. Confidence in the competence of the court has not been won by the presence of a rare man of genius. The explanation lies rather in the capacity of the court to dispose adequately of the tasks committed to it. The effective conditions for insuring the quality of judicial output of the Supreme Court have in the long run been maintained. Human limitations have been respected. While in response to the country's phenomenal increase in population and wealth and the resulting extension of governmental activities duties have been placed upon Congress, the executive departments, various federal administrative agencies and the lower federal courts which disregarded their strength and capacity, the duties of the Supreme Court have on the whole been kept within the capacities of nine judges who are not supermen.

The Supreme Court's internal procedure moreover has been an important factor in the achievement of its high standards of judicial administration. In its disposition of cases, in the rules and practises which determine argument, deliberation and opinion writing, the Supreme Court operates under the following conditions, indispensable to a seasoned, collective judicial judgment: (1) Encouragement of oral argument; discouragement of oratory. The Socratic method is applied; questioning, in which the whole court freely engage, clarifies the minds of the justices as to the issues and guides the course of argument through real difficulties. (2) Consideration of every matter, be it an important case or merely a minor motion, by every justice before conference and action at fixed, frequent and long conferences of the court. This assures responsible deliberation and decision by the whole court. (3) Assignment by the chief justice of cases for opinion writing to the different justices after discussion and vote at conference. Flexible use is thus made of the talents and energies of the justices, and the writer of the opinion enters upon the task not only with knowledge of the conclusions of his associates but with the benefit of their suggestions made at conference. (4) Distribution of draft opinions in print, for consideration by the individual justices in advance of the conference, followed by their discussion at subsequent conferences. Ample time is thus furnished for care in formulation of the result, for recirculation of revised opinions if necessary and for writing dissents. This practise makes for team play and encourages individual inquiry instead of subservient unanimity. (5) Discouragement of rehearings. Thoroughness in the process of adjudication excludes the debilitating habit of some state courts of being too prodigal with rehearing. (6) To these specific procedural habits must be added the traditions of the court, the public scrutiny which it enjoys and the long tenure of the justices. The inspiration that comes from a great past is reenforced by sensitiveness to healthy criticism. Continuity and experience in adjudication are secured through length of service as distinguished from the method of selection of judges.

These factors probably play a larger part in the effective work of the Supreme Court than elevation of station, high responsibility and the greater ability of the justices, drawn as they are from the whole country, as compared with state court judges.

FELIX FRANKFURTER

See: CONSTITUTIONAL LAW; COURTS; JUDICIAL REVIEW; LEGISLATION; GOVERNMENT, section on UNITED STATES; FEDERATION; STATES' RIGHTS; RECONSTRUCTION; SEPARATION OF POWERS; CONSTITUTIONALISM; JUDICIARY; JUDICIAL PROCESS; DUE PROCESS OF LAW; FREEDOM OF CONTRACT; INTERSTATE COMMERCE; POLICE POWER.

Consult: The *United States Reports*, of which through the 1933 term 292 volumes have appeared; Warren, Charles, *The Supreme Court in United States History*, 2 vols. (rev. ed. Boston 1926); Frankfurter, Felix, and Landis, J. M., *The Business of the Supreme Court* (New York 1928); Beard, Charles A., *The Supreme Court and the Constitution* (New York 1912); Hughes, Charles E., *The Supreme Court of the United States* (New York 1928); Curtis, Benjamin Robbins, *Jurisdiction, Practice and Peculiar Jurisprudence of the Courts of the United States* (Boston 1880); Frankfurter, Felix, and Katz, W. G., *Cases and Other Authorities on Federal Jurisdiction* (Chicago 1931); Beveridge, A. J., *The Life of John Marshall*, 4 vols. (Boston 1916–19); Swisher, C. B., *Stephen J. Field*,

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SURETYSHIP AND GUARANTY. Suretyship involves the assumption of liability for the obligation of another. Historians, however, identify suretyship with situations which are quite outside modern connotations of the term. Thus they hold that family and clan members and other social groups have been made to assume, as by suretyship, collective responsibility for the offenses and wrongs of one another. Duties of policing and of apprehending wrongdoers and bringing them to trial have been imposed by embryonic political organizations upon their several members. A city and its governor are said to have been made responsible as sureties by the Code of Hammurabi for the failure to capture a brigand. The English system of frankpledge, which obtained from the twelfth to the fourteenth century, is supposed to have represented the highest development of this state promotion of small groups into suretyship; the general plan was known to Germanic nations earlier and its prototype existed in Anglo-Saxon customs.

Another ancient type of suretyship is more consistent with modern notions of pledge. The surety, pledged as if he were *res*, was delivered over as a hostage to the custody of the claimant and to imprisonment and servitude if not death, upon default of the principal. This surety-hostageship, which antedated any substantial development of credit transactions, served in the several legal systems primarily to strengthen a weak and undeveloped legal machinery by assuring appearance of the defendant, at first in criminal causes and later in civil proceedings. As such a mechanism of mediaeval procedure the hostage became bound "body for body" for the person accused. Only in later periods was the punishment of the hostage separated from that of the principal offender; and not until pecuniary liability became recognized as a fit substitute for punishment in person was the role of the surety-hostage ameliorated.

In the later developments of hostageship in private causes ancient laws indicate certain distinguishing characteristics of the suretyship liability. The surety taken as a hostage alone became responsible to the claimant. The principal was discharged as to the creditor, and vague indeed was the right and remedy of this surety to be reimbursed by the principal. This surety may have been comforted, however, with the realization that his obligation was personal; that is, it was extinguished upon his death and did not pass to his heirs. If it be questioned why anyone, however friendly to the principal, should offer himself in his hostageship, it may be answered that it was not an entirely voluntary matter: it was the principal's family, dependents, vassals or others in obligation who became his substitute.

There were many types of suretyship in the history of the Roman law. Such forms as *praes*, *vas* and *receptum* as well as *constitutum* and *mandatum* were of limited or specialized application. The more general early forms were the *sponsio* and its somewhat later contemporary, the *fidepromissio*, which had its origin at the time of suretyship by way of hostageship. Both the *sponsio* and the *fidepromissio* were accomplished by *stipulatio*, the formal verbal contract of Roman law which was formed by questions and answers. Neither contract could be used to guarantee any other than a verbal contract, and the *sponsio* at least was confined to *cives*. The obligations of these sureties did not survive against their heirs.

The suretyship category of the mature Roman law was the highly flexible *fidejussio*, which, like the *sponsio* and *fidepromissio*, was consummated by the *stipulatio*. It is recognized, however, as the maturity of Roman law is approached, that, largely because of Greek influence, the formality of the *stipulatio* was usually that of a written memorandum; the significance of the verbalism of questions and answers had waned. The *fidejussio* was available for the guaranty of undertakings generally—*re*, *verbis*, *litteris* or *consensu*. Heirs of the *fidejussor* were obligated as in other transactions.

Legislation accorded beneficial privileges to Roman sureties. The very early legislation was confined to *sponsio* or *fidepromissio*, but both these forms had become obsolete under the empire and the imperial legislation dealt with *fidejussio*. As a result the contract was converted into a purely accessory obligation. While it is true that each surety became liable for the entire debt, Hadrian is credited with having provided the *beneficium divisionis*, by which such a surety could, upon being sued for the whole debt, require proportional division of the debt among the sureties who were solvent at the time of the action. Again, these sureties were accorded the right of *beneficium cedendarum actionum*,

whereby a surety, as against his co-sureties and the principal, was entitled, after issue joined, upon offering full payment to him of the debt, to receive an assignment of the claim of the creditor and any securities of the debtor or other sureties. Thereafter Justinian ordained the *beneficium ordinis vel excussionis*, whereby these sureties acquired power to require the creditor to sue the debtor before proceeding against them or any one of them, provided only, if the debtor were beyond the jurisdiction, that the court fix a time after which the surety must, if the debtor continued absent, perform the obligation. Of course if the *fidejussio* were drawn so that the surety promised to pay "whatever the creditor cannot recover from the debtor" (*fidejussio indemnitatis*), suit against the debtor would be a prerequisite to enforcement of the surety's undertaking according to the condition. The *Lex cornelia* limiting the extent to which a person could become surety in a single year for one man to one creditor was extended to the *fidejussor*, and right of reimbursement against the principal was accorded by the *actio mandati*.

It was a fundamental principle of Germanic law that the surety was jointly liable with the principal; recourse to the surety was primary not secondary. But this principle was abrogated by the reception, and suretyship contracts of the modern civil law have closely followed the Roman *fidejussio*. Corresponding to it are the *cautionnement* of modern French law, the *Bürgschaft* and *Garantie* (*Gewährvertrag*) in Germany and the *garanzia*, including the *fideiussone*, in Italy.

The *beneficium divisionis* of Roman law is preserved to sureties in the codes of France and Italy but not of Germany. As in Roman law, the right may be stipulated away; indeed its renunciation may be implied from the form of the transaction, as where a surety becomes a co-promissor with the principal debtor. The general principle of *beneficium ordinis vel excussionis* also is recognized in civil law codes, although in Germany, by express provision of the Commercial Code, it does not apply to commercial transactions. It may be renounced, however, and waiver is usually implied where the surety signs as a co-promissor with the principal; and, unless the right is claimed promptly after suit is instituted by the creditor, it is waived. The surety must also designate to the creditor the assets of the debtor and "advance enough money," to quote the French Civil Code, "to have the property seized and realized" (art. 2023); moreover "the creditor is liable toward the surety to the extent of the particular property for the insolvency of the principal debtor which has occurred in consequence of his failure to institute proceedings" (art. 2024). *Beneficium cedendarum actionum* is generally accorded in modern civil codes, as is also the right of reimbursement.

Early English law apparently did not prescribe any particular formalities for suretyship contracts or restrict the undertakings to which they could be adapted. With the advent of the action of debt, however, the specialty became popular; for it was considered, at least from the time of Edward III, that ordinarily the principal rather than the surety received the quid pro quo and that therefore the action of debt would not lie against a surety unless a seal had been affixed to his bargain. The occasion for this formalism ceased when assumpsit was held to lie against a surety, but there followed the Statute of Frauds (sect. 4) requiring a writing in case of a "special promise" to answer for the debt, default or miscarriage of another person. Judicial manipulation of the statute, however, especially in the United States, has excluded several classes of promises of frequent recurrence from the category of special promise; for example, in cases in which the surety is sufficiently "benefited" by the promise.

Equivalents of the beneficial rights of the surety in the modern civil law are recognized in common law jurisdictions. Unless specifically stipulated away they arise in the absence of express contract. The right of reimbursement, or indemnity, in Anglo-American law is traceable to the writ *de plegiis acquietandis* recorded in the ancient register of writs. But apparently this writ was not available to a surety who, without more, became bound jointly or jointly and severally with the principal, for the writ did not lie "without express naming of surety or fideiussor in the writing." Glanvill reports, however, that the action of debt was vouchsafed a surety to recover from the principal and that in equity indemnity was early accorded even in the absence of agreement therefor; early in the eighteenth century moreover a surety could recover from the principal in assumpsit. Sureties of the king's debtors were less favorably considered; provision in Magna Carta, however, gave them the right of reimbursement, but this is still denied to sureties by way of bail in criminal causes, for to give them the right "would relieve them from the motives to exert themselves in securing the appearance of the principal"

Closely connected with the surety's right to reimbursement are his rights of subrogation and exoneration. As soon as a surety has satisfied the creditor, he becomes entitled by virtue of the right of subrogation to the benefit of all the securities or advantages which the creditor received from the principal. The remedy of exoneration has always remained exclusively equitable. After maturity of the principal obligation a surety may procure a decree against the principal and sureties requiring the principal to pay the creditor, so that the surety will never be required to pay, and requiring the sureties to pay their proper share in anticipation of the principal's non-payment. The creditor is joined as a formal party defendant to receive payment, but the creditor may pursue the principal and surety regardless of the pendency of these proceedings.

A surety's claim of contribution against a co-surety was once denied by the common law courts of England. By the seventeenth century, however, and probably before, the claim was accorded in equity. Subsequently at law a surety, having paid more than his part of the debt, was also allowed to recover from a co-surety on the count of money paid to his use, the sum resulting from division of the debt paid by the total number of co-sureties. In equity, however, the debt was divided by the number of solvent sureties and contribution allowed accordingly. This distinction still obtains in some jurisdictions in the United States where law and equity are separately administered.

No such general rights as those of *beneficium divisionis* or *beneficium ordinis vel excussionis* are recognized in common law jurisdictions. The former is contrary to the common law theory of joint and several liability in contract. The latter is recognized in effect, however, in nearly half of the states of the United States, where there obtains either by judicial decision or by provision of statute the so-called rule of Pain *v.* Packard [13 Johns (N.Y.), 174 (1816)], which allows sureties of certain classes to compel the creditor first to sue the principal under penalty of discharge as to themselves. There are also statutes in some states which provide that where judgment has been obtained against both principal and surety execution shall first exhaust the assets of the principal. Similarly in some states where property of a surety is hypothecated with the property of the principal, the surety is entitled, either by statute or by judicial decision, to have the property of the latter first applied to the discharge of the obligation.

While common law courts were more tardy and strict than courts of equity in according sureties rights against their principal and as among themselves, they are supposed early to have ameliorated a surety's position toward the creditor by the doctrine *strictissimi juris*. A surety is said to be a "favorite of the law." In other words, the law courts are supposed to have allowed a surety frequently to escape responsibility to the creditor by strictly construing the contract and attendant circumstances in favor of the surety. Any such generalization, however, is mostly doctrine fabricated upon generalizations of court opinions in restricted classes of cases. It is applied most frequently perhaps when the words used by the parties, especially by the surety, assume ambiguity in view of intervening events but frequently also when after consummation of the contract of the principal parties and of the surety the former, without authority from the surety, enter into a bargain which tends toward changes or variations of performance under the original contract.

In modern English law the term guaranty has largely superseded suretyship, although little consequence is attached to the variation of nomenclature. Generalizations are made in American legal literature, however, upon the basis of a distinction between suretyship and guaranty, which is often also recognized in statutory provisions. With respect to rights of reimbursement, subrogation, exoneration and contribution the distinction is scarcely mentioned. It is voiced chiefly in causes involving the responsibilities of sureties and guarantors to the creditor. It may be conceded broadly that there are many differences in American law between the surety and the guarantor and between the contract of the surety and the contract of the guarantor. As it is usually stated, the responsibility of a surety is supposed to be direct and primary while that of a guarantor is held to be secondary and collateral, expressly conditioned upon the principal's failure to perform. There is, however, little satisfaction in this generalization, because the contract of the surety and of the guarantor may be varied to such an extent that a surety's contract may be held to be one of guaranty and a guarantor's contract one of suretyship.

The liabilities are determined by the form and terms of the particular transaction. Thus if the obligor has transferred property to the creditor by way of mortgage or pledge, in other words, if he is a real rather than a personal surety, his

liability may be limited to the value of the pledged or mortgaged property. Very rarely is the term real guaranty used in such a case. In the personal surety category of transactions the liability of the obligor again will depend upon the form of the security. Thus if a negotiable instrument is given, his liability will depend upon whether he signs as maker, co-maker or endorser and upon whether his signature is qualified by the addition of some such expression as "I guarantee collection of the within note." Furthermore his liability may depend upon whether he has become accommodation drawer or endorser of a bill of exchange with or without conditions. Particularly when the purpose of the contract is to secure not simply the payment of money but the performance of an obligation, such as a building contract or a bail bond, will the liabilities of the obligor be conditioned by the terms of the particular bargain.

To be sure, in the case of the more simple credit transactions the courts have arrived at a certain routine of construction. The law of negotiable instruments contains specific rules which bear upon the conditions of liability when such instruments are involved. The creditor is better protected if he secures the signature of the obligor as an accommodation maker rather than endorser, for in the latter case presentment and notice of dishonor must expressly be waived. As far as words of qualification with reference to the guaranteed note are concerned, the creditor is better protected by a guaranty of payment than by a guaranty of collection, for in the former case he need not first sue the debtor. In the case of other contracts a promise of "full and faithful performance" is likely to be assimilated to the guaranty of payment of a promissory note. Nevertheless, the distinction between guaranty of payment and guaranty of collection should not be overemphasized, for construction proceeds on the basis of the transaction as a whole.

To the layman the word surety is probably much less familiar, notwithstanding Scriptural references, than the word guarantor. The latter term—or at least the term guaranty—has been considerably popularized in sales promotion, while any distinction between the contract of the surety and that of the guarantor is generally unfamiliar. It is probable that the layman will report his undertakings in such cases to the effect that he signed, or "went on," the debtor's note or that he went bondsman for the principal. Whether or not a generic word should be coined to embrace all of these variable bargains is merely a matter of taste. Perhaps the term accommodation contracts would serve the purpose.

With increasing frequency in modern times suretyship has come to be undertaken not by relatives or friends but by business corporations organized for this purpose. Surety companies engage in selling bonds wherein they undertake to pay money for the defalcation of public and private officers and employees, administrators, executors, guardians, trustees and other fiduciaries; bonds relating to criminal prosecutions and private litigation including bail bonds, appeal bonds, attachment and replevin bonds; bonds to assure faithful performance of contracts on both public and private undertakings; and bonds for the faithful performance of public and private licenses, permits and payment of imposts and taxes. Indeed a modern surety company may carry an inventory in excess of five hundred such contracts (bonds), which it is ready to sell at a price (the premium). Promotion of these companies originated with fidelity underwriting and dates back in England to the early part of the eighteenth century. The organization there of the Guaranty Society of London in 1840 should, however, be credited with the beginnings of the modern business of surety companies. It remained for promotion in the United States to extend the scope of operations beyond fidelity bonds.

As a result of this development courts and legal writers have come to compare "the modern, compensated surety," "the corporate surety," with other sureties and have attempted to generalize the effect upon the law of suretyship. There have been many arguments for and against the proposition that these surety companies are insurers and that, as such, their obligations are more stringent and their defenses more restricted than are those of an individual surety-guarantor. To the extent that many of these surety bonds are sold for a premium, which is determined on the basis of a law of averages experienced on the particular risk assumed, and in view of the fact that these contracts, generally very elaborate in detail, are written by the company, aspects of an insurance policy are apparent. But, on the other hand, insurance is a broad term in commercial and legal usage. It is difficult to catch significant functional similarities between a bond of a surety company which has been given for the value of property in lieu of surrendering it in a replevin action and an insurance policy sold to an automobile owner to protect him from liability claims for personal in-

juries. This is not an argument against treating the two contracts similarly on some given legal issue. Their functional distinctions do, however, tend to encourage doubt if there is not substantial oversimplification in identifying these transactions which are functionally so different. It may be conceded that the courts in discussing contracts of surety companies have promiscuously described them as contracts of insurance and have generalized to the effect that they are different from individual surety-guaranty contracts. Most of this language, however, appears in cases where there are, in view of intervening events, ambiguities as to the language of the contract. It may be admitted that there is a distinct tendency in cases of this kind to resolve such questions against the company, since it wrote the contract. Pro tanto the doctrine *strictissimi juris* seems to be disregarded. There may be noted also, however, the recurring observation of judges that this formula of adverse construction is after all not without the limitation that even a surety company is not to be held to a contract which it did not make and that the contract of such a company, like that of other sureties and guarantors, must not be extended beyond its fair and reasonable meaning. Moreover in the case of statutory bonds—bonds whose terms and conditions are prescribed by statute—there is little reason for stricter construction against the surety company than against other sureties; the purposes of the statute demand primary consideration in all cases. It may be remarked further that the plausibility of this practise of strict construction against surety companies is at least not enhanced when it is observed that as yet there is no such current practise of construction against banks respecting a large variety of suretyship-guaranty contracts, including so-called bank, or commercial, letters of credit, which are sold by them for a price. Of course the rights of reimbursement, exoneration and contribution are in general accorded to the corporate surety as they are to the individual surety-guarantor.

The generalizations as to the effect of the advent of the surety company upon the law of suretyship suffer from the same vice as those upon the distinctions between suretyship and guaranty. Surety companies have not begun to function in much of the field of commercial credit, except as they operate with some finance companies, and individual surety-guaranty contracts rather than those of these companies still service the greater part of the field of borrowing and lending and buying and selling on deferred payment.

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See: BONDING; DEBT; CREDIT; CREDIT INSURANCE; CONTRACT; MORTGAGE; LIEN; PLEDGE; BAILMENT; BAIL.

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SURPLUS VALUE. *See* ECONOMICS, section on SOCIALIST ECONOMICS; EXPLOITATION; SOCIALISM.

SÜSSMILCH, JOHANN PETER (1707–67), German statistician. Süssmilch studied law, medicine and theology at the universities of Halle and Jena and for many years served as pastor in Berlin. He ranks among the greatest figures in the history of statistics. Although he was greatly indebted to the works of Graunt, Petty, King and other contemporary statisticians, he surpassed them in the completeness of his material, the high objectives which he set himself and the systematic nature of his work. His main work, *Die göttliche Ordnung in den Veränderungen des menschlichen Geschlechts, aus der Geburt, dem Tode und der Fortpflanzung desselben erwiesen* (Berlin 1741; 6th ed. by C. J. Baumann, 1798), is replete with interesting and original demographical investigations, placing particular emphasis on frequency rates of births, marriages and deaths. Süssmilch ascertained the variations in mortality rates with respect to sex, age, place of residence (urban or rural) and season and constructed a mortality table which, despite its methodological shortcomings, was used by German insurance companies until the middle of the nineteenth century. He also studied the problem of the increase of population and attempted to compute world population figures.

It is his conception of "the divine order," evidenced by the regularity and order underlying all demographic phenomena, which makes his work especially noteworthy. According to Süssmilch such phenomena are subject to definite, universally valid rules; the number of births, for example, has a certain fixed relation to the number of persons living as well as to the total dead; in any given period there is a slight preponderance of births over deaths; more boys are born than girls, but as a result of the higher mortality rate of boys there is maintained between the two sexes at the marriageable age a balance which forms the basis of monogamy; every age has its set total of deaths and pays a certain toll to the general order; the various diseases, stillbirths, twin births and accidental deaths likewise have a definite relation to the entire trend. All these laws combine to effect not simply the perpetuation of the human species but its gradual increase up to a point where the means of subsistence permit no further growth. Süssmilch was the first in Germany to point out the law of large numbers, which is basic to statistical inquiry; he observed the fact that in measuring mass phenomena the general validity and independence from accidental variations of the numerical results obtained increase as the number of cases under observation is increased.

Süssmilch expressed himself also on certain problems of current economic policy. True to the mercantilist notions of his day, he stressed the desirability of a maximum achievable population and pointed to peasant emancipation, internal colonization, cheap food supplies and equitable taxes as the factors favoring a speedy growth of population. For the same reason he welcomed the development of new industries and manufactures, although he cautioned against any overestimation of these. Should the marriage rate decline, the sovereign must intervene to restore the divine order, the basis of a rational population policy.

FRANZ ŽIŽEK
ADOLF BLIND

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SUTTNER, BARONESS BERTHA VON (1843–1914), Austrian pacifist. The daughter of Field Marshall Count Franz von Kinsky, Baroness von Suttner was given the advantages of a liberal education and extensive travel. Later financial reverses obliged her to earn her own living, and she obtained a position as governess in the home of a wealthy Viennese family whose son, Baron Artur Gundaccar von Suttner, she eventually married. Her numerous writings attracted little attention until she published *Die Waffen nieder!* (2 vols., Stuttgart 1889; tr. by T. Holmes, 1 vol., 2nd ed. London 1894), a novel picturing the horror and futility of war

The enormous popularity of this book, which went through more than thirty editions and was translated into many languages, together with her numerous addresses, pamphlets and treatises on arbitration and disarmament served to make Baroness von Suttner an effective force in the peace movement of the late nineteenth and the early twentieth century. She founded the Austrian Peace Society, serving as its first president, attended international peace congresses in Rome, Berne, Antwerp, The Hague and elsewhere and lectured both in Europe and in America. From 1892 to 1899 she edited a monthly magazine, *Waffen nieder!*, organ of the international peace bureau at Berne. In 1905 she was awarded the Nobel Peace Prize, the establishment of which she is said to have prompted through her friendship with the Swedish inventor.

Although Baroness von Suttner supported pacifism chiefly on ethical and humanitarian grounds, her enthusiasm and her indefatigable efforts enabled her followers, notably Alfred Fried, to impart a sociological, economic and legal foundation to the movement.

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SVERDRUP, JOHAN (1816–92), Norwegian statesman. Sverdrup, who had studied and practised law, was carried into politics by the great nationalist and democratic movement of 1848. As a member of the Storting from 1851 to 1884 and as prime minister from 1884 to 1889, he strove consistently for the establishment of parliamentary government and other democratic reforms as well as for the social and political advancement of the farmers. A follower of the political philosophy of Francis Lieber, he succeeded in uniting farmers and bourgeois liberals into the first party in the Norwegian parliament which was based on strict political principles and organization. He made the introduction of trial by jury a program common to these groups, led the farmers in their fight against the king's organization of the army along Prussian lines and finally organized a united party in 1869 when he succeeded in carrying an amendment to the constitution providing annual instead of triennial sessions of the Storting. Under his leadership, the new party, the Left (*Venstre*), already representing the majority of the Storting, had as its chief objective the transformation of the government into an organ of the popular will through participation of the cabinet members in the parliamentary deliberations. This effort, which came to involve the absolute veto right of the king, divided the whole nation into two camps and culminated in the impeachment of the conservative government in 1884. In that year Sverdrup was called to the premiership, a step which definitely established the principle of parliamentary control in Norway. The outstanding reforms of Sverdrup's ministry were the adoption of trial by jury, the democratic reorganization of the army, the improvement of popular education, the extension of the franchise and the initiation of labor legislation.

HALVDAN KOHT

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SWAINSON, WILLIAM (1809–83), British lawyer. Swainson studied at the Inner Temple in London, where he was undoubtedly influenced by the ideas of Austin and Bentham. He served as attorney general for New Zealand from its formation into a separate colony in 1841 until the establishment of a complete parliamentary system and of responsible government in 1856. In 1854 he was chosen as first speaker of the legislative council and from 1856 to 1868 was a member of the new legislative council.

As attorney general Swainson drafted the early laws of the colony. The legislation for which he was responsible set a new standard: it was remarkable for its logical arrangement and directness, departing boldly from English precedent when lucidity and the needs of a new community so required. The law relating to the transfer of real property and the simplified court and procedural systems are notable examples. Swainson played a prominent part also in framing a constitution for the members of the church who were cut off from the establishment in England; it recovered the ancient ideal of territorial

autonomy with world wide intercommunion and provided a system of internal government.

In the political sphere Swainson's career may be open to more criticism. After representative government had been granted, he advised the acting governor against conceding the principle of ministerial responsibility without further instructions from England. He championed the rights of the natives, regarding the Treaty of Waitangi (1840) as a solemn obligation and envisaging the continued progress of the Maori under Christian influence, which should culminate in equality with the British settlers. Accordingly he came into conflict with the colonists, whose aim was to build a British community and who were impatient of restrictions on the acquisition of land. He questioned the jurisdiction of the crown over certain native chiefs not parties to the Treaty of Waitangi and received a severe rebuke from the Colonial Office, despite the fact that legally his position had many points in its favor. Swainson was the author of *New Zealand and Its Colonization* (London 1859) and *New Zealand and the War* (London 1862).

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SWEATING SYSTEM. *See* HOMEWORK, INDUSTRIAL; MINIMUM WAGE.

SWIFT, JONATHAN (1667–1745), British man of letters. Swift ranks among the great satirists of all literature; but since he was primarily a pamphleteer, his art, even when most universal, is integrally related to the political preoccupations of his day. Born of the faded gentry, penniless and yet consumed by ambition, he chose the church as a career and party pamphleteering as the shortest road toward ecclesiastical preferment. He served a literary apprenticeship as secretary to Sir William Temple and through him became embroiled in the current controversy over the respective merits of the ancient and modern writers; from his brief sortie into this field emerged *The Battle Fought between the . . . Books* (1704), the most brilliant of the products of the controversy, which already revealed Swift's Tory leanings. An unsuccessful mission to London in behalf of the established church in Ireland taught him the difficulties of political intrigue in what was perhaps the most corrupt period of English politics and gave him moreover a taste for it. He started as a moderate Whig, and wrote his *Dissensions between the Nobles and the Commons in Athens and Rome* (1701) for the Whigs. But his discontent with the treatment they accorded him ("Rot 'em for ungrateful dogs; I will make them repent their usage") and especially his sense for church statesmanship, his preference for order and authority and his dislike for the new merchant class finally threw him in with the Tories. He played an important role in bolstering the Harley ministry (1710–14), being most effective as the editor of the official party newspaper, the *Examiner*, which was the spearhead of Tory opinion. He ranks therefore, with Addison and Defoe, as one of the founders of English journalism. He was quite conscious of the possibilities for power that journalism offered in a parliamentary system increasingly dependent on the opinion of the electorate. His writings reached the wits of London and the aristocracy and especially the plain people in the country parishes; but, unlike Defoe, he scorned to appeal to the growing class of merchants, shopkeepers, clerks and apprentices. He relished his part in the councils of the great, and in return he served them powerfully in his articles and pamphlets. The most important of these politically, *The Conduct of the Allies* (1712), was an attack on the military and diplomatic logic of British participation in the War of the Spanish Succession, and it made European history. Despite his repeated pleas for preferment and his obvious panting for a bishopric Swift had finally to be content with a deanship in Ireland. The tragic frustration of his ambition must be laid to his irresponsible pen, which in *A Tale of a Tub* (1704) had treated religion somewhat cavalierly; and in a succession of poems and pamphlets he had lashed out so furiously at persons in high place as to make him powerful enemies. But it is to this same irresponsibility that Swift's political pamphlets owe their greatness. The best of them, to be sure, such as *The Sentiments of a Church of England Man* (1711) and the *Letter . . . concerning the Sacramental Test* (1709) are measured and cogent expositions of his political and ecclesiastical theory. Swift was shrewd enough to see that the Tories and the High Churchmen had to abandon their divine right theories and rest their claims upon the strength of traditional institutions; he sought to adapt the Tory position to the *fait accompli* of the Revolution of 1688 and went so far as to claim for the

Church of England as against the dissenters the important part in that revolution. He is thus, with Bolingbroke, a crucial figure in the readjustment of Tory thought. But there is a desperate strength in his polemics. He had attached himself to the Tory party in its brief interval of power before its final decay. It was part of his ironic destiny to spend his fine gifts upon a losing cause and in defense of a dying class. Like the great Latin satirists he was defending an old order against the encroachments of a callow bourgeoisie and a rising money power.

Swift in Ireland, banished as he felt from a life of action, looked back with nostalgia upon his brief years of power, brooded over his grievances, journeyed through the countryside and was further embittered by the poverty and degradation of the life of the Irish masses. When the English crown sold the Irish coinage monopoly in a manner flagrant even for an age of political jobbery, Swift's accumulated resentment flared up in the *Drapier Letters* (1725), whose importance lies not so much in their somewhat questionable monetary doctrine and value theory as in their ringing challenge to British imperialism and in the basis they laid for the later agitation for Irish independence. In *A Modest Proposal* (1729) he reached the most relentless *reductio ad absurdum* of English policy, in his suggestion that the Irish economic problem could best be met if Irish children were sold as tender meat. But the climax at once of his social thought and his writing art was reached only in *Gulliver's Travels* (2 vols., 1726). Using the contemporary literary form of the imaginary voyage, he achieved thereby an anthropological attitude which enabled him to gain an inhuman perspective in measuring human character and social organization. Toward this end he sought heroically to master a wide range of devices—increasing the size of man (Brobdignag), decreasing it (Lilliput), making him live forever (Struldbrug), making him all intellect (Laputa), making him all bestiality (Yahoo). Into the early voyages Swift poured his entire experience with English government, so that the satire is chiefly political. But at the time he wrote the later voyages he was more concerned with Irish social conditions: the satire broadens in scope, reaching to the institutions behind politics and the essential human character underlying both. He launches a frontal attack upon the entire apparatus of civilization—upon war, capitalism, property, trade, kingship, the court, education and imperialism. He had in the second voyage described men as "the most pernicious race of little odious vermin that Nature ever suffered to crawl upon the face of the earth"; in the fourth, which has been quite generally repulsive to critics, he goes beyond invective into symbolism, and by setting off the Yahoos against the Houyhuhymns he portrays at once the most degrading traits in human nature and the possibilities for a rational ordering of social life. It is a mistake to regard his doctrine as all cold hate. His corrosive mind ate away the Augustan complacencies of the England of his day. Living in an age of expansion, at the crest of the commercial revolution and the beginning of the industrial, he saw clearly that man's increasing power was being crystallized in stupid institutions, vested in a grasping new class, entrusted to an animal who, in Swift's own words, was not by nature *rationalis* but only *rationis capax*.

MAX LERNER

Works: *Prose Works*, ed. by Temple Scott, 12 vols. (London 1897–1908); *Poems*, ed. by W. E. Browning, 2 vols. (London 1910); *Correspondence*, ed. by F. E. Ball, 6 vols. (London 1910–14).

Consult: Among the recent lives, Van Doren, C., *Swift* (New York 1930); Taylor, W. D., *Jonathan Swift* (London 1933); Rossi, M. M., and Hone, J. M., *Swift, or the Egotist* (London 1934). Among the older lives, Craik, Henry, *Life of Jonathan Swift* (London 1882); Stephen, Leslie, *Swift* (London 1882). For criticism, Firth, C. H., "The Political Significance of Gulliver's Travels" in British Academy, *Proceedings*, vol. ix (1919–20) 237–59, and "Dean Swift and Ecclesiastical Preferment" in *Review of English Studies*, vol. ii (1926) 1–17; Feiling, K., *A History of the Tory Party 1640–1714* (Oxford 1924) ch. xvi; Babcock, R. W., "Swift's Conversion to the Tory Party" in *Essays and Studies in English and Comparative Literature*, University of Michigan, Publications in Language and Literature, vol. viii (Ann Arbor 1932) p. 133–49; Trevelyan, G. M., *England under Queen Anne*, 3 vols. (London 1930–34), especially vol. iii; Stevens, D. H., *Party Politics and English Journalism 1702–1742* (Chicago 1916) ch. iii; Cole, G. D. H., *Politics and Literature* (London 1929) p. 76–87; Harrison, G. B., in *The Social and Political Ideas of Some English Thinkers of the Augustan Age*, ed. by F. J. C. Hearnshaw (London 1928) ch. viii; Wedel, T. O., "On the Philosophical Background of Gullivers Travels" in North Carolina University, *Studies in Philology*, vol. xxiii (1926) 434–50.

SWINTON, JOHN (1830–1901), American journalist and social reformer. Apprenticed to a printer at the age of twelve, Swinton by his own efforts acquired a broad education in literature, science and philosophy. In 1849 he went to New York, and while working as a printer he studied medicine and then law and finally entered journalism. An ardent abolitionist, he joined John

Brown's raid at Osawatomie, Kansas, in 1857. Upon his return to New York he worked under Greeley and later joined the staff of the New York *Times*, of which he was managing editor during the Civil War. In 1870 he went over to Dana's *Sun*, serving as chief editorial writer from 1875. After the panic of 1873 the labor movement became Swinton's dominant interest. He witnessed the Tompkins Square riot in 1874, and his bitter denunciation of police brutality and his espousal of the labor cause led to his nomination for mayor of New York on the Socialist Labor party ticket. In 1880 he went to Europe and met Marx. When he left the *Sun* in 1883 he put his life savings of $40,000 into *John Swinton's Paper*. This weekly was the best labor paper in the country's history. Although he was a socialist and a proponent of such measures as progressive income tax and public ownership of railroads, telegraphs and mines, he never tried to impose any particular ideology on the labor movement but served as its champion. The paper was discontinued in 1887 after Swinton's capital had been exhausted. He lost his eyesight in 1889 but continued his work as journalist, teacher and writer until his death.

SELIG PERLMAN

Consult: Walters, Robert, *Career and Conversation of John Swinton* (Chicago 1902).

SYBEL, HEINRICH VON (1817–95), German historian. Sybel was born in Düsseldorf of a bourgeois, Protestant liberal family. He studied under Ranke and taught at the universities of Bonn, Marburg and Munich. Although he was a pupil of Ranke, he soon abandoned the strictly scientific and objectively dispassionate methods of his master and became one of the leading representatives of the Prussian school of historians. He rejected the ideal of "neutrality" for the historian, who, he urged, should teach his readers national ideals in religion and politics. He was an ardent advocate of Prussian hegemony in German unification but was just as strongly opposed to absolutism, feudalism, romanticism and ultramontanism as to democratic radicalism and socialism.

Sybel's first large work, *Geschichte des ersten Kreuzzugs* (Düsseldorf 1841, 2nd ed. 1881), dispelled many notions through its keen critical use of sources; and his much disputed *Entstehung des deutschen Königthums* (Frankfort 1844, 2nd ed. 1881) denied the indigenous origins of the kingdom and emphasized Roman influences. During the Revolution of 1848 Sybel was a delegate of the University of Marburg to the Hessian assembly of estates, where he assumed a position "completely removed from democratic enthusiasm or cosmopolitan speculation." After the disintegration of the movement of 1848 he returned to his study. A pamphlet designed to trace the origins of the socialistic tendencies in the French Revolution served as the starting point for his *Geschichte der Revolutionszeit von 1789–1800* (5 vols., Düsseldorf and Stuttgart 1853–79; vol. i 4th ed. 1877, vol. ii 3rd ed. 1866, vol. iii 2nd ed. 1861), which was based on thorough study of the archives at Paris and which established Sybel's European reputation. He was a forerunner of Albert Sorel in that he brought the revolutionary movement into the setting of general European history and stressed the Russian and Polish questions. He looked upon the revolution not merely as a struggle on constitutional questions but rather as a tremendous social transformation. Nevertheless, he still retained the viewpoint of the typical German bourgeois, who, overcome by fear and revulsion, was unable genuinely to understand this powerful movement and to grasp the historical and social significance of the revolutionary principles. In this respect Burke's influence upon Sybel is as apparent as Sybel's upon Taine.

In 1856 Sybel was called to Munich by King Maximillian II. Here he created the history seminar at the university. With Ranke he organized the Historical Commission of the Bavarian Academy of Sciences, and he took an active part in its publications. In 1859 he established the *Historische Zeitschrift*, which became one of the leading historical journals of the world.

A lecture at Munich gave rise to his controversy with Julius Ficker concerning the significance of the German imperial policy during the Middle Ages. Sybel contributed to this discussion the important point that the *renovatio imperii* of Otto I in 962 gave to the German Empire that universal character which up to 1806 had hindered the development of a national state similar to that of England or France. Sybel's conceptions were influenced by the tendencies and aspirations of his own time. His belief in the "German mission" of Prussia and his idea of a "narrower German confederation" under the lead of Prussia and with the exclusion of Austria are clearly expressed in the preface to his *Die deutsche Nation und das Kaiserreich* (Düsseldorf 1862).

In 1861 Sybel was called to the University of Bonn and the following year was elected to the

Prussian diet, where he served several terms. As a moderate liberal he was for a short time in sharp opposition to the military policy of Bismarck and Roon, but he later changed his attitude. In 1875 he was appointed head director of the Prussian state archives at Berlin. He reorganized the archives and initiated the extensive series of *Publikationen aus den preussischen Staatsarchiven*. As a member of the Academy of Sciences he was a frequent contributor to its publications on Prussian history, and with Sickel he prepared the *Kaiserurkunden in Abbildungen* (11 pts., Berlin 1880–91). He served also as director of the historical institute at Rome which he had founded with Sickel. His last great work, *Die Begründung des deutschen Reiches unter Wilhelm I* (7 vols., Munich 1889–94, vols. i–v 4th ed. 1892; tr. by M. L. Perrin, Gamaliel Bradford and H. S. White, New York 1890–98), is essentially a history of Bismarck's policy of German unification up to the declaration of war in 1870; here Sybel attempted to present the harsher aspects of Bismarck's policy in a more sympathetic manner.

HEDWIG HINTZE

Consult: Varrentrapp, C., "Biographische Einleitung" in his edition of Sybel's *Vorträge und Abhandlungen* (Munich 1897) p. 1–156; Meinecke, F., in *Historische Zeitschrift*, vol. lxxv (1895) 390–95; Guilland, A., *L'Allemagne nouvelle et ses historiens* (Paris 1899), English translation (London 1915) ch. iii; Marcks, Erich, *Männer und Zeiten*, 2 vols. (Leipsic 1911) vol. i, p. 271–90; Feuter, Eduard, *Geschichte der neueren Historiographie* (Munich 1911) p. 535–39; Gooch, G. P., *History and Historians in the Nineteenth Century* (London 1913) p. 127–29, 140–47.

SYDNEY, ALGERNON. *See* SIDNEY, ALGERNON.

SYLVIS, WILLIAM H. (1828–69), American labor leader. A molder by trade, Sylvis became secretary of the Philadelphia union shortly after his participation in a strike in 1857. He led the movement for a national molders' union which was organized in 1859 and became its national treasurer in 1860. As its national president and organizer from 1863 on he made the organization, which had virtually disintegrated during the Civil War, into the most powerful trade union organization of the period. Envisaging the need for a national center for all workers he was one of the promoters of the first American labor federation, the National Labor Union, of which he became president in 1868, and was the first labor lobbyist at Washington. Although an able trade union executive, Sylvis viewed trade unionism as a mere palliative useful so long as the wage system endured but incapable of solving the wage earners' basic problem. He pinned his faith at first on producers' cooperation, independent political action and "greenbackism" as methods of fighting monopoly. The first trade unionist to realize the importance of international ties, he later developed a friendly interest in Marx' International Working Men's Association and dispatched A. C. Cameron as delegate to its congress in 1869. His sudden death in that year deprived the American labor movement as well as his own union of its first great leader.

SELIG PERLMAN

Consult: Commons, J. R., and associates, *History of Labour in the United States*, 2 vols. (New York 1918); Stockton, F. T., *The International Molders Union of North America*, Johns Hopkins University, Studies in Historical and Political Science, 39th ser., no. 3 (Baltimore 1921); Fine, Nathan, *Labor and Farmer Parties in the United States 1828–1928* (New York 1928) p. 23–28.

SYMBOLISM. The term symbolism covers a great variety of apparently dissimilar modes of behavior. In its original sense it was restricted to objects or marks intended to recall or to direct special attention to some person, object, idea, event or projected activity associated only vaguely or not at all with the symbol in any natural sense. By gradual extensions of meaning the terms symbol and symbolism have come to include not merely such trivial objects and marks as black balls, to indicate a negative attitude in voting, and stars and daggers, to remind the reader that supplementary information is to be found at the bottom of the page, but also more elaborate objects and devices, such as flags and signal lights, which are not ordinarily regarded as important in themselves but which point to ideas and actions of great consequence to society. Such complex systems of reference as speech, writing and mathematical notation should also be included under the term symbolism, for the sounds and marks used therein obviously have no meaning in themselves and can have significance only for those who know how to interpret them in terms of that to which they refer. A certain kind of poetry is called symbolic or symbolistic because its apparent content is only a suggestion for wider meanings. In personal relations too there is much behavior that may be called symbolic, as when a ceremonious bow is directed not so much to an actual person as to a status which that person happens to fill. The psychoanalysts have come to apply

the term symbolic to almost any emotionally charged pattern of behavior which has the function of unconscious fulfilment of a repressed tendency, as when a person assumes a raised voice of protest to a perfectly indifferent stranger who unconsciously recalls his father and awakens the repressed attitude of hostility toward the father.

Amid the wide variety of senses in which the word is used there seem to emerge two constant characteristics. One of these is that the symbol is always a substitute for some more closely intermediating type of behavior, whence it follows that all symbolism implies meanings which cannot be derived directly from the contexts of experience. The second characteristic of the symbol is that it expresses a condensation of energy, its actual significance being out of all proportion to the apparent triviality of meaning suggested by its mere form. This can be seen at once when the mildly decorative function of a few scratches on paper is compared with the alarming significance of apparently equally random scratches which are interpreted by a particular society as meaning "murder" or "God." This disconcerting transcendence of form comes out equally well in the contrast between the involuntary blink of the eye and the crudely similar wink which means "He does not know what an ass he is, but you and I do."

It seems useful to distinguish two main types of symbolism. The first of these, which may be called referential symbolism, embraces such forms as oral speech, writing, the telegraph code, national flags, flag signaling and other organizations of symbols which are agreed upon as economical devices for purposes of reference. The second type of symbolism is equally economical and may be termed condensation symbolism, for it is a highly condensed form of substitutive behavior for direct expression, allowing for the ready release of emotional tension in conscious or unconscious form. Telegraphic ticking is virtually a pure example of referential symbolism; the apparently meaningless washing ritual of an obsessive neurotic, as interpreted by the psychoanalysts, would be a pure example of condensation symbolism. In actual behavior both types are generally blended. Thus specific forms of writing, conventionalized spelling, peculiar pronunciations and verbal slogans, while ostensibly referential, easily take on the character of emotionalized rituals and become highly important to both individual and society as substitutive forms of emotional expression.Were writing merely referential symbolism, spelling reforms would not be so difficult to bring about.

Symbols of the referential type undoubtedly developed later as a class than condensation symbols. It is likely that most referential symbolisms go back to unconsciously evolved symbolisms saturated with emotional quality, which gradually took on a purely referential character as the linked emotion dropped out of the behavior in question. Thus shaking the fist at an imaginary enemy becomes a dissociated and finally a referential symbol for anger when no enemy, real or imaginary, is actually intended. When this emotional denudation takes place, the symbol becomes a comment, as it were, on anger itself and a preparation for something like language. What is ordinarily called language may have had its ultimate root in just such dissociated and emotionally denuded cries, which originally released emotional tension. Once referential symbolism had been established as a by-product of behavior, more conscious symbols of reference could be evolved by the copying in abbreviated or simplified form of the thing referred to, as in the case of pictographic writing. On still more sophisticated levels referential symbolism may be attained by mere social agreement, as when a numbered check is arbitrarily assigned to a man's hat. The less primary and associational the symbolism, the more dissociated from its original context, and the less emotionalized it becomes, the more it takes on the character of true reference. A further condition for the rich development of referential symbolism must not be overlooked—the increased complexity and homogeneity of the symbolic material. This is strikingly the case in language, in which all meanings are consistently expressed by formal patterns arising out of the apparently arbitrary sequences of unitary sounds. When the material of a symbolic system becomes sufficiently varied and yet homogeneous in kind, the symbolism becomes more and more richly patterned, creative and meaningful in its own terms, and referents tend to be supplied by a retrospective act of rationalization. Hence it results that such complex systems of meaning as a sentence form or a musical form mean so much more than they can ever be said to refer to. In highly evolved systems of reference the relation between symbol and referent becomes increasingly variable or inclusive.

In condensation symbolism also richness of meaning grows with increased dissociation. The chief developmental difference, however, be-

tween this type of symbolism and referential symbolism is that while the latter grows with formal elaboration in the conscious, the former strikes deeper and deeper roots in the unconscious and diffuses its emotional quality to types of behavior or situations apparently far removed from the original meaning of the symbol. Both types of symbols therefore begin with situations in which a sign is dissociated from its context. The conscious elaboration of form makes of such dissociation a system of reference, while the unconscious spread of emotional quality makes of it a condensation symbol. Where, as in the case of a national flag or a beautiful poem, a symbolic expression which is apparently one of mere reference is associated with repressed emotional material of great importance to the ego, the two theoretically distinct types of symbolic behavior merge into one. One then deals with symbols of peculiar potency and even danger, for unconscious meanings, full of emotional power, become rationalized as mere references.

It is customary to say that society is peculiarly subject to the influence of symbols in such emotionally charged fields as religion and politics. Flags and slogans are the type examples in the field of politics, crosses and ceremonial regalia in the field of religion. But all culture is in fact heavily charged with symbolism, as is all personal behavior. Even comparatively simple forms of behavior are far less directly functional than they seem to be, but include in their motivation unconscious and even unacknowledged impulses, for which the behavior must be looked upon as a symbol. Many, perhaps most reasons are little more than ex post facto rationalizations of behavior controlled by unconscious necessity. Even an elaborate, well documented scientific theory may from this standpoint be little more than a symbol of the unknown necessities of the ego. Scientists fight for their theories not because they believe them to be true but because they wish them to be so.

It will be useful to give examples of some of the less obvious symbolisms in socialized behavior. Etiquette has at least two layers of symbolism. On a relatively obvious plane of symbolism etiquette provides the members of society with a set of rules which, in condensed and thoroughly conventionalized form, express society's concern for its members and their relation to one another. There is another level of etiquette symbolism, however, which takes little or no account of such specific meanings but interprets etiquette as a whole as a powerful symbolism of status. From this standpoint to know the rules of etiquette is important, not because the feelings of friends and strangers are becomingly observed but because the manipulator of the rule proves that he is a member of an exclusive group. By reason of the richly developed meanings which inhere in etiquette, both positive and negative, a sensitive person can actually express a more bitter hostility through the frigid observance of etiquette than by flouting it on an obvious wave of hostility. Etiquette, then, is an unusually elaborate symbolic play in which individuals in their actual relationships are the players and society is the bogus referee.

Education is also a thoroughly symbolic field of behavior. Much of its rationale cannot be tested as to direction or value. No one knows or can discover just how much Latin, French, mathematics or history is good for any particular person to acquire. The tests of the attainment of such knowledge are themselves little more than symbolic gestures. For the social psychologist education, whatever else it may be or do, stands out as a peculiarly massive and well articulated set of symbols which express the needs of the individual in society and which help him to orient himself in his relations to his fellow men. That an individual possesses the bachelor's degree may or may not prove that he knows, or once knew, something about Roman history and trigonometry. The important thing about his degree is that it helps him to secure a position which is socially or economically more desirable than some other position which can be obtained without the aid of this degree. Society has misgivings about the function of specific items in the educational process and has to make symbolic atonement by inventing such notions as the cultivation of the mind.

It is important to observe that symbolic meanings can often be recognized clearly for the first time when the symbolic value, generally unconscious or conscious only in a marginal sense, drops out of a socialized pattern of behavior and the supposed function, which up to that time had been believed to be more than enough to explain it and keep it going, loses its significance and is seen to be little more than a paltry rationalization. Chairmanship of a committee, for instance, has symbolic value only in a society in which two things are believed: that administrative functions somehow stamp a person as superior to those who are being directed; and that the ideal society is a democratic one and that

those who are naturally more able than others somehow automatically get into positions of administrative advantage. Should people come to feel that administrative functions are little more than symbolic automatisms, the chairmanship of a committee would be recognized as little more than a petrified symbol and the particular value that is now felt to inhere in it would tend to disappear.

An important field for investigation is that of personal symbolisms in the use of cultural patterns. Personal symbolisms are often the more valuable as they are hidden from consciousness and serve as the springs of effective behavior. Interest in a particular science may be an elaborately sublimated symbol of an unconscious emotional attachment to what a man who is significant in one's personal development is believed to be linked up with, such as the destruction of religion or the discovery of God, these grandiose preferences in turn serving as symbols of repressed hate or love. Much charitable endeavor is animated by an unconscious desire to peer into lives that one is glad to be unable to share. Society itself, perfecting its rigid mechanisms of charitable activity, cannot in every case or even in the vast majority of cases subject the charitable act to a pragmatic critique but must rest content for the most part with charity organization as its symbolic gesture toward alleviating suffering. Thus individual and society, in a never ending interplay of symbolic gestures, build up the pyramided structure called civilization. In this structure very few bricks touch the ground.

EDWARD SAPIR

See: LANGUAGE; WRITING; COMMUNICATION; LITERATURE; ART; MUSIC; ORNAMENT; FICTIONS; CONVENTIONS, SOCIAL; ETIQUETTE; FASHION; CEREMONY; RITUAL; TRADITION; PSYCHOANALYSIS; PROPAGANDA.

Consult: Bally, Charles, *Le langage et la vie* (Paris 1926); Markey, John F., *The Symbolic Process and Its Integration in Children* (London 1928); Ogden, C. K., and Richards, I. A., *The Meaning of Meaning* (3rd ed. London 1930); Sapir, Edward, "Language as a Form of Human Behavior" in *English Journal*, vol. xvi (1927) 421–33, and "A Study in Phonetic Symbolism" in *Journal of Experimental Psychology*, vol. xii (1929) 225–39; Bühler, Karl, *Die geistige Entwicklung des Kindes* (6th ed. Jena 1930); Dewey, John, *Human Nature and Conduct* (New York 1922); Hollingworth, H. L., *The Psychology of Thought* (New York 1926) ch. xi; Kantor, J. R., "An Analysis of Psychological Language Data" in *Psychological Review*, vol. xxix (1922) 267–309; Mead, George Herbert, "A Behavioristic Account of the Significant Symbol" in *Journal of Philosophy*, vol. xix (1922) 157–63; Semon, R. W., *Die Mneme als erhaltendes Prinzip im Wechsel des organischen Geschehens* (3rd ed. Leipsic 1911), tr. by Louis Simon as *The Mneme* (London 1921); Stern, Clara J. and William, *Die Kindersprache*, Monographien über die seelische Entwicklung des Kindes, vol. i (4th ed. Leipsic 1928); Newman, Stanley S., "Further Experiments in Phonetic Symbolism" in *American Journal of Psychology*, vol. xlv (1933) 53–75.

SYMONDS, JOHN ADDINGTON (1840–93), English man of letters and historian. Symonds was born in Bristol, the son of John Addington Symonds, a prominent physician and literary figure. He was educated at Harrow and at Balliol College, Oxford, where he came under the strong influence of Benjamin Jowett and where he developed a deep interest in the classics and the literature of the Renaissance. Of frail health from his youth, he later developed consumptive tendencies which made it necessary for him to dwell for a period in Italy and Switzerland. He returned to London and started to study law but soon abandoned it for literature. In 1877 illness again forced him to leave England; he settled at Davos-Platz, Switzerland, where he remained for the rest of his life.

Symonds was primarily a literary critic. He contributed to numerous reviews and wrote lives of Shelley and Sir Philip Sidney and also of Walt Whitman, having been attracted to the American poet by his democratic sympathies. His most lasting works, however, were those on the Italian Renaissance. Preceded by a detailed study of Dante and supplemented by a magnificent biography of Michael Angelo, his *Renaissance in Italy* (7 vols., London 1875–86; 2nd–3rd ed. 1897–98) helped more than any other English work to fashion the now conventional view of the Renaissance. It was to the English speaking world what Burckhardt's work was to the continent. Symonds' most original contributions are to be found in the volumes on literature and the fine arts, but in general he was greatly under the influence of Michelet and Burckhardt. He pictured the Renaissance as the inauguration of the great age of freedom: of the individual, of thought, of religion and politics and of youth. The Renaissance meant for him the discovery of the world and the discovery of man. As opposed to the mediaevalism of Ruskin he glorified the Renaissance as "the first transcendent springtide of the modern world" and the liberation of mankind from everything sickly, effete and despairing. More broadly he looked upon the Renaissance as a movement which aimed at equal social, political and cultural advantages for all. Thus he

definitely linked the Protestant Reformation to the Renaissance and even considered the French Revolution as a phase of the same historical process. Many of his ideas have since been revised by the results of later investigations, but because of the charm of his presentation and his luminous insight into men and works of art his books are still the most widely read English works on the period.

KOPPEL S. PINSON

Consult: *John Addington Symonds*, ed. by Horatio F, Brown, 2 vols. (London 1895); Brooks, Van Wyck, *John Addington Symonds* (New York 1914); Harrison, Frederic, *Tennyson, Ruskin, Mill and Other Literary Estimates* (New York 1900) ch. vi; Bräm, E. M., *Die italienische Renaissance in dem englischen Geistesleben des 19. Jahrhunderts* (Brugg 1932) p. 28–75.

SYMPATHETIC STRIKE. *See* STRIKES AND LOCKOUTS.

SYNDICALISM derives from the French word for trade unionism. In its English connotation, however, it corresponds to that particular form of French trade unionism known as revolutionary syndicalism (*syndicalisme révolutionnaire*) in contrast to reformist syndicalism (*syndicalisme réformiste*). Revolutionary syndicalism as developed in France and carried over with some modifications to other countries combines the doctrines of trade unionism with certain socialist ideas in such a way as to form an autonomous set of ideas, which have played a distinctive and influential part in the intellectual and social history of the last half century. It accepts the Marxian premise that in modern society the wage earners, the proletariat, are pitted against the owners of property, the bourgeoisie, in a class struggle which must end in a social revolution and in the establishment of a collectivist society. It differs from other schools of socialism, however, in its conception of the technique of revolution and the form of the ideal collectivist society. Its distinctive features are the special and predominant role which it ascribes in the revolutionary struggle to the labor union and the emphasis which it places upon the struggle against the state. The trade union is viewed not only as the chief instrument for improving the condition of the worker under capitalism but as the primary means of achieving the revolution through the general strike (*q.v.*) and as the cell of the future society. In attacking the state the syndicalists share with other socialists antipatriotic and antimilitarist sentiments, but in addition they oppose parliamentary democracy and the use of any political weapons in the class struggle. Both in its conception of a future stateless society and in its attack upon the existing state syndicalism has taken over so much of anarchist ideology and has been supported to such an extent by anarchist traditions and forces that the movement is sometimes termed anarcho-syndicalism.

Syndicalism emphasizes the inherent social and revolutionary possibilities of the everyday functions of the trade union and builds its strategy and tactics on that basis. According to the syndicalists the trade unions by participating in the struggle for higher wages, shorter hours and better working conditions can and do intensify the worker's class consciousness, develop in him a will to power, drill him in the manoeuvres of class warfare and prepare him for the final task of social revolution. But if the trade unions are to perform these functions effectively, they must organize on an industrial basis and must use their weapons, such as the strike, sabotage, the label and the boycott, in a spirit of militancy against the system of private property and against the state. It is this aspect of the economic and social struggle, its direct action (*q.v.*) against employers, the army and the state in general, which gives it a revolutionary significance. Through a series of such acts the workers are being trained for the supreme act of the class struggle, the general strike, which will mark the death knell of the present industrial system and inaugurate the new social order.

Syndicalism pictures the future society as a free and flexible federation of autonomous productive and distributive associations based on collective ownership and carrying on their functions in accordance with the needs of the community. It thus shares the collectivist concept of property, the communist principle of distribution according to needs and the anarchist idea of statelessness. More concretely, the syndicalists visualize a society in which each industry is collectively managed by the workers, both manual and mental, engaged in producing its particular goods or services. All of these *syndicats*, functioning harmoniously and without external compulsion, would form a general national federation. The latter would differ essentially from the familiar concept of the state. The state today represents a political and coercive force based in democratic countries on the representation of geographical units supposedly homogeneous in interests. Under syndicalism the *syndicats* and workers' cooperatives would

merely express the functional interests of the workers and would combine to carry on statistical and administrative services necessary for the smooth operation of the system as a whole.

The origins of syndicalism are rooted partly in the peculiar characteristics of the French labor movement, partly in the general conditions of the socialist movements of the last century. The first anticipations of syndicalist ideas may be found in the discussions and resolutions of the First International between 1868 and 1872 and especially in those of its Bakuninist sections between 1872 and 1876. In its definite historic form, however, syndicalism was elaborated between 1895 and 1904 by the leaders and spokesmen of the Confédération Générale du Travail (*q.v.*), the French counterpart of the American Federation of Labor, and by a group of intellectuals who, in close contact with the C.G.T., were revising their socialist thinking. Syndicalism thus came into being as a result of two movements, one an attempt to reorient the trade unions and the other a phase of the general tendency toward a revision of Marxism which produced Eduard Bernstein in Germany, Georges Sorel in France, the guild socialists (*see* GUILD SOCIALISM) in Great Britain and the Industrial Workers of the World (*q.v.*) in the United States.

The two movements were carried on in France at the same time by two different although closely connected groups. The men who undertook to reshape the character of trade unionism, Pelloutier, Pouget, Griffuelhes, Delesalle, Niel and Yvetot, either came from the working class or were engaged in trade union activities as officials and executives and took an active part in building up the French trade union movement. This group did not indulge in much speculative theorizing. Its members were chiefly concerned with the ways and means of realizing syndicalist ideals, with the forms and methods of direct action and with the relations of the syndicalists to other social revolutionary elements. A second group, the "intellectual" wing, among whom Georges Sorel, Hubert Lagardelle and Édouard Berth were most prominent, came from outside the trade union movement. Sorel, the outstanding writer of this group and regarded as the syndicalist philosopher par excellence, elaborated most of the philosophical and sociological ideas of the school. The key to his thinking is his attempt to work out a synthesis between the proletarianism of Marx, the anti-political associationism of Proudhon and the voluntarism of Bergson. Starting with the Marxian concept of the historic and creative function of class struggle Sorel argues that the class struggle will end in the downfall of capitalism only if, as and when working men have acquired a will to power and a vision of their spiritual capacity to hasten the birth of a new order out of the old. The historic need of mass violence lies in the assumption that it trains the will to power of the working class and accentuates class consciousness. This also explains the necessity of the idea of a general strike, which stirs the imagination and concentrates the energies of the working class for the coming of the day of revolution. The general strike is thus the social myth of the workers, the vision which is to maintain their fighting morale and their sense of historic mission, similar to the myths of other historic social movements, such as, for example, early Christianity.

Syndicalism has been explained as a peculiarly French or at most Latin phenomenon, traceable to the special racial and national characteristics of the Latin peoples. Undoubtedly some of the features of syndicalism as evolved between 1895 and 1904 may be attributed to the special conditions of the French labor and socialist movements. The slow rate of development of French industrialism during the nineteenth century hindered the growth of large, powerful trade unions, and the traditional individualistic inclinations of the French workers had the same effect. The social institutions of France which provided against insecurity made the benefit features of trade unions less attractive to the workers and the obligation to pay dues more irksome. On the other hand, the French trade unionists were influenced by the revolutionary tradition of France, by the continuous quarrels between socialist and anarchist groups and by their antagonism to intellectuals who used the labor movement as a means to a political career. Another element was the opposition in certain French circles to the centralized powers of the French state and to the French bureaucracy. Thus the French labor unions, generally poor financially, were unstable in membership, defective in the provision of strike, sickness and unemployment benefits and, torn by internal political dissensions, a fertile ground for the doctrines of direct action, anti-*étatisme*, anti-politicalism and anti-intellectualism. These factors and the Blanquist tradition in France explain the readiness of the élite of the French working class to think in terms of a social revolution rather than of immediate betterment and

to build up a doctrine which posited this élite as the historic vanguard of a great social transformation.

Between 1906 and 1910 syndicalism grew rapidly in France. It took on more definite form also in Italy and Spain, as a result in part of close intellectual contacts but also because of similarities in economic condition, political history and social and cultural traditions. In Germany the *Lokalisten*, organized in the Freie Vereinigung Deutscher Gewerkschaften, which had been formed in 1897, advocated federative industrial organization similar to that of the syndicalists. Between 1910 and 1914 syndicalism began to acquire importance in other countries and to assume the character of a world movement. In England the Industrial Syndicalist Education League was formed in 1910, and from 1912 on the guild socialist movement reflected increasingly the influence of industrial unionism and syndicalism. In the United States the I. W. W., which had been organized in 1905 principally on the basis of revolutionary industrial unionism and had by 1908 assumed a definitely syndicalist aspect, appeared dramatically on the industrial scene with the Lawrence textile strike of 1912. In Italy in the same year the syndicalists under Labriola separated from the socialist controlled Confederazione Generale del Lavoro and set up a committee for direct action, which in 1914 became the Unione Sindicale Italiana. An international syndicalist conference was held in London in 1912. The wave of unrest and mass strikes which swept the western world between 1911 and 1913, stimulated by discontent among semiskilled and unskilled workers, was in part inspired and led by men who had been influenced by anarcho-syndicalist ideas and in part a spontaneous manifestation of tendencies which served to strengthen the syndicalist movement. In the years immediately preceding the World War syndicalism was in the ascendant and seemed to many to hold out the promise of a new and socially revitalized labor movement.

The World War cut this development short. Some leading syndicalists were jailed by their governments, others turned patriots. In the United States a series of criminal syndicalism (*q.v.*) laws, initiated by the Idaho law of 1917 and followed by those of other states until 1920, was aimed definitely at the disconcerting tactics of the I.W.W.

During the great post-war upheaval of 1919–20 syndicalism experienced a revival. In France a great strike was called in 1920. In the same year a similar strike was called in Spain by the Confederación Nacional de Trabajo, which had outstripped the slowly growing socialist Unión General de Trabajadores. The *Lokalisten* in Germany, reorganized as the Freie Arbeiter-Union Deutschlands, increased their membership to about 100,000 as a result of the dissatisfaction of the workers with the policy of the free trade unions in supporting the war and in entering into long term collective agreements. In Italy the syndicalists and other revolutionary groups openly advocated and actually attempted the seizure of industrial plants.

Since the early 1920's syndicalism has steadily waned, a decline which is attributable to many factors. Perhaps the most important between 1921 and 1929 was the growing influence of communism and of the Third International. The latter and its satellite, the Red International of Labor Unions, made inroads into the syndicalist unions and for a while won over some of the most influential syndicalist leaders—Rosmer, Monmousseau and Monatte in France, Tom Mann in England, Nin in Spain and William D. Haywood in America. The glamour of the Soviet workers' republic and the absorption of some of the syndicalist ideas by the communists combined to draw the left wing elements in the labor movement away from the syndicalists and to rally them around the Comintern. A second factor was the profound change wrought by the war in the status of organized labor in France and other countries. In France, the principal home of syndicalism, the C.G.T., after the failure of the 1920 strike, became more and more interested in immediate social reforms and in peaceful penetration into the economic and political structure of the state. The leaders of the C.G.T. reinterpreted syndicalism in this evolutionary sense and cleansed it of its pre-war "revolutionary romanticism." They also embarked upon a policy of cooperation with the French government and the League of Nations and became active in the direction and work of the International Labor Office. The small and scattered elements in the C.G.T. which tried to remain true to the revolutionary syndicalist tradition and which refused to accept the communist theory and practise of proletarian dictatorship broke away and formed an organization of their own, the Confédération Générale du Travail Syndicaliste Révolutionnaire (C.G.T.S.R.), in opposition both to the C.G.T. and to the communist Confédération Générale du Travail Unitaire (C.G.T.U.). The tendency of

the C.G.T. toward reformism cannot be explained entirely by a change of heart on the part of its leaders; in the main it must be considered a reflection of the change in social life in the post-war era, which gave many of the French unions a new interest in purely trade union objectives. At the present time the C.G.T. can no longer be regarded as a revolutionary syndicalist organization.

In other countries the syndicalist labor elements were destroyed as a result either of dictatorial oppression, as in the case of Fascist Italy, or of unfavorable political and economic conditions, as in the case of the I.W.W. in the United States. In Spain the C.N.T. was crushed by governmental opposition and repression, particularly under the Rivera dictatorship, but the revolution of 1931 gave it a new impulse. In a very short time its membership grew to a figure estimated at more than 1,000,000, and it has become the leading and most prominent anarcho-syndicalist movement in the world. The C.N.T. is divided, however, over the question of the desirability of using governmental force and establishing a dictatorship of the proletariat for a brief period after the successful revolution to prepare the way for the ideal society. An attempt at a syndicalist revolution in December, 1933, proved abortive. Syndicalism is also an active element in the labor movement of some of the Latin American countries.

Those syndicalist unions which survived were affiliated until recently with the International Working Men's Association, founded in Berlin in 1922. Between 1923 and 1932 most of the theoretical work of the movement was carried on by German, Swedish and Dutch labor men, the chief spokesmen being Rudolph Rocker, Fritz Kater and A. Souchy, all of Germany and secretaries of the I.W.M.A. After the National Socialist revolution of 1933 the I.W.M.A. was transferred from Berlin first to Holland and then to Madrid. It is impossible to obtain accurate information as to the membership of the various unions affiliated with the I.W.M.A.; at the outside in all likelihood its members in 1933 totaled no more than 1,100,000, the overwhelming majority of whom were members of the Spanish C.N.T. The I.W.M.A. has restated the tenets of syndicalism in a series of ten propositions which may be taken as the present platform of the syndicalist movement. In the main they reaffirm the principles presented above.

The outlook for syndicalism in the near future is not promising. Its temper and tactics are out of harmony with the growing trends toward nationalism, increased state action and emphasis on immediate economic security. It stands between the upper and nether millstones of fascism and communism and is likely to be crushed between the two.

Nevertheless, syndicalism remains and is likely to continue in some measure as an intellectual influence in all labor and social movements. It has made its contribution to most varieties of current social philosophy. The communist labor movements have taken over most of the syndicalist analysis of the relation of labor reform to revolution. The left wing trade union groups have inherited from the syndicalists the faith in trade union organization and in militant action. Syndicalism has contributed to modern social thought the concept of pluralistic authority in society and the idea of functional economic organization. Thus syndicalists have the doubtful pleasure of being told that both fascism and communism are the heirs of the really valuable and permanent elements of syndicalist doctrine.

LEWIS L. LORWIN

See: TRADE UNIONS; LABOR MOVEMENT; REVOLUTION AND COUNTER-REVOLUTION; DIRECT ACTION; SABOTAGE; GENERAL STRIKE; STRIKES AND LOCKOUTS; CONFÉDÉRATION GÉNÉRALE DU TRAVAIL; INDUSTRIAL WORKERS OF THE WORLD; GUILD SOCIALISM; SOCIALISM; ANARCHISM; PLURALISM; FASCISM; CRIMINAL SYNDICALISM.

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violence (5th ed. Paris 1921), tr. by T. E. Hulme (New York 1914); Solano, E. G., *El sindicalismo en la teoría y en la práctica* (Barcelona 1919); Cole, G. D. H., *World of Labour* (new ed. London 1928); Eckstein, Gustav, "Der Syndikalismus und seine Lebensbedingungen in Frankreich," introduction to Louis, Paul, *Geschichte der Gewerkschaftsbewegung in Frankreich*, tr. from French by H. Kurucz-Eckstein (Stuttgart 1912) p. 11–94; Lagardelle, Hubert, *Le socialisme ouvrier* (Paris 1911); Griffuelhes, Victor, *L'action syndicaliste* (Paris 1908); Michels, Roberto, *Sozialismus und Fascismus als politische Strömungen in Italien*, 2 vols. (Munich 1925) vol. i, p. 359–73; Leone, Enrico, *Il sindacalismo* (2nd ed. Milan 1910); Lanzillo, A., *Le mouvement ouvrier en Italie*, tr. from Italian ms. by S. Piroddi (Paris 1910); Lepke, H., "Syndikalismus und Anarcho-Syndikalismus in Deutschland" in *Gewerkschaftsarchiv*, vol. ii (1925) 214–19; Ogden, C. K., "Der Syndikalismus in England" in *Archiv für Sozialwissenschaft und Sozialpolitik*, vol. xxxvii (1913) 424–82; Weil, Felix, "Die Arbeiterbewegung in Argentinien" in *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung*, vol. xi (1923) 1–50; Guy-Grand, Georges, *La philosophie syndicaliste* (Paris 1911); Wirz, J. P., *Der revolutionäre Syndikalismus in Frankreich*, Zürcher volkswirtschaftliche Forschungen, no. 18 (Zurich 1931); Louis, Paul, *Le syndicalisme européen* (Paris 1914), and *Le syndicalisme contre l'état* (Paris 1910); Willeke, E., "Die Ideenwelt des deutschen Syndikalismus" in *Jahrbücher für Nationalökonomie und Statistik*, vol. cxxviii (1928) 866–99; Lorwin, Lewis L., *Labor and Internationalism* (New York 1929) p. 559–77.

SYRKIN, NACHMAN (1868–1924), Jewish journalist and one of the founders of socialist Zionism. Syrkin was affected in early youth by Jewish national and socialist ideals, out of which he eventually fashioned a constructive synthesis. Even before graduating from the *Gymnasium* in Minsk he became active in Zionist circles, and on enrolling in 1887 as a student at the University of Berlin he joined Russian revolutionary groups, among whom he eloquently opposed assimilationist ideas. Two years after the publication of Herzl's *Judenstaat* Syrkin issued in German *Die Judenfrage und der sozialistische Judenstaat* (Berne 1898), in which, after offering a socio-psychological analysis of antisemitism and explaining the causes which must induce the Jewish masses to transfer their allegiance from liberalism to socialism, he maintained that a Zionist Jewish state is possible only on a socialist basis. This pamphlet was followed by *Vozzvanie k evreiskoi molodezhi* (An appeal to Jewish youth, London 1901), which became in effect the official manifesto of the newly organized Zionist-Socialist party. Between 1901 and 1908 Syrkin was busily engaged in editing periodicals, notably *Hamon* in Yiddish and *Hashahar* in Hebrew, and in carrying on propaganda in Switzerland, England, France, Russia and the United States. In 1897 he participated as a Zionist-Socialist in the first Zionist Congress. He criticized Zionist activities from a socialist angle, however, and in 1905 withdrew from the Zionist organization because of its rejection of Uganda as a possible territory for Jewish mass colonization. After the Young Turk revolution he rejoined the Zionist movement by entering in 1909 the Jewish Socialist Labor party (*Poale Zion*).

In 1907 Syrkin settled in the United States, where he edited the *Folk*, the *Yiddisher Kämpfer* and the *Zeit* and contributed numerous articles, feuilletons and editorials to the *Tog* and other Yiddish publications. As a leader of the American *Poale Zion* he was instrumental in convening the American Jewish Congress, and he represented American Jewry in negotiations at Paris and Versailles for the protection of Jewish national rights. In 1920 he participated as a member of a *Poale Zion* commission appointed to investigate economic, political and cultural conditions in Palestine and to present a program which might lead to the establishment of a Jewish socialist commonwealth. The project which he helped to elaborate has served as a basis for present day activities of the Palestinian Jewish working men.

Syrkin, unlike Boruchov, did not believe that Jewish migration must of necessity tend toward a semi-agrarian country like Palestine. Jewish settlement in Palestine is not so much the result of ineluctable economic laws as of an inner psychologic and historic urge for an autonomous Jewish life, which is unrealizable elsewhere. Zionism is therefore an ethical and cultural as well as a social and economic revolution in Jewish life. Moreover it is a movement of universal import. For the creating of a new culture in Hebrew speech and the generating of potent spiritual forces essential to the transformation of a petty bourgeois people into a productive nation of workers will enable the Jews to offer a valuable contribution of their own to a revitalized world civilization free of classes. Syrkin's semi-mystic faith in the inherent ability of the Jewish masses radically to alter their status and his lofty estimate of the ethical significance of the socialist way of living gave his writings a prophetic tone.

HAYIM FINEMAN

Important works: *Geklibene zionistisch-socialistische schriften*, ed. by Isaac Zar, Joel Entin, Dr. Jehudah Kaufman and Mosheh Freilichov, 2 vols. (New York 1925–26).

Consult: Zar, Isaac, "Sirkin der mensh un denker" in

Geklibene zionistisch-socialistische schriften, vol. i, p. 6–16; Reisen, Z., *Lek-sikon*, 4 vols. (2nd ed. Vilna 1926–29) vol. ii, p. 637–47; Revutzki, A., in *Zukunft*, vol. xxix (1924) 583–85; Burgin, H., *Die geschichte fun der yidisher arbeiter bewegung* (New York 1915) p. 517–29, 683–90.

SZABÓ, ERVIN (1877–1918), Hungarian socialist writer and sociologist. Szabó despite the handicaps of Jewish origin, youthful poverty and almost constant ill health played an outstanding role in the intellectual and labor movement of Hungary. An admirer of Nietzsche, Proudhon, Lavrov and Kropotkin, he became a Marxist under the influence of Russian exiles in Vienna. His first important work was the introduction into Hungary of the collected works of Marx and Engels (*Marx és Engels válogatott művei*, 2 vols., Budapest 1905–09). From 1911 he was director of the Municipal Library of Budapest, which he made the most efficient in the country. As vice president of the Sociological Society, one of the editors of its organ, *Huszadik század* (Twentieth century, Budapest 1901–19), a teacher in the "Free School of Social Sciences" and a significant contributor to sociological and economic thought, he was able to influence the progressive intellectuals toward an understanding and alliance with the labor movement, in which he participated actively. In socialism he represented an antirevisionist tendency with strong syndicalist leanings; he deplored middle class predominance in the party and emphasized the necessity of reaching the agrarian masses. He became an almost mythically heroic figure for Hungarian workers and a leader of their more independent elements, and after his death some of the chief actors in the short lived Soviet Republic were drawn from among his students and adherents. In his most important work, *Társadalmi és pártharcok az 1848–49 magyar forradalomban* (Vienna 1921, with biographical preface by O. Jászi), he tried to interpret the Hungarian revolution in terms of historical materialism. Although he was one of the few foreign socialists whom the Communist Academy early elected to membership, his broad intellectual and aesthetic tolerance and his increasing emphasis on the ethical foundation of political action would seem to cast doubt upon the assertion that he subscribed to Bolshevism.

OSCAR JÁSZI

Consult: Jászi, O., "Ervin Szabó und sein Werk" in *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung*, vol. x (1922) 22–37.

SZCZEPANOWSKI, ANTONI PRUS STANISŁAW (1846–1900), Polish industrialist and political leader. Szczepanowski, the son of an engineer and railroad builder, studied chemistry and geology at the technical school of Vienna. After a brief stay in Paris he went to London in 1867. Here after some years he secured a post at the India Office, where he collaborated in various projects pertaining to the economic development of India and prepared several reports issued by that office. Inspired by the Italian political renascence which, he held, had been made possible by the preparatory work of economic development achieved by Cavour in Savoy and Piedmont, Szczepanowski decided to return to Poland and initiate a similar development among his countrymen. He settled in Galicia, a Polish province incorporated into the Austro-Hungarian Empire. A study of the natural resources and economic conditions of Galicia convinced him that the general economic backwardness of the people was due primarily to the deliberate policy of the Vienna government, which under the pressure of the financial interests of Austrian industrialists supported by the Galician feudal landlords blocked the industrial development of Galicia and thereby assured a steady low priced supply of raw materials to the manufacturing industries in the western provinces of Austria. Szczepanowski initiated an elaborate campaign of economic development; he appealed to the patriotic sentiment of the men who had fought for the political freedom of Poland in the uprising of 1863, and of those who sympathized with them, to join in the struggle for economic independence as the essential prerequisite to ultimate political independence. He himself began to develop the oil fields on the slope of the Carpathian Mountains. He encouraged Canadian technicians to come to Galicia and introduce modern methods of drilling; he introduced liquid fuel for heating steam boilers and built in Peczeniżyn the first modern oil refinery on the European continent.

Szczepanowski entered the political arena by becoming a member of the provincial diet in Lwów and of the parliament in Vienna. In the Reichsrat he played an important role and prepared the report which was instrumental in the introduction of the gold standard in Austria. Although his success in Vienna gave promise of a brilliant political career, he abandoned the Reichsrat and returned to Galicia in 1896 to continue his work of economic reconstruction. In his later years he was not only the recognized

leader of the oil industry but he served also as president of the cooperative societies and as one of the founders of the Towarzystwo Szkoły Ludowej, a highly influential society for popular education. He was also editor of the monthly *Ekonomista polski* and of *Słowo polskie* (The Polish word), a widely read nationalist daily. Szczepanowski's economic and political activities aroused the antagonism of the political and financial interests in Vienna, which finally succeeded in forcing him into bankruptcy; but they could not destroy his life work, the industrial development of a hitherto backward country.

S. PRUS SZCZEPANOWSKI

Works: *Pisma* (Writings), vols. i and iii (Lwów 1903–12); *Nędza Galicji* (Galicia's misery) (Lwów 1888).

Consult: Zawiszyna, Marja, *Stanisław Szczepanowski; Szkic* (Sketch) (Cracow 1912); Feldman, W., in *Dzieje polskiej myśli politycznej* (History of Polish political thought), 3 vols. (Cracow 1913–20) vol. ii, p. 322–24; Bartoszewicz, S., *Przemysł naftowy w Polsce* (The oil industry in Poland) (Warsaw 1926).

SZÉCHENYI, COUNT ISTVAN (1791–1860), Hungarian statesman. A member of the aristocracy and an active participant in the Napoleonic wars, Széchenyi as early as 1813 predicted the dissolution of the Austrian Empire. With Kossuth, who called him "the greatest of the Magyars," he was the outstanding exponent of liberal Magyar nationalism, although he was considered more conservative than Kossuth because of his insistence that the initial step must be economic and cultural reconstruction rather than immediate political independence. Széchenyi's denunciation of the feudal and antiquated institutions of Hungary, expressed in three epoch making works, *Hitel* (Pest 1830; new ed. by A. Gyulai, Budapest 1901), *Világ* (Pest 1831) and *Stádium* (Leipsic 1833), and his practical activities, which included outstanding contributions to the development of transportation and industry, showed the influence of his careful study of liberal political and economic institutions in the countries which he had visited during his earlier travels. A founder of the Hungarian Academy of Sciences, in a speech before that body in 1842 he denounced the spirit of intolerant Magyarization and chauvinism. Believing that Kossuth's increasing influence would plunge the country into ruin, Széchenyi attacked him. In 1845 he accepted the presidency of the transportation section under the absolutistic administration; this course lost him the popularity he had won. Although early in 1848 he feared the collapse of the revolution, he nevertheless entered the first constitutional cabinet. Beset by doubts and disturbed by the inevitable conflict between Vienna and the Assembly, he suffered a nervous breakdown and in September was removed to the Döbling asylum for the insane at Vienna. Here he remained even after his recovery so that he might escape retaliation by the government and in 1857 published an anonymous pamphlet attacking the absolutistic system of Bach. The subsequent seizure of his manuscripts and the threat of expulsion from Döbling led to a second collapse and finally to his suicide.

OSCAR JÁSZI

Works: *Munkái* (Works), published by the Magyar Tudományos Akadémia, 1st ser., 9 vols. (Budapest 1884–96), and 2nd ser., 2 vols. (Budapest 1904–05). *Hitel* and *Világ* have been translated into German, the former by J. Vojdisek as *Über den Credit* (2nd ed. Leipsic 1830), and the latter by M. Paziazi as *Licht oder aufhellende Bruchstücke und Berichtigungen einiger Irrthümer und Vorurtheile* (Pest 1832).

Consult: *Széchenyi István Döblingi irodalmi hagyatéka* (Fragments from writings at Döbling), ed. by Árpád Károlyi, 3 vols. (Budapest 1921–25); Grünwald, B., *Az uj Magyarország* (The New Hungary) (Budapest 1890); Szekfü, G., *Három nemzedék* (Three generations) (new ed. Budapest 1934); Lónyay, M., *Gróf Széchényi István és hatrahagyott iratai* (Budapest 1875), tr. into German by A. Dux as *Graf Stephan Széchenyi und seine hinterlassenen Schriften* (Budapest 1875); Acsády, I., *A magyar birodalom története* (History of the Hungarian nation), 2 vols. (Budapest 1903–04).

TABU may be defined as a negative sanction, a prohibition whose infringement results in an automatic penalty without human or supernatural mediation. The word was introduced into English from Polynesia, and special Polynesian usages have colored the interpretation of the institution. If the term is to be employed effectively in comparative discussions, it must be stripped of these accidents of interpretation and be restricted to describe prohibitions against participation in any situation of such inherent danger that the very act of participation will recoil upon the violator of the tabu. The description of a novice or a sacred king as tabu is too loose; it should be said that certain acts are tabu to them, because their committing such acts has been culturally defined as producing a dangerous situation. For example, an adolescent girl on the northwest coast of America may drink water, but she must drink it through a drinking tube; if her lips come directly in contact with water, this contact will result auto-

matically in disaster. Historically great emphasis has been laid, especially by Marett, upon tabu as the negative side of mana, or impersonal undifferentiated supernatural power. This is a misleading association which cannot be supported by the data from different cultures, unless the definition is reversed and all situations involving tabu are regarded as ipso facto involving mana. There is no justification in the facts for regarding tabu as a religious phenomenon, although many religious systems have relied generously upon the use of this kind of prohibition. Tabu is more accurately defined by its lack of any external sanction, religious or temporal. A tabu takes its meaning from the definition of any experience or of those who participate in it as inherently dangerous. This situation may be childbirth, handling the dead, retreat for a vision, being the eldest born or blowing a sacred flute. It is not more difficult to explain the fact that there is a great similarity, throughout the primitive and civilized world, in the situations which have been defined as dangerous than it is to explain the nonchalance with which many other peoples regard these same situations.

The Polynesian idea *tapu*, or *kapu*, contains the following elements: any prohibition enforced automatically, that is, the punishment followed inevitably without external mediation; or the edicts of chiefs or priests, which are supported either by the superior mana of these individuals or by the temporal or spiritual forces which they have under their control; prohibitions against theft or trespass for which the sanctions are specific magical formulae; religious prohibitions which are referred in native theology to the decree of some deity or spirit; and prohibitions which carry no penalties beyond the anxiety and embarrassment arising from a breach of strongly intrenched custom. The fact that in Polynesian languages these various kinds of prohibition are distinguished linguistically was not known to students of comparative institutions until after the term had been used in each and all of these divergent senses.

Furthermore among the true tabu prohibitions, those whose breach is followed by automatic punishment, there are in Polynesia two main classes: tabus associated with the inherent sanctity of gods, chiefs and priests and tabus associated with the inherent uncleanness of certain occurrences, such as menstruation, childbirth, bloodshed and death. Both conditions, that of sanctity and that of uncleanness, have a dynamic and dangerous quality; an individual disregarding the tabu becomes himself infected, a carrier of the danger, and subject to whatever illness, loss of powers or form of death is believed to proceed from the infraction. Because the Polynesians subsume under one heading tabus of sanctity and tabus of uncleanness, the term tabu has been defined as applying to prohibitions against contact with situations which are regarded as *sacer*, situations toward which the attitude is one of mixed awe, reverence, fear and dread. While such tabus occur in some primitive societies, as among the Omaha Indians and certain Australian tribes, the distinctive aspect of Polynesian tabu is that the two attitudes, toward the sacred and toward the unclean, have been carefully differentiated and a further tabu situation has been elaborated on the basis of the inherent danger of any contact between the most sacred and the most unclean. This further elaboration finds institutional expression in rituals like that of the New Zealand Maori ceremony in which a canoe, constructed under most sacred conditions by men, must be made free or common to women. A woman of high rank, sacred because of her rank, non-sacred because of her sex, is used as a mediator between the incompatible poles of dangerousness and by stepping into the canoe can without endangering herself make it safe for women who have no sacred rank to protect them. A Marquesan can commit suicide by deliberately bringing the sacred and the profane into too close contact, by calling one half of a coconut a vulva and the other the head of a god. While the tabu situations may have the undifferentiated character described by the word *sacer* or may arouse an ambivalent attitude, this is not an invariable aspect of tabu.

While essentially negative, tabus may become the basis of cultural structure when they are of such a character that they must necessarily be infringed in the course of everyday living. This is true of the ceremonial which is built up around the daily life and contacts of a sacred king. If the period of childbearing is marked off by tabu, a ceremony of release from that period is a common development, as in the Admiralty Islands. If no tree in a whole forest may be cut without infringing a tabu, a ceremony like that of the Maori for freeing the tree is almost a social necessity.

Even within one culture area there may be great variation in the proportionate dependence of the society upon tabus or upon other forms of sanction. In Polynesia there is great contrast be-

tween the Maori attitude according to which a common man would die if he discovered that he had accidentally eaten the sacred food of a chief, and the Hawaiian attitude whereby the tabus had so lost emotional content that they had to be enforced by policing and capital punishment. In the Marquesas a chief himself was endangered if a commoner violated his tabu, but he had to avenge himself and so protect himself from such violations by a personal stock of black magic. Samoan society has so little confidence in the observance of even such rudimentary tabus as those relating to food during pregnancy that a secondary tabu is relied upon, the one against the inherent dangerousness of an expectant mother's ever being alone; thus under cover of the enforced gregariousness the woman's food is supervised.

Because contagion is so frequently a part of the tabu situation, it is often included in the definition. The contagious nature of an infringed tabu has been particularly institutionalized among the Eskimo, who see the broken tabu as a dark cloud which gathers around the culprit and is communicated to everyone with whom he comes into contact. But many cultures limit the penalty of a broken tabu to the individual violator. This distinction becomes clearer when it is recognized that in some cultures an individual is regarded as an actor in his own tabu situation, as when a king endangers himself by treating his own sacredness carelessly or an adolescent girl risks her future health by refusing to observe the special tabus of puberty. Other cultures do not associate the individual and his peculiar condition, and he then may become dangerous to others only. More often there is a combination of these two attitudes; thus a menstruating Arapesh woman who has borne no children cannot eat food which she has cooked herself for fear of endangering her reproductive powers, but she must also stay out of the village lest she harm the power and strength of mature men.

Tabus against participation in any situation may have very wide extension, such as a prohibition against eating food from a site where a chief's house once stood, against eating from a pot in which food has been cooked by people who have been responsible for the death of a relative or against using a word or a syllable which is a part of the name of an avoidance relative or a dead person.

Wundt has discussed tabu as a method of social control inherent in a very early stage of religious development. It seems more accurate to say that some societies use tabus as a major way of controlling social behavior, while others have relied upon external social sanctions or differently motivated habit structures; that some societies have elaborated tabus associated with the inherent danger of occasions, such as periods in the life cycle of the individual or planting and harvest or hunting and warfare; that other societies have selected either by birth or status certain persons to carry a burden of special sanctity or defilement which they and others must respect under fear of automatic penalty. The difference is one of the degree of social reliance upon this particular type of control, not one of the complexity or sophistication of the particular culture. Even such a widespread tabu as the incest tabu cannot always be properly so classified, for wherever an external social penalty is required to maintain it, some of the essential force inherent in genuine tabu is lost.

Although tabu attitudes may be said to be those parts of an individual's cultural training which are enforced by a deep seated fear, nevertheless a religious system like the Polynesian, when it is built upon an elaboration of the tabu situation, may dignify the individual personality by placing him in a position of power and choice which is granted by few religious systems. The world has been charted, its places of danger are known; an intelligent following of the chart permits the individual to walk through life petitioning no deity and administering his own death if he infringes upon the order of the universe.

The term tabu may be used in modern society to cover those aspects of behavior which are rooted in the individual personality to such a degree that they are so automatic and emotionally charged that the personality suffers inevitably from their infringement. Food tabus inculcated in early childhood, such as a dread of eating horse or dog meat, and the elaborate individual system of tabus built up by neurotics suffering from a compulsive neurosis both come under this head. They are self-enforced, independent of all outer agencies, and the punishment is believed to flow automatically from the breach. Every society depends to some extent upon building into the growing personality a system of tabus enforced by fear. But just as psychological research reveals great differences in individual capacity to absorb social prohibitions into the personality, so both primitive and modern societies differ in the degree to which

they entrust the preservation of culture forms to tabus or find it necessary to externalize prohibitions in the form of socially enforced laws.

MARGARET MEAD

See: AVOIDANCE; INCEST; FETISHISM; TOTEMISM; HOLY PLACES; PRIESTHOOD; SACRIFICE; MAGIC; CEREMONY; FOLKWAYS; MYTH; CUSTOM; CULTURE; MORALS; SANCTION, SOCIAL; EDUCATION, PRIMITIVE; SOCIAL ORGANIZATION.

Consult: Ames, E. S., *The Psychology of Religious Experience* (Boston 1910) ch. iv; Frazer, J. G., *The Golden Bough*, 12 vols. (3rd ed. London 1907–15) vol. i, p. 111–19, and vol. iii, and *Psyche's Task* (2nd ed. London 1913; reprinted as *The Devil's Advocate*, London 1927) p. 7–12, 20–32; Freud, S., *Totem und Tabu* (3rd ed. Vienna 1922), tr. by A. A. Brill (new ed. New York 1927); Marett, R. R., *The Threshold of Religion* (2nd ed. London 1914) ch. iii, and "Is Taboo a Negative Magic?" in *Anthropological Essays Presented to E. B. Tylor* (Oxford 1907) p. 219–34; Smith, William Robertson, *Lectures on the Religion of the Semites* (3rd ed. by S. A. Cook, London 1927) p. 152–56, 446–56;Gennep, A. van, *Tabou et totémisme à Madagascar*, École des Hautes Études, Bibliothèque, Sciences Religieuses, vol. xvii (Paris 1904); Wundt, Wilhelm, *Elemente der Völkerpsychologie* (Leipsic 1912), tr. by E. L. Schaub (London 1916) p. 193–204; Mead, Margaret, *Social Organization of Manua*, Bernice P. Bishop Museum, Bulletin no. 76 (Honolulu 1930) p. 117–24.

TACITUS, PUBLIUS CORNELIUS (*c.* 55-*c.* 120), Roman historian. Knowledge of important details of Tacitus' life is conjectural, and partly in consequence of this fact, partly as a result of patriotic and political preconceptions which subsequent generations have brought to their analyses, the motives and trustworthiness of his writings have given rise to endless controversy. Probably he was of knightly origin and later introduced into the senatorial rank; he served as praetor in 88, consul in 97 and proconsul in Asia *c.* 112–16. In his first essay, the *Dialogue on Oratory* (*c.* 81), it is suggested that moral decay and more settled conditions are responsible for the decline of the art under the empire. During Domitian's reign (81–96) he was silent; but the emperor's terrorism directed against the aristocracy, which affected Tacitus' own family, became the most important influence upon his historical writing. In 97 or 98 appeared his pious memorial of his father-in-law, Julius Agricola. Although it serves also as an apologetic for the prudent conduct of the latter during the tyranny, the short account is concerned largely with the hero's governorship of Britain. In 98 he brought out his brief treatise on Germany and its inhabitants, which touches upon almost every phase of life. While his main approach was probably that of the historian, he was led, like earlier writers, to idealize the barbarians to some extent and to contrast their freedom, simplicity and uncorrupted family life with conditions among the Romans. Tacitus' chief works, essentially annalistic in structure, are the *Histories* (*c.* 105–09), which began the history of Rome with the political crisis of the year 69 and recounted the story of the Flavians; and the *Annals* (*c.* 115–17), which covered the preceding period from the death of Augustus. Of the former only the detailed beginning, which does not go far beyond Vespasian's accession, is extant; while of the latter the accounts of most of Tiberius' reign, the latter half of Claudius' and almost all of Nero's have survived. The typically Roman ethical and didactic motives dominated these works, but Tacitus also saw in the greater freedom of the era of Nerva and Trajan the opportunity of recovering the history of the imperial period for the truth. He touched upon many subjects including provincial affairs, public administration, social and economic matters; but his conception of events largely in terms of personality, his love of drama, his moralistic purpose and his social background caused him to devote particular attention to the emperors and their relations with the men of his class. Hence if he excelled in his discussion of politics, his onesidedness together with his highly unfavorable portraits of most of the emperors, including Tiberius, whom he held responsible for the beginnings of despotism, resulted in a distorted picture of the empire. Yet he realized that the republic's defects had led to its disappearance forever; the citizen, he believed, should pray for good emperors but serve those in power without insolence or servility. With a judicious use of personal knowledge, oral information, public and private records and secondary literature as sources, Tacitus reached higher critical levels than did Livy.

MAX LEVIN

Works: *Cornelii Taciti libri qui supersunt*, standard ed. by C. Halm, 2 vols. (Leipsic 1850–51; 5th ed. by George Andresen, 1913–14). For English translations: *The Agricola and Germany*, 2 vols. (rev. ed. London 1877), *Annals* (London 1876), and *History* (2nd ed. London 1873), tr. by A. J. Church and W. J. Brodribb; Loeb Classical Library translations of *Dialogus, Agricola, Germania*, tr. by William Peterson and Maurice Halton (London 1920), and *The Histories, The Annals*, tr. by C. H. Moore and John Jackson, vols. i–ii (London 1925–31); probably the best translation of the *Histories* (London 1915) and *Annals*, 2 vols. (London 1904–09), is by George Gilbert Ramsay.

Consult: Boissier, Gaston, *Tacite* (Paris 1903), tr. by

W. G. Hutchison (London 1906); Duff, J. Wight, *A Literary History of Rome in the Silver Age* (London 1927) p. 559–98; Shotwell, James T., *An Introduction to the History of History* (New York 1922) ch. xxii; Pöhlmann, Robert von, "Die Weltanschauung des Tacitus" in K. Bayerische Akademie der Wissenschaften, Philosophisch-philologische und historische Klasse, *Sitzungsberichte* (1910) pt. i; Marsh, Frank B., *The Reign of Tiberius* (London 1931); Schanz, Martin, *Geschichte der römischen Litteratur bis zum Gesetzgebungswerk des Kaisers Justinian*, Handbuch der klassischen Altertumswissenschaft, pt. viii, 4 vols. (1st–4th ed. Munich 1905–27) vol. ii, pt. ii, p. 283–334, with bibliographies.

TAGÁNYI, KÁROLY (1858–1924), Hungarian social, constitutional and legal historian. Tagányi had a decisive and far reaching influence on modern Hungarian historiography. As archivist of the Hungarian State Archives he was industrious in collecting data on mediaeval documents. Utilizing all the source material available in Hungary, he solved many moot points of Hungarian mediaeval history by means of his extensive knowledge of philology and diplomatic. His work is very valuable because of the light it casts on analogous social developments and relationships among the Hungarian, Germanic and Slav peoples. His works are not comprehensive, but in many respects they are fundamental and break new ground.

Especially worthy of attention are his studies of the Hungarian common field system in which, looking back from the eighteenth to the thirteenth century, he shows that the original economic form of settlement of the village population was the field community. The common ground of the community was the joint property of the whole population; each individual had a claim to equal quality and quantity of land. Tagányi showed through numerous examples how this system was administered. In a number of articles and monographs he described the original establishment and the early history of the Hungarian *komitat* system, which, according to his account, constituted the economic organization of the royal domain and only in the fourteenth century became by gradual development the autonomous judicial organ of the nobility.

Erroneous notions about Hungarian social history led him to deal with many controversial questions in long polemical articles. These contend that Hungary did not experience feudalism proper but adapted many feudal social forms; social developments east of the truly feudal regions revealed similar trends and forms everywhere. Tagányi shed considerable light upon the Hungarian military system through his studies of border defenses in the Middle Ages. His article on the collected Hungarian common law is very instructive from the standpoint of comparative legal science. Citing numerous examples, especially those of related peoples taken from the literature of the entire world, he discussed the origin of Hungarian customs. In this way he illuminated the ancient Hungarian marital law, family law and inheritance law and explained the primitive contract of the Hungarian tribal chiefs in a very plausible manner. Although Tagányi never held a professorial chair, the younger generation of Hungarian historians regarded him as their teacher and master.

FRANZ ECKHART

Chief works: "Geschichte der Feldgemeinschaft in Ungarn" in *Ungarische Revue*, vol. xv (1895) 103–27; "Gyepü és gyepüelve" in *Magyar nyelv*, vol. ix (1913) 97–104, 145–52, 201–06, 254–66, tr. as "Älte Grenzschutz-Vorrichtungen und Grenz-Ödland" in *Ungarische Jahrbücher*, vol. i (1921) 105–21; *Lebende Rechtsgewohnheiten und ihre Sammlungen in Ungarn*, Ungarische Bibliothek, 1st ser., no. 3 (Berlin 1922).

Consult: Kossányi, Béla, in *Ungarische Jahrbücher*, vol. v (1925) 67–69.

TAILLE. *See* TAXATION.

TAINE, HIPPOLYTE-ADOLPHE (1828–93), French philosopher, literary critic and historian. Taine, who shares with Renan the distinction of having been the outstanding intellectual influence in France in the last third of the nineteenth century, represents the conflux of widely divergent and usually irreconcilable French traditions. With the classical spirit and its predilection for oratorical eloquence and form he combined the passion for analytical inquiry and lucid ordering of abstract ideas which characterized Condillac, the ideologues and Stendhal; that he also shared the tendency to look for intellectual inspiration with the eyes of a cosmopolitan is strikingly evinced by the powerful influence exercised by Hegelianism upon his philosophy of criticism and by English empiricism upon his psychology. As literary critic Taine was labeled by Sainte-Beuve as the spokesman of a younger generation of critics whose outlook was scientific and positivistic rather than literary and artistic. The more precise interpretation seems to be that Taine, whose main bent was philosophical, conceived literary criticism merely as a method of applying and demonstrating his doctrine of determinism. A similar objective motivated his

treatment of art both in his lectures on the history of the subject at the École des Beaux-Arts and in the writings which were collected as *Philosophie de l'art* (2 vols., Paris 1880; tr. by J. Durand, New York 1875). His deterministic theory was, however, so paradoxical that its importance lies chiefly in the reactions which it provoked. Taine's one great philosophical work, *De l'intelligence* (2 vols., Paris 1870, 4th ed. 1883; tr. by T. D. Haye, 1 vol., London 1871), wherein he attempted to analyze and reconstruct the mechanism of thought, rounded out his brilliant pamphlet *Les philosophes français du XIXe siècle* (Paris 1857; rev. ed. as *Les philosophes classiques . . .*, 1868). Although today outmoded, *De l'intelligence* effectively supplanted the psychology of the eclectic school, molding the taste of an entire generation after 1875 for experimental and concrete psychology.

It is only in the field of history that Taine's influence is still vital. After the war of 1870 he abandoned literary criticism and discontinued work on his treatise on will, a projected sequel to *Intelligence*, to concentrate on a study in political pathology designed as an inquiry into the causes for the dual catastrophe of military defeat and the Commune. To his natural pessimism his marriage in 1868 had added the element of morbid apprehension and engendered in him a haunting obsession with the necessity for the alignment of social forces against the spirit of disorder. In *Les origines de la France contemporaine* (6 vols., Paris 1876–93; tr. by J. Durand, New York 1876–94) he investigated the responsibility for the revolutionary peril and finally charged it to the entire French organism, to the shaping of which the whole historical development of the nation and all parties had contributed. As he turned his uneasy gaze successively upon the monarchy, the classical spirit, the revolution, Napoleon, the modern regimes and the multitude of other dangerous systems and maladies menacing the nation, he remained constantly alive to the contrast with the health and prosperity of the English political body and particularly to the melancholy antithesis between the expansion of Victorian England and the French disasters of 1871. Artistically the *Origines* constitutes Taine's most powerful work, but as a theory of France it has been correctly interpreted as an expression of partisan ideas. Nevertheless, it has exerted a tremendous influence upon the development of the French conservative school: for the Bourget of *L'étape*, the Barrès of *Les déracinés* and the Maurras of *Enquête sur la monarchie* it has been the original demiurge.

ALBERT THIBAUDET

Other important works: *Essai sur les fables de La Fontaine* (Paris 1853; revised as *La Fontaine et ses fables*, 6th ed. 1875); *Essais de critique et d'histoire* (Paris 1858); *Histoire de la littérature anglaise*, 4 vols. (Paris 1863–64; 8th ed., 5 vols., 1892), tr. by H. van Laun, 2 vols. (Edinburgh 1871).

Consult: *H. Taine, sa vie et sa correspondance*, 4 vols. (Paris 1902–07), tr. by Mrs. R. L. Devonshire and E. Sparvel-Bayly, 3 vols. (London 1902–08); Barzellotti, G., *Ippolito Taine* (Rome 1895); Chevrillon, André, *Taine, formation de sa pensée* (Paris 1932); Giraud, V., *Essai sur Taine* (6th ed. Paris 1923); Gibaudan, R., *Les idées sociales de Taine* (Paris 1928); Rosca, D. D., *L'influence de Hegel sur Taine, théoricien de la connaissance et de l'art* (Paris 1928); Lacombe, Paul, *Taine historien et sociologue* (Paris 1909); Soltau, R., *French Political Thought in the Nineteenth Century* (London 1931) p. 230–50; Jones, R. A., "Taine and the Nationalists" in *Social and Political Ideas of Some Representative Thinkers of the Victorian Age*, ed. by F. J. C. Hearnshaw (London 1933) ch. x; Aulard, A., *Taine, historien de la Révolution française* (2nd ed. Paris 1908); Cochin, A., *La crise de l'histoire révolutionnaire* (Paris 1909).

TALLEYRAND-PÉRIGORD, CHARLES-MAURICE DE, PRINCE DE BÉNÉVENT (1754–1838), French statesman and diplomat. A member of the upper aristocracy, Talleyrand was educated for the priesthood. He had, however, become imbued with the doctrines of Voltaire and other *philosophes* and his reputation as a freethinker served to retard his rise in the church, although he was appointed bishop of Autun in 1788. Elected to the Estates General in the following year, he took part in drafting the Declaration of the Rights of Man and the Citizen. In his *Rapport sur l'instruction publique fait au nom du comité de constitution à l'Assemblée nationale* (Paris 1791) he proposed a plan for a national system of public education which advocated universal free primary education and which was remarkable for its general insight into an essential feature of democracy. Talleyrand suggested that church property be nationalized and he was among the first to take the oath to the Civil Constitution of the Clergy.

In 1791 he resigned his bishopric and soon afterward began his career as a diplomat, in which capacity he was to serve every government in France, with the exception of the Terror, for almost half a century. He went to England for Louis XVI to persuade that country to maintain neutrality and later returned to London, with the permission of Danton, on the pretext of continuing his mission, although his

chief concern was to escape the rising Terror. From England he sent his famous *Mémoire sur les rapports actuels de la France avec les autres états de l'Europe* (London 1792), in which he argued that France must not attempt territorial aggrandizement but must concentrate upon domestic reform. Ordered to leave England, he came to the United States in 1794 but returned to France two years later, after being apprised that his name had been taken off the proscribed list of émigrés.

He served as foreign minister from 1797 to 1799 under the Directory and held a similar post under the consulate and empire until 1807, when he incurred the displeasure of Napoleon because of his peculations and his attempts to moderate the emperor's foreign ambitions. As foreign minister he did much to pave the way for the rise of Bonaparte and served as his principal adviser and agent in numerous peace negotiations.

Soon after his retirement Talleyrand began secret negotiations with Napoleon's enemies, despite the fact that he remained a member of the emperor's council. In 1814 he drafted the act of abdication voted by the Senate and served as head of the provisional government during the allied occupation of Paris. He was chiefly instrumental in the restoration of the Bourbons, and Louis XVIII in turn appointed him minister of foreign affairs and plenipotentiary to the Congress of Vienna. In the Peace of Paris he had succeeded on the plea of legitimacy in maintaining the French boundaries of 1792. At Vienna by adroit manipulation he broke up the League of the Powers and united England and Austria with France against Prussia and Russia. By this alliance Talleyrand prevented Russia from absorbing Poland completely, while only a part instead of the whole of Saxony went to Prussia.

After Waterloo the hostility of his many enemies caused his dismissal, but he continued to sit in the Chamber of Peers, where true to his liberalism he protested against French intervention in Spain. In 1830 he helped Thiers place Louis Philippe on the throne and secured a liberalization of the constitution. As ambassador to England from 1830 to 1834 and as envoy to the London conference he contributed greatly toward the maintenance of peace and the recognition of Belgian independence and neutrality. A brilliant diplomat with a shrewd insight into the historic forces of the period, Talleyrand at times displayed statesmanship of a very high order, but his brilliance and practical intelligence were too often counteracted by his unscrupulousness and venality.

WILLIAM E. LINGELBACH

Works: *Mémoires du Prince de Talleyrand*, ed. with a preface and notes by A. de Broglie, 5 vols. (Paris 1891–92), tr. by R. Ledos de Beaufort, with introduction by Whitelaw Reid (New York 1891–92); *Correspondance diplomatique de Talleyrand*, ed. by G. Pallain, 3 vols. (Paris 1887–91), partially tr. as *Correspondence of Prince Talleyrand and King Louis XVIII during the Congress of Vienna*, 1 vol. (New York 1881); *Étude sur la république des États Unis d'Amérique* (New York 1876).

Consult: Lacour-Gayet, G., *Talleyrand, 1754–1838*, 3 vols. (Paris 1928–31); Blennerhasset, C. J., *Talleyrand; eine Studie* (Berlin 1894), tr. by Frederick Clarke, 2 vols. (London 1894); Deschanel, P., *Orateurs et hommes d'état: Talleyrand . . .* (Paris 1888); Rosenthal, W., *Fürst Talleyrand und die auswärtige Politik Napoleons I.* (Leipsic 1905); Dupuis, Charles, *Le ministère de Talleyrand en 1814*, 2 vols. (Paris 1919–20); Wendorf, Hermann, "Die Ideenwelt des Fürsten Talleyrand" in *Historische Vierteljahrschrift*, vol. xxviii (1933) 335–84; Sorel, A., *Lectures historiques, Talleyrand et ses mémoires . . .* (Paris 1894) p. 71–112.

TÁNCSICS, MIHÁLY (1799–1884), Hungarian peasant socialist. The background of oppression of the Hungarian peasantry which led to Táncsics' struggle on their behalf is vividly described in his autobiography, which is perhaps the only reliable and detailed account of Hungarian peasant life before the Revolution of 1848. A self-taught man, he began to publish articles in 1831, and in 1846 his fight for freedom of the press resulted in imprisonment, from which he was freed by the revolution. His election to the Hungarian lower house in 1848 made him the first and until 1918 the only representative of the peasant and working classes in the legislature. In his periodical, *Munkások ujsága* (Working men's press, 1848), and in the Diet he advocated a radical solution of the land problem. During the period of reaction he was again subjected to seven years' imprisonment.

The first Hungarian exponent of socialism, of which he had learned during his travels in Germany, France and England in 1846, Táncsics was also a stanch republican. If the vagueness of his socialist and republican ideas and his uncritical intellectual approach led him to accept these views as compatible with a fanatical nationalism, his courage and moral strength made him nevertheless an outstanding and fearless supporter of every principle or practical measure which he was convinced was just.

Táncsics wrote about forty books and pamphlets on a variety of subjects ranging from politics and cooperation to philology and the natural sciences; his works were published in an unfinished collection of twelve volumes, *Müvei* (Works, Budapest 1873–85).

ROBERT BRAUN

Consult: Szinnyei, Joseph, in *Magyar írók* (Hungarian writers) vol. xiii (Budapest 1909) p. 1278–82; Szabó, Ervin, *Társadalmi és pártharczok az 1848–49 és magyar forradalomban* (Social and party strife and the Hungarian revolution) (Vienna 1921).

TANEY, ROGER BROOKE (1777–1864), American jurist. Taney was born in Calvert county, Maryland, of a landed slaveholding family and was educated at Dickinson College. After admission to the bar in 1799 he was a member of the Maryland house of delegates for one year and from 1827 to 1831 served the state as attorney general. At first a Federalist, he was alienated from the party because of its opposition to the War of 1812, and allied himself with the Jacksonian Democracy.

As attorney general in Jackson's cabinet from July, 1831, to September, 1833, Taney drafted that part of the latter's famous Bank Charter Veto Message of July 10, 1832, in which Jackson took the position that the president was not bound by the interpretation placed upon the constitution by the Supreme Court. He left the attorney generalship to become secretary of the treasury, in order to carry out Jackson's decision to withdraw the government deposits from the Bank of the United States, after McLane, Jackson's secretary of the treasury, had refused to do so. Because he was Jackson's chief adviser in the fight upon the bank, the Senate in 1835 failed to confirm Taney's nomination to the office of associate justice of the Supreme Court. But when he was named for the office of chief justice upon the death of John Marshall, his confirmation followed on March 15, 1836, after a bitter conflict, the personnel of the Senate having changed in the meantime. Taney remained chief justice until his death, occupying the office for a longer period than any other incumbent except his immediate predecessor.

Taney vies with Marshall for first place as the creator of the judicial power, which is the pivot of our constitutional system. Although Marshall first enunciated the doctrine of the right of the courts to declare unconstitutional the acts of their own legislature, in Marbury *v.* Madison, decided in 1803 no act of Congress was declared unconstitutional so as to affect a decision until well toward the end of Taney's career, in the Dred Scott Case, fifty-four years after Marbury *v.* Madison and seventy years after the adoption of the constitution. This step was indeed a prelude to the Civil War.

But while Taney was the first to make practical use of the theoretical right claimed by Marshall for the judiciary, he was in many respects the antithesis of his predecessor and undid much of his work. Marshall, it has been said, was a "supreme conservative," who had the misfortune of becoming chief justice after the great defeat of his party in the "Revolution of 1800," and Marbury *v.* Madison was itself an echo of that great defeat and in a way a "backfire" of the vanquished army of Federalism. Taney, on the other hand, was caught fairly early in that wave of "westernization" of the United States the first effect of which was the "Revolution of 1800," the second the War of 1812 and the third Jacksonian Democracy. Although he had been brought up as a Federalist, and therefore was opposed to the War of 1812 before it was declared, he supported it heartily after its inception, while the New England Federalists plotted secession at the Hartford Convention. The nationalism which was one of the chief characteristics of the "westernization" of the country, and which brought forth Marshall's really great decisions of the series from McCulloch *v.* Maryland to Brown *v.* Maryland, was evidently absorbed but slowly by Taney, and it was never permitted to run to excess, as it threatened to do with Marshall and Story. But the progressivism which was the essence of that great historic movement became Taney's chief characteristic during his maturity, and it was his historic mission to engraft it upon the American constitutional system.

Taney's accession to the chief justiceship was considered at the time in the nature of a revolution. At the very first term of the Supreme Court at which he presided he delivered his greatest opinion, in the Charles River Bridge Case, which to the consternation of Justice Story and the conservatives emasculated Marshall's decision in the Dartmouth College Case, which had held a corporate charter to be a contract whose obligation could not be impaired, by introducing the doctrine that nothing is granted in a charter by implication. But like all such "revolutions" it strengthened the existing order by preventing the growth of monopolies and making peaceful progress possible, at least until Taney himself,

caught in the net of slavery, attempted to block further progress by his "conservative," but really revolutionary, decision in the Dred Scott Case.

It was this decision which warped posterity's judgment of Taney. It was denounced as a crime, but if so it was the crime of a system. Taney was probably the greatest of the chief justices. The equal in general ability of John Marshall, he excelled him as a lawyer and as an enlightened statesman, always barring his one fatal error. This error was not, however, entirely wiped out by the Civil War, as is generally assumed. For in the Dred Scott Case Taney invoked the due process clause of the Fifth Amendment in the revolutionary sense which has become established since the enactment of the Fourteenth. But on the other side of the ledger must be entered his definition of the "police power" in the License Cases as "the power of sovereignty, the power to govern men and things." Had this definition of the police power been adhered to, it would have constituted an effective check on the later abuse of the due process clause.

LOUIS B. BOUDIN

Consult: Tyler, Samuel, *Memoir of Roger Brooke Taney* (Baltimore 1872); Steiner, Bernard C., *Life of Roger Brooke Taney* (Baltimore 1922); Mikell, William E., in *Great American Lawyers*, ed. by W. D. Lewis, vol. iv (Philadelphia 1908) p. 75–194; Warren, Charles, *The Supreme Court in United States History*, 3 vols. (Boston 1922) vols. ii–iii; Boudin, Louis B., *Government by Judiciary*, 2 vols. (New York 1932); Corwin, Edward S., *The Doctrine of Judicial Review* (Princeton 1914) ch. iv.

TANNING. *See* LEATHER INDUSTRIES.

TAOISM. The term Taoism is generally applied to the school of philosophic thought connected with the names of Lao Tzu and Chuang Tzu as well as to the religion professed by the Taoist monastic organizations in their temples and monasteries. It comprises also a great many so-called magical practises, such as exorcism and fortune telling; and in fact all religious manifestations in China which cannot be attributed to either Confucianism or Buddhism are frequently classified loosely as Taoism. Actually the concepts which form the bases of both popular and philosophic Taoism are fundamental to all Chinese thought with the exception of Buddhism, which is of foreign origin although it has absorbed much that is truly Chinese. Any distinctions between the different schools of thought, at least in the earlier period, are thus largely artificial.

Taoism is derived from the word *tao*, which means the way, or path, in which all things move, change, are renewed and continue. *Tao* has no creative aspect, for the Chinese have been little concerned with cosmology and have tended to view the world rather as the sum total of ever recurrent phenomena. The Chinese, an agricultural people, living in a climate with clearly marked seasons, have been interested in such manifestations of nature as light and darkness, heat and cold, summer and winter, life and death, male and female. These contrasting aspects of natural phenomena are not opposed to each other in any strict sense but are rather mutually complementary, constituting by their combined operation a sum total. The life of man is completely regulated by this dualism: in spring with the recurrence of heat and light boys and girls cooperate in the recrescence of natural life by dancing, singing and mating; in summer man goes into the fields and cultivates the land; in winter, the season of death, he retires to his home and lives a secluded life. The royal *tao*, or conduct of the king, who is the truest of men, corresponds entirely with the *t'ien tao*, heavenly *tao*, or the course of natural phenomena throughout the seasons.

The alternations in nature, the total of which constitute *tao*, are described in an early text in the *Yi-ching* (*Yî King*, Book of Changes, tr. by James Legge, Sacred Books of the East, vol. xvi, Oxford 1882) as "an alternation of *Yin* and *Yang*." Graphically, the character for *yin* denotes the shady side of a mountain, that for *yang* the sunny side; these are the two sides between which in the spring festivals boys and girls move, crossing and recrossing the stream in alternating dances and choruses, thus also performing a *tao*, or complete road. From their concrete meaning *yin* and *yang* came to be used as general names for the two mutually opposing and cooperating categories: the dark, cold, wet and female as opposed to the light, warm, dry and male. All phenomena and all relationships express this interplay of *yin* and *yang*.

Of the two schools of thought which have been differentiated as Confucianism and Taoism the former has emphasized *tao* more as kingly behavior, the ritual and moral rules necessary for the functioning of a feudal society of cultured people, whereas the latter has stressed the metaphysical and mystical side of *tao* and represents an anticultural tendency.

The first articulate philosopher of Taoism was Lao Tzu, said to have been born in 605 B.C. and to have been an older contemporary of Confucius. The evidence on which these statements are based is, however, very unconvincing; actually nothing is known concerning his life, and the name Lao Tzu signifies merely "the old philosopher." He is the reputed author of a book known by his name (*Tao-teh-king*, tr. by James Legge, Sacred Books of the East, vol. xxxix, Oxford 1891, p. 1–124); later commonly called the *Tao-tê-ching*, it was probably composed in the fifth century B.C. Two other books attributed to Chuang Tzu and Lieh Tzu develop ideas similar to those of Lao Tzu. There is very little information available concerning Chuang Tzu (Sacred Books of the East, vol. xxxix, p. 125, and vol. xl, p. 232), who is generally placed in the fourth century B.C. Some authorities hold that Lieh Tzu was a personality invented by Chuang Tzu; and in fact the two books have much in common, although there is a certain distinct individuality of style in some chapters of Lieh Tzu, which may have been composed sometime between the writing of the Lao Tzu and the Chuang Tzu. The latter is a very brilliant and profound work, far above the level of the school to which the author belonged.

The thought of these philosophers cannot be understood unless they are regarded as mystics, who probably continued the shamanistic practises which produced the religious ecstasy known to the old sorcerers and magicians. Theirs is a philosophy that springs from religion and not from purely metaphysical thought. The mystic unity with *tao* was believed to produce magical powers over life, intensifying and prolonging it. If one "takes care of one's life," says Lao Tzu, "a rhinoceros will find no place to gore one, nor will a tiger find a place in one to plant his claws or a weapon to cut one with its blade." There are allusions to breathing practises whereby a man may regulate his pulse so that it is in harmony with that of the universe and thus prevent all waste of vitality.

Imbued with a sense of mystic unity with the all pervading law of change, the Taoist fathers share the profound conviction that everything is fleeting, transitory and relative: the *tao*, or the way in which a thing develops, flourishes and perishes, is the only certain and permanent principle. Mutation takes place continuously without any apparent effort and is thus able to produce all things. This effortless action the Taoists call *wu-wei* (non-action) and indicate as a model for the conduct of man, who should never use forceful intervention and should abstain from all cultural pursuits, which the gentlemen of the period of the Taoist fathers prized so highly and which were encouraged by the Confucianists. The heights to which Chuang Tzu soared in his poetical speculations concerning the relativity and transitoriness of things could be followed by only a few; for the mass of its adherents Taoism constituted essentially a method of preserving the life force by the assimilation of the conduct of the individual to the law which operates in all things.

Taoism as a philosophy had nothing to offer to the state, which was a man made, artificial product; its magical practises could have significance only for the ruler himself, who groped for transcendent power over life and longevity. It is significant that Ch'in Shih Huang Ti, who in 221 B.C. initiated the reforms which destroyed all the institutions from which the Chou kings had derived their prestige, should have had a firm faith in the efficacy of Taoistic practises. So also did Wu Ti of the Han dynasty (140–86 B.C.), although in his official measures he attempted to restore at least a fiction of the Chou institutions. These institutions, advocated by the scholars who claimed adherence to the Confucian school, provided the new Han empire with its cultural forms and gave the emperor some of the religious prestige and majesty which had been an attribute of kingship from antiquity.

In the fourth century A.D. a great Taoist master, Ko Hung, better known as Pao P'u Tzu, popularized alchemy as a part of Taoist doctrine. At a very early date the Chinese had believed that certain substances, such as jade and cinnabar, were life giving; and when gold had been accepted as the highest standard of value about the fourth century B.C., the same quality was attributed to it. Thus from the search for the elixir of life there developed an interest in alchemy, which after the tenth century took an esoteric turn and aimed at utilizing not the material substances but their souls, or essences. Later particular metals were regarded as related to special parts of the human body and alchemy became concerned primarily with the reconditioning of the mind and physique.

Taoism also developed a monastic organization. The Taoist masters had probably early turned to living as recluses, either alone or in small groups. When Buddhism appeared in China, possibly about the middle of the first century, it was found to have much in common

with Taoist practises and ideas; and its success in China was doubtless due partly to the fact that it assimilated as far as possible the views which Taoism had evolved. The latter, however, borrowed even more than it gave. Although the origins of the Taoist monastic system are still obscure, it certainly imitated the organization, rites and sacred literature of the Buddhists. It adopted ceremonies for the initiation of its monks (*tao shih*) and nuns (*tao ku*), who made vows very similar to those of Buddhist priests, the six principal ones being to refrain from killing any living being, eating meat, drinking wine, lying, stealing and marrying. From these were derived no fewer than three hundred rules for the conduct of the monastics. According to Taoism the monastic life is not essential for salvation but merely makes possible the observance of the minute rules of the true Taoist. Each monastery is practically independent, and there are no close connections between the various cloistered groups.

Besides the monastic organization of Taoists there is an organization of lay masters, who live in the world and are married. They represent especially the element of sorcery in Taoism and are its most eminent magicians, generally handing down the art from father to son. At their head is the so-called Master of Heaven, T'ien Shih, who is often mistakenly called, by western writers, the Taoist pope. He generally lives at Shang Ch'ing, in the province of Kiangsi and claims to be a descendant of Chang Tao Ling, who is said to have lived in the second century A.D. and to have discovered the drug of immortality. Chang Tao Ling probably incorporated into a religion the current magical practises and the doctrines of Lao Tzu; about 190 his grandson Chang Lu established a small independent principality in the province of Shensi, which included a church with a well organized hierarchy, whose members exorcised demons and cured the sick. This religious organization has continued to exist and the Master of Heaven, a title officially recognized since 748, is the chief exorcist of demons and purveyor of charms against disease.

Taoism as a religion has a rich pantheon, partly inherited from time immemorial, partly formed under Buddhist influence. It has "venerable ones," modeled after the Buddhas, and "immortals," imitations of the Buddhist arhats. There is a Taoist triad, similar to that of Buddhism, consisting of Yüan Shih T'ien Tsun, "the venerable one of the first origin," who reigned in the past; Yü Huang T'ien Tsun, "the venerable jade emperor," who has reigned since the tenth century and is considered the most important of the gods; and Chin Ch'üeh Yü Chen T'ien Tsun, "the venerable one of the jade dawn of the golden gate," who will reign in the future. Yü Huang T'ien Tsun, perpetuation of the god of classical mythology, Shang Ti, lives in a palace in the highest heaven, where he presides over a number of celestial officials. Under him are various ministries—thunder, wind, water, fire, time, literature, riches and epidemics—whose incumbents may change from time to time. The Taoist clergy seem to have incorporated certain popular deities in their pantheon and to have created others for reasons of symmetry and parallelism. Some, like the god of riches, are very popular. The jade emperor also has a hierarchy of gods to assist him in his task of governing the world. The chief of them is the "Emperor of the Eastern Mountain," the T'ai Shan, in the province of Shantung. He acts as a regent on earth for the jade emperor, but his principal function is to preside over human life and fix dates of birth and death. For a time he was even regarded as the god of the dead. Assisted by his enormous staff he regulates human life in detail, adjusting each individual's fate in strict accordance with his sum total of merits and demerits, meting out rewards and punishments. Subject to his orders are the gods of walls and moats, who are the divine counterpart of the officials in human life. Meritorious officials are called to this function after death. Under the control of the deities of walls and moats are the local tutelary gods, descendants of the classical gods of the soil, and the family gods, of whom the chief is the kitchen god.

Popular practises, such as finding a good site for a grave, called fêng-shui, are frequently classified as Taoistic. They have their origin in old conceptions connected with *yin* and *yang*, the points of the compass and the "elements," water, fire, wood, metal and earth, which are also fundamental to philosophic Taoism.

It is indeed in many respects impossible to establish definitely what is or what is not Taoism, for as a religion it is a blend of many elements. Not only Buddhism but the popular animistic religion has contributed to its dogmas, and it has perhaps been influenced also by Zoroastrianism, which appeared in China during the Tang dynasty. A number of its divinities received official recognition in the state cult, generally

regarded as Confucianistic, which prevailed until the advent of the republic.

Religious Taoism probably reached its height in the thirteenth century. Since then it has declined, although it still retains a strong hold upon the masses. As a philosophy it attracts the mystically inclined; and in the West the teaching of the Taoist fathers, although often misunderstood, has exercised a certain influence.

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See: BUDDHISM; CONFUCIANISM; RELIGION; COMPARATIVE RELIGION; PRIESTHOOD; SACRED BOOKS; SECTS.

Consult: Wieger, Léon, "Introduction" to his *Taoïsme* (Paris 1911) p. 9–27, and *Histoire des croyances religieuses et des opinions philosophiques en Chine* (Hokienfou 1917), tr. by E. C. Werner (Hsien-hsien 1927) p. 145–200, 373–406, 513–20, 579–88; Granet, Marcel, *La civilisation chinoise*, L'évolution de l'humanité, no. 25 (Paris 1925), tr. by K. E. Innes and M. R. Brailsford (London 1930) p. 319–404, *La pensée chinoise* (Paris 1934), and *La religion des Chinois* (Paris 1922) p. 140–58; Maspero, Henri, "Mythologie de la Chine moderne" in *Mythologie asiatique illustrée*, ed. by P. L. Couchoud (Paris 1928) p. 227–362; Hackmann, H., "Die Mönchsregeln des Klostertaoismus" in *Festschrift für Friedrich Hirth* (Berlin 1920) p. 142–70, and "Die dreihundert Mönchsgebote des chinesischen Taoismus" in K. Akademie van Wetenschappen te Amsterdam, *Verhandelingen afdeeling letterkunde*, n.s., vol. xxxii, no. 1 (1931); Waley, Arthur, "Introduction" to Li Chih-Ch'ang, *The Travels of an Alchemist*, tr. by A. Waley (London 1931) p. 1–40; Johnson, Obed S., *A Study of Chinese Alchemy* (Shanghai 1928) chs. i–v.

TAPPARELLI D'AZEGLIO, MASSIMO. *See* AZEGLIO, MASSIMO D'.

TARDE, GABRIEL (1834–1904), French criminologist and sociologist. Tarde served for many years as a provincial magistrate before he became the director of criminal statistics at the Ministry of Justice and later professor of modern philosophy at the Collège de France. In his earlier works, *La criminalité comparée* (Paris 1886, 5th ed. 1902), *La philosophie pénale* (Paris 1890, 5th ed. Lyons 1900; tr. by R. Howell, Boston 1912) and *Études pénales et sociales* (Paris 1892), he criticized the classical and Italian criminologists, particularly Lombroso, and defended the thesis that the causes of crime are preponderantly social. He contended, however, that irrespective of the nature of the causes the responsibility for crime is to be attributed to the psychological personality of the criminal. These studies already foreshadowed Tarde's sociological contributions, which manifest his thorough distrust of dogma and his interest in vital, concrete and variegated facts which cannot be reduced to rigid systems. He preferred the more complex and subtly shaded works of such historians and critics as Renan and Sainte-Beuve to the inflexible, grandiose schemes of Comte, Spencer and Taine. While his intellectual development was somewhat affected by his early study of Hegel, he was influenced most by Cournot. He opposed Durkheim, whom he considered too doctrinaire, just as the latter regarded Tarde as too subjectivistic; hence, while Durkheim undertook to develop sociology along the lines of Comte, Tarde devoted his attention primarily to social psychology. The logic and laws referred to in the titles of his works *La logique sociale* (Paris 1894, 4th ed. 1913) and *Les lois sociales* (Paris 1898, 8th ed. 1921; tr. by H. C. Warren, New York 1899) were, in his opinion, concerned only with psychological phenomena, with the beliefs and desires of men. Tarde rejected Spencer's term evolution as too ambitious and employed in its place the word transformation (*Les transformations du droit*, Paris 1892, 8th ed. 1922; and *Les transformations du pouvoir*, Paris 1899). In *La psychologie économique* (2 vols., Paris 1901) he sought to supplant abstract systems of political economy by the study of concrete facts.

Tarde distinguished between different types of human beings, whom he regarded as kinds of monads exercising an influence upon one another by a process comparable to wave motion. Some persons, not necessarily the greatest, are inventors, while others limit themselves to repetition according to the laws which Tarde developed in his best known work, *Les lois de l'imitation* (Paris 1890, 5th ed. 1907; tr. by E. C. Parsons, New York 1903). The manifold consequences of the clash of waves of influence in the individual formed the subject of his *Opposition universelle* (Paris 1897). Conflict does not necessarily ensue since it may be resolved in adaptation or in a dynamic equilibrium which is forever being destroyed only to be restored. Repetition, opposition, adaptation, are thus the three aspects of the universal rhythm. Tarde's faith that opposition could culminate in a peaceful adjustment was clearly set forth in a curious utopia, written in his youth and posthumously published, *Fragment d'histoire future* (Lyons 1904; tr. as *Underground Man*, London 1905), in which he envisaged an ideal society, completely emancipated from coercion and based entirely on disinterested love.

GEORGES GUY-GRAND

Consult: *Gabriel Tarde*, introduction and selections by

his sons, with preface by H. Bergson (Paris 1909); Bouglé, C., "Un sociologue individualiste, Gabriel Tarde" in *Revue de Paris*, vol. iii (1905) 294–316; Mahaim, Ernest, "L'économie politique de M. Tarde" in *Revue d'économie politique*, vol. xvii (1903) 1–34; Espinas, Alfred, in Académie des Sciences Morales et Politiques, *Séances et travaux*, vol. clxxiv (1910) 309–422; Roche-Agussol, Maurice, "Tarde et l'économie psychologique" in *Revue d'histoire économique et sociale*, vol. xiv (1926) 68–114, 273–319; Davis, Michael M., *Psychological Interpretations of Society*, Columbia University, Studies in History, Economics and Public Law, no. 87 (New York 1909) p. 84–163; Barnes, H. E., "The Philosophy of the State in the Writings of Gabriel Tarde" in *Philosophical Review*, vol. xxviii (1919) 248–79.

TARIFF. A customs tariff is a schedule of rates of import or export duties. The practise of levying duties upon commodities crossing a political frontier goes back to ancient times. At first such duties were only for revenue purposes, but with the growth of mercantilism and nationalism in the sixteenth and seventeenth centuries they began to be used also to protect domestic industries against foreign competition, to promote a favorable balance of trade and to punish and diminish the power of foreign countries. Export duties, at first of major importance, were gradually abolished and tariffs came to consist mainly or wholly of import duties, except in tropical and subtropical countries, where the revenue objective was dominant and the mass of the native population could be reached more effectively and conveniently by export taxes on their major products than by any other form of tax. When the protectionist objective first made its appearance, there was some tendency to use import prohibitions instead of import duties; but the severity of such measures and their stimulus to smuggling led to their gradual extinction during the period from about 1750 to 1850, and before the World War they survived only as quarantine measures against diseased or noxious plants or animals or as applied to objectionable commodities, such as drugs, obscene articles and, in backward countries, firearms and alcoholic liquors. They returned for a time during the World War and the subsequent period of reconstruction and are now again important in the form of contingents or quotas. The import prohibitions of the past were rarely absolute and generally applied only to imports in the absence of special licenses or exemptions, which were often granted extensively for a price or as a reward to favorites or when a scarcity of domestic supplies threatened.

In their early development import duties were levied not only by each petty state but by individual towns and provinces and by local feudal barons. As the small states were absorbed in larger national units, however, the local tariffs were gradually abolished, until as a rule each national unit had only one tariff, applied at its external frontiers. Local tariffs survive in modified form in some countries, as in the case of the *octroi* in France and the likin in China. In a few cases, notably the German Zollverein, Canada, and the British colonies in Africa, the unification and centralization of tariffs preceded, in the form of a customs union, the establishment of political union on a national basis. In countries with large areas and with imperfect means of internal transportation the process of amalgamation and unification of local tariffs has only partially or only recently been completed, and different tariffs have been maintained at different frontiers, as in the case of Russia, China, Mexico and Honduras.

During the mercantilist period (*c.* 1600–1800) the use of tariffs as instruments of power and of national rivalry as well as for more purely economic purposes led to the imposition of discriminatory duties and prohibitions on the products of hostile countries, especially during the frequent periods of actual hostilities. Peace treaties between the major powers often included or were accompanied by tariff agreements providing for the abolition of prohibitions, for reductions of duties and, in some cases, for most-favored-nation treatment. Friendly countries, on the other hand, were bound more closely to one another by preferential tariff treatment, notably in the case of the Methuen Treaty of 1703 between England and Portugal. In the nineteenth century there was less relation between tariff policy and *haute diplomatie*, but tariffs have continued to the present day to be used occasionally as a means of exercising pressure on or punishing an unfriendly country (e.g. the tariff controversies of France and Italy, 1888–99) or of securing economic or political concessions from other countries in non-tariff matters.

In the seventeenth and eighteenth centuries tariff bargaining and tariff controversy were important only in the relations between the major powers (England, France, Holland, Spain), where they constituted a vital element in balance of power tactics. During the first half of the nineteenth century some of the minor European countries engaged in extensive tariff bargaining on a purely economic basis, and England strove

to make the movement toward freer trade more general and more rapid by endeavoring to obtain reductions in foreign tariffs in exchange for the reductions in its own tariff which it was determined to make for internal reasons. This so-called policy of reciprocity was attacked by extreme free traders as wrong in principle, and, in spite of its apparent success in the Cobden Treaty of 1860 with France, English statesmen finally concluded that to make the reform of the English tariff dependent on the receipt of reciprocal concessions from other countries would retard English reform without substantially speeding up the liberalization of foreign tariffs. After 1860 England engaged in tariff bargaining only to a limited extent. The strictly revenue character of the English tariff restricted the concessions England could give to modifications of its revenue duties, which for fiscal reasons it was reluctant to grant. Whereas England immediately granted gratuitously to all countries the important tariff reductions which it pledged to France in the Cobden Treaty, France extended them to other countries only in return for concessions embodied in a series of important commercial treaties, which initiated an active course of tariff bargaining in which most of the continental countries participated. This bargaining continued until the outbreak of the World War and was immediately resumed upon the cessation of hostilities. Except for reciprocity treaties with Canada (1854–65) and Hawaii (1875–1900) and a few minor tariff arrangements in connection with peace treaties and boundary and fishery settlements, the United States until 1890 followed an autonomous non-bargaining tariff policy. Under the tariff acts of 1890, 1897 and 1909, however, attempts were made to secure tariff concessions from foreign countries in return for the pledge of withholding punitive surtaxes authorized under these acts or as compensation for concessions from the general tariff embodied in tariff treaties negotiated under authority of section 4 of the Tariff Act of 1897. The limited range of commodities on which these acts authorized penalty duties and the failure of the Senate to ratify the tariff treaties negotiated under the act of 1897 resulted, however, in only meager gains from these negotiations, and in 1913 tariff bargaining was abandoned and a return made to the traditional autonomous tariff policy.

With the exception of the period from 1860 to about 1875, initiated by the Cobden Treaty, the general trend of tariffs has been almost constantly and universally upward since the beginning of the seventeenth century. The period of protectionism is commonly contrasted with the period of mercantilism as one of more moderate restriction on foreign trade, and this contrast is valid to the extent that the nineteenth century was marked by the disappearance of export taxes and prohibitions, the substitution of import duties for outright import prohibitions and the liberalization of navigation laws. But so far as import duties were concerned, the rates of duty of the seventeenth and eighteenth centuries were moderate as compared with the rates prevailing in the nineteenth century and even more so as compared with those in the period after the World War. In the tariff laws of the early part of the nineteenth century dutiable commodities were ordinarily specifically enumerated and unenumerated commodities were free of duty. The reverse is the common situation today: all goods not specifically mentioned in free lists or in the dutiable schedules are assimilated for customs purposes to the dutiable commodities which they most closely resemble, and free lists are steadily shrinking. The definite adoption by England in 1932 of a policy of high tariffs; the widespread movement in recent years of both opinion and practise on the part of the large countries toward self-sufficiency, or autarchy; the substitution of belief in the virtues of economic planning for the nineteenth century adherence to the laissez faire philosophy; and the intensification of trade barriers under the impact of the depression following 1929, of unstable currencies and of falling price levels appears to presage further progress in the suppression of trade in the immediate future.

The concessions resulting after 1860 from the tariff bargaining of European countries led to the existence alongside the statutory rates of lower rates established by the tariff treaties. These lower rates were extended or generalized either to all countries entitled to most-favored-nation treatment or, as in the case notably of England, to all countries whether or not they had treaty claims to such extension. From these treaty concessions there resulted a conventional schedule consisting, for each tariff item on which such concessions had been made, of the lowest rate provided for in such treaties as well as the statutory or general or autonomous schedule; although for countries which automatically generalized their tariff concessions to all countries the conventional schedule was the only effective one. In some cases the concessions made in

tariff treaties were percentage reductions from the statutory rates without surrender of the right to raise the statutory rate and thus also the effective conventional rate. Whenever the concessions consisted of the pledge of a duty not to exceed a specified rate, whether or not this rate was lower than the statutory rate, the rate was said to be bound or consolidated during the life of the treaty of longest duration containing such rate.

The practise of tariff bargaining tends to give rise to objections on the part of the legislative branch of a government on the ground that it takes from them the power of control over minimum rates of duty, and that even when tariff treaties embodying reductions from the statutory rates require legislative ratification, such ratification is in practise assured because of the embarrassment to the government and the disturbance of international relations which would result from failure to ratify. The domestic industries which are subject to foreign competition tend also to object to tariff bargaining on the ground that it deprives them of any guaranty that an existing level of protection will not be diminished on the initiative of an executive authority over which their influence is less direct than over the elective members of the legislature. In response to the demand of its legislature Spain in 1877 adopted the device of a dual schedule statutory tariff, with the "maximum" schedule constituting the ordinary tariff and the lower, or "minimum," schedule constituting the minimum rates which could be granted to other countries as the result of tariff bargaining. The maximum-minimum type of tariff was adopted also by France in 1892, by the United States in the Payne-Aldrich tariff (1909–13) and after the World War by Rumania, Belgium, Jugoslavia and several other countries. In the successive revisions of the French tariff after 1892 the differentials between the maximum and the minimum rates were steadily increased so as to enlarge the scope for bargaining. Other continental countries which practised tariff bargaining, notably Germany, continued to adhere in the main to the general-conventional type of tariff, but through modifications introduced into both the two types tended to approach each other in their characteristics. The countries using it found that the maximum-minimum type had disadvantages in bargaining because of the rigid limits which it set to the concessions that could be made and because the full range of possible and therefore presumably contemplated concessions that could be made was disclosed in advance. As the result of a protracted series of acute tariff controversies with other countries, resulting in several cases in costly tariff wars, France was obliged to grant on many items rates of duty lower than those provided by its minimum schedule in order to secure tariff concessions or even merely non-discriminatory tariff treatment from other countries. Although in each case these conventional rates became effective only after they had been enacted into law by the French legislature as revisions of the existing minimum schedule and thus became statutory, or autonomous, in form, this was only a face saving procedure and did not effectively conceal the fact that the statutory minimum schedule had been encroached upon through executive action. In Germany, on the other hand, the agrarian interests were sufficiently powerful politically to secure the enactment in the tariff act of 1902 of minimum rates from which no reductions could be made by treaty.

Many countries have inserted in their tariff laws provisions for penalty duties or punitive surtaxes, higher than or additional to the maximum rates otherwise specified in their tariffs, to be imposed at the discretion of the executive on imports from countries which do not grant to the export products of these first countries non-discriminatory or "equitable" tariff treatment. These are commonly regarded as drastic measures to be invoked only in extreme cases and there have been but few instances of their actual application, usually as the result of the unsuccessful outcome of negotiations for a tariff treaty involving reciprocal concessions from the general or maximum schedules of the respective tariffs. The United States, under section 3 of the Tariff Act of 1890 and section 3 of the Tariff Act of 1897, designated with unintentional irony the "reciprocity provisions" of these acts, applied the discriminatory surtaxes authorized therein to imports from several Latin American countries which refused to grant the United States concessions from their ordinary single-schedule tariffs; in 1904 and from 1906 to 1922 Brazil reluctantly granted to the United States preferential tariff treatment in submission to the threat that otherwise a discriminatory surtax would be imposed on its coffee. The contingent duty provisions which since 1890 have been a minor feature of American tariffs, and which provide for the imposition of higher than the ordinary duties on specified commodities when imported from countries that levy on similar or

related commodities if these are imported from the United States duties higher than the American ordinary duties, are a special variant of the punitive surtax and are moreover clear violations of American most-favored-nation obligations.

Tariff bargaining provisions are punitive in form when the ordinary duties are the lower ones and are concessional in form when the ordinary duties are the higher ones. For the punitive form it can be argued that: its application involves a change in the tariff treatment of only the country to whose commodities it is applied, whereas a tariff concession is ordinarily generalized under the operation of the most-favored-nation principle and is therefore shared by most if not by all countries; it does not involve a reduction of protection to domestic industry below the level contemplated when the tariff law was enacted; it is less likely than tariff concessions to result in impairment of the revenue-productivity of the tariff. It can be argued for the concessional method that it is less likely to excite the hostility of the countries with which tariff negotiations are being conducted, because in appearance at least it is a less drastic and aggressive method and therefore is more likely to prove an effective bargaining device. In practise the punitive method is unlikely to be used except as a retaliation against overt tariff discrimination; and where the objective of the tariff bargaining is to secure special concessions, whether exclusive or not, from other countries rather than the elimination of special adverse discriminations, the concessional method is almost invariably relied upon. Where the extension of the lower minimum, or conventional, schedule is made almost as a matter of course to most countries, as is frequently the case, and only one country—or a few countries—is subjected to the maximum, or general, schedule, the method used is in effect punitive, even though it be concessional in form.

It seems clear that with the exception of the period 1860–75 tariff bargaining has in general contributed to a raising instead of a lowering of the effective tariff barriers to trade, and in any case since the 1870's active tariff bargaining and the rise of effective tariff levels have gone hand in hand. It has been a common practise to enact tariffs higher than was desired for purposes of protection to domestic industries and also higher than would otherwise be acceptable to the legislatures, on the plea that they would subsequently be reduced through tariff bargaining. In many cases the subsequent tariff negotiations failed to reduce the effective rates to a level as low as that which had been contemplated either by the drafters of the tariff law or by the legislature itself. The adoption by one country of a high tariff obviously intended to give leeway for tariff bargaining stimulates other countries to raise their tariffs in preparation for the ensuing tariff negotiations. Even if such negotiations result in a reduction of the rates of the effective tariff to a level not higher than that which would have been adopted in the absence of anticipation of tariff bargaining, there is often a substantial interval of time during which a higher level of duties prevails. On the other hand, if any country abstains from tariff bargaining, even if it follows a free trade or very low tariff policy, it deprives itself of a means of retaliation against discriminations and is likely to find that the commodities in which it is especially interested are made subject to higher rates of duty than the similar or indirectly competitive products of other countries. Attempts under the auspices of the League of Nations to check the upward trend of tariffs or even to maintain the status quo by means of multinational tariff treaties have so far either failed from the start or have resulted in agreements of limited importance, of short duration and of incomplete execution. Nevertheless, given the failure of bilateral tariff bargaining in the past to result in a lowering of tariff barriers and the improbability of any substantial tariff reductions in the near future as the outcome of unilateral action, the method of multilateral agreements remains the only procedure which offers any prospect of success in bringing about a general lowering of tariff levels.

During the period following the World War more rapid adaptations of tariffs to changing circumstances were secured by a number of different expedients: legislative revision of tariffs at shorter intervals, the making of tariff treaties subject to early termination and, more important in many countries, the giving to administrative authorities of general grants of power to change the effective tariff rates without prior reference to the legislative authorities.

The first important measure granting authority to an administrative agency to change the tariff rates was section 315 of the United States Tariff Act of 1922, providing for a "flexible tariff." This act authorized the Tariff Commission, upon its own initiative or upon request by interested parties, to investigate the costs of

production of dutiable commodities in the United States and abroad and to report to the president what changes in the existing duties, upward or downward, would be necessary to equalize these costs. The president was then authorized to proclaim such change in duties, subject to the limitation that no change could exceed 50 percent of the statutory rate. This procedure has been called "scientific" tariff making; but while the investigation of differences in costs can be conducted on a scientific level, the basic formula of equalization of costs as a guide to tariff policy has no validity unless it be a scientific objective to suppress foreign trade with approximate completeness. The sole commercial incentive in foreign trade is the difference in the prices of commodities as between different countries, and the prices tend to correspond to the money costs of production. Effective equalization of foreign with domestic costs through tariff rates would therefore destroy all motive for the importation of foreign commodities. All that can be said for the formula is that once Congress in its wisdom has decided what foreign products should be excluded, the formula is fairly well adapted for the determination of the minimum rate of duty which will suffice for this end. The flexible tariff has not succeeded, as its advocates had hoped, in "taking the tariff out of politics" or in providing an effective procedure for the rapid and comprehensive revision of the tariff to meet changes in competitive conditions. Its net results have been a comparatively small number of changes in rates, affecting only a small proportion of the items in the tariff, with a preponderance of increases in rates over decreases.

The British Import Duties Act, 1932, provided for the appointment of an Import Duties Advisory Committee and authorized the Treasury to increase the duties on any commodities, subject to limited exceptions, by an amount not exceeding that recommended by this committee. This in form and in execution has already proved a much more far reaching measure than the American flexible tariff, since it provides only for increases of duty, does not set any statutory limit to the amount of increase, does not restrict the committee or the Treasury by any formula and subjects the committee and the Treasury to no limits except that the only commodities on which increased duties can be applied are such as were chargeable with the general ad valorem duty in the 1932 tariff and are either luxury articles or articles produced or likely to be produced in substantial quantities in the United Kingdom.

In Canada, Australia and South Africa a substantial degree of flexibility in tariffs has been introduced in the guise of antidumping legislation, which permits the customs authorities whenever a domestic industry is encountering severe competition from imported commodities either to raise the valuation of the imported commodity for duty purposes regardless of its foreign, domestic or export price or to apply so-called antidumping duties whether dumping, strictly interpreted, is taking place or not or under some circumstances both to raise the valuation and to apply the extra rates of duty.

During the war many countries, both belligerents and neutrals, supplemented their tariffs with export and import licensing and quotas or contingents in order to economize shipping, to conserve materials and foodstuffs for essential military and civilian use, to control their balances of international payments and to check trade with enemy countries. They also made use of these quotas as bargaining devices to secure supplies of essential materials from other countries, to obtain the use of foreign shipping and to acquire means of withholding neutral supplies of materials from enemy countries. These licensing and quota measures were steadily moderated or abolished as peacetime conditions were reestablished, but their number and importance began to grow again even before the world depression made its appearance; and under the stimulus of shrinking foreign trade, fluctuating exchanges and severe and protracted unemployment they increased rapidly, until in 1934 in a number of countries and especially for agricultural commodities they rivaled or exceeded in importance import duties as methods of regulating foreign trade. They were used to preserve a given minimum proportion of the domestic market for domestic producers, to protect national currencies against exchange depreciation, as a protection against further price deflation, as bargaining instruments to secure from other countries more favorable treatment for exports and as elements in programs of national economic planning. They vary so much in form from country to country and commodity to commodity as to defy classification, but several distinct types predominate. There is first the simple commodity quota or contingent; the quota may be a total, or "global," one or may be publicly apportioned among the respective foreign sources of supply. Then there is the exchange

quota, limiting imports by controlling the amount of foreign funds that accrue from exports or otherwise that may be used to pay for imports. The exchange quota may be apportioned by countries, by commodities, by importers or by a combination of these. Both commodity and exchange quotas may be of the barter type, whereby the quota assigned to a particular country is made to depend on the size of that country's purchases of domestic commodities either in general or of a specified kind. There is the "mixing quota," which need not be an import quota in form; this is a requirement that processors use a specified minimum percentage of domestic materials, as, for example, of wheat in milling flour. Finally, there is the type of quota which makes the grant of an import license dependent upon the purchase by the importer of a specified proportion of the similar domestic commodity, as illustrated by a Latvian provision requiring the purchase of ten tons of domestic sugar for each ton of foreign sugar for whose importation license is granted. In some cases the quotas are not absolute but can be exceeded upon payment of a higher rate of duty on the excess.

The quota method has spread because of its important administrative advantages over ordinary tariffs, especially in dealing with emergency conditions. The quotas are rarely if ever fixed by statute and are ordinarily therefore subject to administrative discretion. They are thus quickly adaptable to changed conditions. Quotas can be used to control the volume of imports or the domestic prices of the commodities in question or the balance of payments, with much greater precision and rapidity than can ordinary import duties. They are powerful bargaining instruments. They serve in at least two ways to evade treaty obligations when these appear troublesome. First, it is an open question whether most-favored-nation pledges apply to import quotas in the absence of express provision; and attempts to find a uniform, reasonable and simple formula for equality of treatment with respect to quotas seem destined to fail. It is possible moreover to conceal discriminations in quotas by refraining from public assignment of national quotas and by apportioning them through manipulation of the distribution of individual import licenses. Secondly, they make possible additional restriction of imports even when the import duties have been bound or consolidated, by treaty. There are also disadvantages connected with the use of the quota method. It is a delicate instrument and requires skilful and honest administration if commercial disorganization is not to result, and the necessity of apportioning the quotas among rival importers opens the way to wholesale corruption. When the quotas are used for bargaining purposes, there inevitably results a disproportionate restriction of triangular trade, which is not obviously more disadvantageous than bilateral trade; and the barter quota system presses with special and undeserved severity on countries whose imports happen to come only in slight degree from the countries to which its exports mainly go.

The variety of forms which import duties take is great, and new forms are constantly making their appearance. It is possible here only to describe briefly the more important variants. Ad valorem and specific duties are dealt with in a separate article under that title; and dumping, exchange dumping and bounty countervailing duties are discussed in the article on dumping. The duty on a manufactured commodity often includes an element, known as a compensatory duty, intended to offset for domestic manufactures the higher costs of the raw materials used in their manufacture resulting from the import duties on these raw materials. In American and Canadian tariff practise the compensatory duty is generally made equal to the duty which would be levied on the raw materials if imported. In many cases, however, the raw materials actually used are of domestic origin and their price does not exceed the foreign price by the full amount of the duty. In some instances the domestic raw material is even cheaper than the foreign and is an export commodity. The compensatory duty therefore frequently conceals an additional measure of protection to the domestic manufacturer. The British Horticultural Products (Emergency Customs Duties) Act, 1932, established seasonal duties on products which ripen earlier in foreign countries than in England and thus are supposed to skim the cream off the English market by their earlier appearance; in Canada the same result of a degree of protection varying with the season is attained by application of arbitrarily higher valuations for customs purposes by the customs authorities, so that the imported commodities are subjected both to higher effective ordinary rates of duty and to so-called anti-dumping surtaxes. Australia in its 1921–22 tariff law introduced the device of deferred duties, intended to encourage the establishment of new

industries, which were actually to be applied only when the domestic industries were able to supply substantial quantities of the commodities in question.

In the early tariffs of the United States and in other old tariff laws are to be found zone duties, or duties graded according to the distance of the country of origin. The purpose of such differentiation cannot easily be determined, and such duties are now rare. Resembling in form at least this type of regional differentiation, however, are the provisions for lower duties on products originating in limited zones along the frontiers, which were common in the days when land transportation was difficult, have just been revived under an old treaty in the so-called Geneva Zone and survived until recent years in other localities. The various proposals in recent years for Baltic, Balkan, central European and even European customs unions or preferential arrangements have also aimed at differentiation of duties on essentially a geographical basis.

A sliding scale duty is a duty, specific or ad valorem, where the specific rate per unit or the percent rate ad valorem is made to vary, usually inversely, by stages or continuously, with the market price of the commodity in question. The English corn laws from 1660 to 1846 are the important historical examples of import duties of this type; and Bavaria (1826), Sweden (1830), France (1831), Holland-Belgium (1834–35) and Portugal (1837) for a time followed the English example in their import duties on grain. Sliding scale import duties are rare today, but when the American tariff act of 1930 was in process of enactment, the adoption of such a duty on sugar was seriously considered. The purpose of sliding scale duties is to assure to domestic producers a stable (or minimum) price for their product which will be independent of the variations in the world market price. Students of the English corn laws have almost universally concluded that they failed to accomplish this purpose, and there has been a tendency to infer from this supposed failure that sliding scale duties are necessarily ineffective as a price stabilizing device. But the early English corn laws were crude and badly designed. It is impossible to determine from their rates what domestic price they aimed at, and they suffered from the defect that the price upon which the rate of duty was made to depend was the domestic instead of the foreign price. Until the Napoleonic wars England was still on an export basis with respect to grain in good harvest years, and at such times import duties were bound to fail as regulators of the domestic price. The corn laws moreover suffered from slack and corrupt administration. Under the improved but still imperfect 1842 corn law, which historians have tended to neglect, the annual average price of wheat in England from 1843 to 1845 inclusive varied only within the surprisingly narrow limits of $1.50 and $1.54 a bushel. The corn laws were repealed in 1846, not because they had failed to stabilize grain prices but because the policy of agricultural protection was abandoned. For a commodity where domestic output would be substantially below domestic consumption at the price level desired, there is no obvious reason why a properly designed sliding scale duty could not effectively stabilize the domestic price.

Where treaty obligation or public opinion stands in the way of levying or increasing duties to the extent desired by the government, it is often possible to restrict imports by other devices. These substitutes for import duties, often referred to as indirect protection or as administrative protection, may take the form of: arbitrary valuations for customs purposes, as notoriously in Canada; boycotts of foreign goods in government purchases and contracts; consumer boycotts instigated by the government, as in the case of the Chinese boycotts and the government subsidized "Buy British" campaign in England; burdensome marks of origin requirements, as notably in the United States; embargoes on imports of vegetable or animal products in the guise of sanitary regulations; preferential railway rates for domestic commodities; or costly or troublesome customs formalities.

As tariffs grow higher and more protective in aim, they tend to become more detailed in the classification or "specialization" of commodities and rates, particularly where the duties are predominantly specific in form. It has often been charged that specialization of rates has been carried to its present extent largely in order to evade most-favored-nation obligations. There are only a few well authenticated instances, however, of deliberate specialization to this end, and the increasing specialization of rates can be explained adequately on other less objectionable grounds. It is significant in this connection that the United States, which has engaged in tariff bargaining to only a very limited extent, has steadily increased the degree of specialization in its tariff and has carried it about as far as any other country.

To prevent importers from forestalling an impending increase of duties announced in a bill but not yet enacted into law, a number of countries provide by a standing law that during the interval between the introduction of a government bill proposing to raise existing rates of duty and its final enactment into law, the commodities affected shall be subject to interim duties equal to the proposed higher rates, the excess over the hitherto prevailing rates to be refunded if the increases should not be adopted. In Great Britain such provision is now supplemented by a measure which empowers the customs authorities at any time within three months of the presentation of a forthcoming budget bill to refuse entry of goods in excess of the amounts which appear to them "to be reasonable deliveries in the circumstances."

There is no acceptable way of making a precise quantitative comparison of the "height" of tariffs as between countries or for the same country at different periods, if by height is meant the extent to which the tariff is restrictive of imports. Where the costs of production at home and abroad differ by a small margin, a low rate of duty may suffice to prevent a large volume of trade. If a simple average of the rates of duty specified in the tariff is used, all the tariff items carry equal weight in the computation, although their economic importance will vary greatly. If the rates are weighted by the importance of the commodities in the import trade, a duty so high as to exercise a prohibitive effect on imports will carry less weight than a low revenue duty on an important non-competitive commodity. If the rates are weighted by the importance of the commodities in domestic consumption, purely revenue duties which do not seriously affect the course of trade, protective duties prohibitive of import and nominal duties which because they apply to commodities that would not be imported even in the absence of any duty on imports have no effect whatsoever, are all given equal weight if the commodities to which they apply are of equal importance in domestic consumption. The percentage of imports admitted free of duty, although commonly used as a measure of the severity of tariffs, is an especially misleading index, since such percentage may be high, as in the United States, not because the tariff is low in any significant sense but because the height of the duties on potentially competitive commodities is such as to restrict their import to small amounts and because no revenue duties are levied on strictly non-competitive commodities, such as coffee, tea and tin, which are important articles of import.

Tariff measures are everywhere framed and enacted by substantially the same procedures followed in connection with other fiscal or revenue measures. In the United States, for instance, the standard procedure is for a tariff bill to be drafted by (or for) the House Ways and Means Committee after public hearings, then presented to the House, where after being freely subjected to amendment it is voted on and if passed is sent on to the Senate. There it goes to the Finance Committee, which usually also holds public hearings, revises the House bill extensively and submits it to the Senate for further amendment and passage. The bill then goes to the Conference Committee of both houses, where further changes are made. It then is resubmitted to both houses and if passed by them is sent to the president for his acceptance or rejection. But comprehensive tariff revision is an extremely arduous and complicated task, demanding, if it is to be efficiently accomplished, a great mass of technical and economic information about the nature of commodities, price and cost conditions, trade relations with other countries, treaty obligations and other matters. In most other countries the drafting of tariff legislation is an executive matter and is in the hands of a government department which has a permanent technical staff equipped to carry out this function, and amendments offered by individual members of the legislative bodies cannot be submitted to a vote without the consent of the government. In the United States, however, the drafting of tariff measures is a prerogative of Congress which it insists upon retaining. A succession of executive agencies charged with the duty of investigation and in some cases of advice on tariff matters, the Revenue Commission of 1865–66, the Commissioner of Revenue, 1866–70, the Tariff Commission, 1882, and the Tariff Board, 1909–12, were short lived, Congress either abolishing them or failing to keep them alive—because they were responsible to the president instead of to Congress or were associated with a previous administration which had gone out of power or were supposed to be partisan, or had failed to produce acceptable results—and they had no significant influence on the course of tariff policy or even on the technical quality of tariff legislation. In 1916, however, in response to a wide belief that the economic transformation resulting from the World War would

make necessary more efficient and more systematic means of providing the information essential for intelligent legislation on tariff matters, Congress adopted, as part of the revenue act of that year, a provision for the creation of a non-partisan tariff commission, consisting of six commissioners appointed by the president as well as a substantial technical and clerical staff, which was to serve Congress and the president as a fact finding agency but was not to have administrative functions. President Wilson appointed as commissioners a distinguished and able group, with an outstanding economist, Professor Taussig, as chairman. Until 1922 the commission was in fact a research organization with high scientific standards, and its publications were of exceptional quality. By the Tariff Act of 1922, however, the Tariff Commission was assigned the administrative function of finding the rates of duty which would equalize costs under the flexible tariff provision enacted in the same year; and this task, with its inevitable political entanglements, for a time overshadowed the more purely research activities of the commission. Bad appointments, internal dissension, the exercise of illegitimate pressure on members of the commission by the president and the defects of the formula in which the commission was obliged to find adequate guidance for its tariff equalization activities led to an impairment of morale and a distinct lowering of standards, later somewhat improved. The influence of the commission since its foundation on the more technical phases of tariff legislation, however, has been substantial and by universal acknowledgment beneficial.

In other countries where tariff measures are drafted in government departments having permanent technical staffs, there is less need for such an organization as the United States Tariff Commission. In Great Britain, however, and in most of the British dominions somewhat similar agencies have been created, whose main function usually is the administration of the flexible features of the tariff laws but which also, as, for example, in the case of the Australian Tariff Board, report on more fundamental questions of tariff policy and on the mode of operation of existing tariff legislation. There is as yet, however, no parallel elsewhere of the extensive research staff of the United States Tariff Commission nor, as far as permanent official agencies are concerned, of the comprehensive studies which it has published.

It is foolish to expect that the tariff can ever be "taken out of politics" through the transfer to a non-partisan agency of the task of tariff revision. Legislatures may delegate tariff revision to special agencies, as in the case of the British Import Duties Advisory Committee set up in 1932, but such an agency will be permitted to operate only as long as its personnel is sympathetic with and carries out the policy which the majority party in the legislature approves; and the impression which it may give to the uninformed of being a non-partisan agency may enable it to execute on behalf of its political sponsors a more extreme policy than the latter would dare to apply directly. Given the objectives of the legislature, a scientific tariff can be conceived in the sense that it is as well designed to attain these ends as objective investigation and technically competent economic analysis can make it. But there is no scientific method of determining what objectives the legislature ought to wish to serve by means of tariffs, nor is there much likelihood that legislatures and economists can ever be brought into substantial agreement as to what are the most effective means of attaining any objectives or as to what will probably be the consequences of the means actually employed.

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See: PROTECTION; FREE TRADE; CUSTOMS DUTIES; AD VALOREM AND SPECIFIC DUTIES; EXPORT DUTIES; TRANSIT DUTIES; DUMPING; FREE PORTS AND FREE ZONES; CUSTOMS UNIONS; COMMERCIAL TREATIES; MERCANTILISM; SELF-SUFFICIENCY, ECONOMIC.

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TASTE. That the term for discrimination in art, dress and conduct should be the name of one of the senses is no accident of history. It is rooted in the formal analogy of taste in food with taste in aesthetic and social objects. Taste is the "choosing" sense. It is the typical context of immediate and unreflecting judgments of the acceptable and the unacceptable. Governing the admission or rejection of food, it makes no intermediate discriminations but only absolute decisions. In its relation to appetite the sense of taste is also the locus of refined stimulation and diversified individual pleasure, which depend on the quality and variety of food.

The extension of the concept of taste to art, dress, manners and conduct reflects the existence of conflicting appeals and varied individual inclinations in these fields. Such choices are possible as a persistent condition only in highly developed societies, with competing individuals and classes, secularized arts, mobile standards and a diversity of goods. The exercise of taste, that is, the act of judging, becomes an important event or practise among the individuals of the dominant class who are occupied mainly with pleasure and for whom consumption and display, as affirmations of rank and personal worth, impose a constant concern with fashions and the qualities of precious or refined objects. In such societies taste has a broad and a restricted meaning: the first, in the plural and indefinite sense of special appetites or inclinations (tastes); the second, in the more definite eulogistic sense of refined discrimination and conformity to an ideal canon in art or conduct (good taste). This can be illustrated by the distinction between a taste for poetry and taste in poetry. The two are related in so far as certain tastes are regarded as meritorious, apart from the specific discrimination within that taste; for the taste is itself considered a kind of choice among a variety of tastes of unequal value. Where poetry is common to everyone and where the same songs are commonly enjoyed, as in a primitive group, the concept of taste is hardly present. In modern societies, on the other hand, not all refined discrimination constitutes taste. The choices of an artisan or peasant, however subtle or exact, are not considered acts of taste, unless they apply to objects valued by the leisure class or to situations of relaxed enjoyment and polite intercourse. Taste is identified with good taste and good taste with the taste of the upper class, just as "high society" and *haut monde* become society and the world. Good taste pertains to "a certain delicate pleasure of the *gens du monde*" (Montesquieu).

In so far as the dominant class believes that its conduct and interests do not issue from exterior compulsions, like the conduct of the lower classes, but from considerations of the aesthetic pleasure of free individuals, the concept of good taste is extended to the larger activity of the class. Even virtue and religion may then be in good or bad taste, and political ideas may be evaluated in the same spirit. Good taste becomes the aesthetics of conduct, the aptitude for manners and politeness, the knowledge of the formal practises, the arts and choices most favorable to the enjoyment of the conditions of upper class life. It is not equivalent merely to etiquette, which consists of the formalities governing fixed situations (although lapses from etiquette are errors of taste), but applies also to the maintenance of agreeable sociability in novel situations where etiquette and morals are not concerned. It corresponds to tact in difficult personal encounters and constrains individuals from aggressiveness and ostentation in groups assembled for a common pleasure. It is not arbitrary or personal and can therefore be rationalized as a body of objective principles derived from the nature of man and of civilized society. Like other truths, the laws of taste are acquired but gradually and only through the progress of society; hence the notion of true taste especially in art as a connoisseurship parallel to knowledge in science, and the common aristocratic description of social progress as the progress of taste, realized by the upper class.

Good taste is fixed through education and life

in a socially closed and fairly homogeneous group. Those who enter from without cannot have the complete experience which makes certain practises possible without thought. They lack the directness of taste which is common to the closed circle. Requiring long cultivation, the absence of good taste betrays the parvenu, and requiring wealth and leisure it exposes the economically declassed. It is accessible only to those of a certain standard of living and upbringing, hardly to the poor and the provincial. Hence good taste becomes a canon of exclusiveness and lapses from it, whether of individuals or of nations, are identified with social or cultural inferiority. Violations are stamped as barbarous, vulgar, plebeian, boorish, cheap and mean. Voltaire expressed the view of the French aristocracy of his time when he wrote that "true taste has been confined to certain countries in Europe." The possibility of good taste is sometimes conceded to a commoner as a sort of inborn talent or genius; this concession gives a natural basis to the aristocratic pretension to innate superiority. But when the tastes of the upper class are appropriated by the lower, these tastes are considered vulgarized and the upper class acquires new tastes which are inaccessible to the lower and express a superior wealth, leisure and cultivation.

Such appropriation of tastes is inevitable, either because of the constant relations of master and servants and the role of the servants in preparing the homes and the functions of the rich and in raising their young or because the wealth of the upper class depends on manufacturing and commercial enterprises, which grow with the extension of various tastes among the lower classes. The importers of tea and silk cannot frown upon the consumption of tea and silk by a lower class but will reserve for themselves choicer and less accessible goods. In a mobile society the tastes of the rich exercise a deep attraction on the lower classes; and this imitation, where it is connected with the acceptance of the cultural superiority of the rich, reenforces a conservative dependence on the latter and loyalty to the existing structure of society. Strong oppositions between classes, differences in economic interest, crystallize differences of taste even in such things as clothing and manners. Tastes become symbols or slogans, clear signs of partisanship. The tastes peculiar to the enemy are therefore stigmas and are decried as lacking in taste, if the lack of taste has become a sign of inferiority. The taste of the discredited upper class in periods of social antagonism is attacked as decadent and sterile, but a newly established power may imitate the taste of an older aristocracy to legitimize its own superiority.

The taste of the dominant class is also affected by its stable or defensive relation to other classes. When defensive, good taste may become the preservation of traditional modes and forms and the avoidance of the new; when stable or progressive, it may admit and even welcome novelty. Good taste is then the choice of the unostentatious, the unpretentious, in new fashions begotten by the leisure class itself. But good taste is essentially conservative, for while it is poor taste to be behind the times, it is still worse to be ahead. The concept of the tasteful (unlike the tasty) expresses the conservative sense of taste; it refers to the discreet and restrained and conventional in art. Two tastes can coexist within the same class, like the *grand* and *petit goût* of the eighteenth century—the one, official, dignified and conservative, the other, informal and light. This may be due to a real division within the dominant class or to a hierarchy of tastes within a single group, adapted to varied occasions and purposes.

Since tastes are a body of practises dependent on the wealth and power of a class, they are extremely responsive to every force that affects the material condition of the class. The larger changes in artistic taste, which are called period styles, like the Empire style, the style of Louis XV, the Biedermeier, are clearly related to the ideologies and situations of the dominant class. The style undergoes an internal development following the general tendencies and interests of the group in which this style functions. Like the neoclassic, it may be insurgent and moralistic at first and later purely official and weak. The importance of class in taste may be seen readily in the differences between peasant and court arts in the same region; such differences transcend ethnic uniformities. And the importance of the general mobility of society for the changes in taste may be seen in the relative fixity of styles in historical cultures with stable institutions and economy, as in Egypt. The analogies of art styles to manners are due to their common locus in a given culture, class and historical situation and to the close interrelations of functions of art and social intercourse in a particular class. Certain elements of taste, forms of courtesy, artistic and intellectual interests, various amenities of life, as progressive acquisitions of society, persist far

beyond the class or culture in which they arose, if they are successful in regulating human intercourse and in satisfying enduring human needs.

Although taste is itself dependent on the productivity of society and the economic system, it has also an important place in the economy. The development of varied and refined appetites promotes the production of luxuries, which in turn entails the extension of trade, colonialism, new home industries and technological progress. This is illustrated by the part played in modern economy by the production and distribution of tea, coffee, tobacco, alcoholic drinks, silks, perfumes, automobiles, objects of art and by the rapid changes of fashion in clothing. Travel for pleasure is a taste (inseparable from shopping and luxury) which is important in the balance of international trade. Writers of the eighteenth century considered the tastes of the rich the real mainspring of prosperity. Industries rose and disappeared with the taste for certain objects. The widely diffused taste for luxuries, like wines or silks or porcelains, may be the economic mainstay of a large region. The prestige of the taste of a country in matters of art is the source of its market; and the resemblance of goods to those used by the most accredited members of an aristocracy has a great influence upon their sale among the middle classes and is an important element in advertising. Where uniqueness or novelty is an element of taste, the standardization of goods made for popular consumption operates between special limits which affect technique and the organization of labor.

MEYER SCHAPIRO

See: CONVENTIONS, SOCIAL; FASHION; ETIQUETTE; CONDUCT; DECADENCE; ART; LITERATURE; DRESS; LUXURY; CRITICISM, SOCIAL.

TATISHCHEV, VASILY NIKITICH (1686–1750), Russian historian and administrator. Tatishchev served as an officer in the Russian army from 1705 to 1720, visiting in the course of his duties Poland, Germany, Holland and Sweden. He revisited the latter country in 1723–27 for the purpose of engaging foreign engineers and scientists. His administrative work was centered in the eastern provinces, sparsely settled and barely touched by civilization; he was in charge of the state mining and smelting works in the Urals and in Siberia and served as governor of the Orenburg and the Astrakhan territories, mapping out settlements and fortifications and pacifying the native tribes. He managed, however, to take a hand in politics. At the accession of Anna Ioannovna in 1730 he sided with the lower nobility, who disapproved of the "conditions" imposed on the empress by the aristocratic oligarchy. Although a convinced believer in the beneficence of absolutism for a country as vast and unenlightened as Russia, he drafted the constitutional project known as that of Prince Cherkassky, providing for two chambers—one aristocratic and one representative of the gentry as a whole—to advise the czarina in matters of legislation and administration. In addition to administrative duties Tatishchev was given the task of preparing a historical geography of Russia. He compiled as a result an encyclopaedia (*Lexikon rossiysky*, 3 vols., St. Petersburg 1793), mainly geographic, left unfinished at letter K, and a history of Russia to 1533 (*Istoriya rossiyskaya*, vols. i–iii Moscow 1768–74, vol. iv St. Petersburg 1784, vol. v Moscow 1848), an uncritical but complete collation in slightly modernized language of all the ancient chronicles known at the time, with an introduction on the origins of Russia based on foreign sources.

Tatishchev belonged to the first generation of intellectuals, who were encouraged by Peter the Great to transplant to Russia the enlightenment and practical efficiency of the West. His philosophical outlook was that of utilitarianism borrowed from the founders of the doctrine of natural law and natural religion—Grotius, Pufendorf, J. G. Walch (author of *Philosophisches Lexicon*) and others. His opposition to religious traditionalism is reflected in his "Testament" (*Dukhovnaya*, St. Petersburg 1773, improved ed. Kazan 1885; French translation by R. P. J. Martynof, Paris 1860), which abounds also in advice on estate management; his belief in education permeates the *Rasgovor dvukh priyateley o polze nauk i uchilishche* (Utility of science and the school, Moscow 1887), which advocates an extensive system of secular schools for the gentry to be maintained from monastery funds otherwise wasted. In so far as it is original the *Istoriya* too is rationalist and pragmatic; it shows that Russia prospered under autocracy before 1132 and after the accession of Ivan III and declined under aristocratic rule. Like all Tatishchev's writings it exhibits the strong sense of practical reality which he developed during his long and arduous administrative career.

PAUL MILIUKOV

Consult: Popov, N. A., *V. N. Tatishchev i ego vremya* (Tatishchev and his time) (Moscow 1861); Bestuzhev-Riumin, K. N., *Biografii i kharakteristiki* (Biographies and characteristics) (St. Petersburg 1882) p. 1–177.

Miliukov, P. N., *Glavniya techeniya russkoy istoricheskoy misli* (Main currents of Russian historiography) (2nd ed. Moscow 1898) p. 20–31, 103–06, 123, 131–33.

TAX ADMINISTRATION is applied taxation. It embraces the entire procedure from the initial determination of the tax obligation under any tax law to the enforcement of penalties for a default on that obligation. As such it is established partly by the legislation imposing the taxes and partly by the rules and regulations that may be promulgated by administrative officers. Although it is ordinarily regarded as a ministerial function, it is constantly subject to review and possible correction by the courts, for the act of taxation always involves the taking of private wealth for public uses and the taxpayer is entitled at every turn to the protection afforded by the constitution.

While the organization, the forms and the procedure of tax administration vary greatly with different taxes and jurisdictions, the essential steps are the same in all cases. The first involves the determination of the meaning and application of the tax law. This phase of tax administration may be performed by the issuance of formal regulations or of detailed instructions to taxpayers and officials, or it may be carried out informally through personal conferences and office correspondence. Federal and state tax administration has been characterized increasingly in recent years by the publication of regulations, manuals and other formal instructions. Public authority nowhere makes this fundamental step sufficiently thorough to obviate the apparent necessity of republishing the regulations, with annotations, as private commercial ventures.

The second step, the determination of the tax obligation under the law, constitutes the essence of tax administration and involves several processes: assessment, which means the determination of the tax base; establishment of the tax rate, if this is not fixed in the tax act; computation of the tax due; and review. Each of these processes may involve highly technical qualifications on the part of the personnel engaged in tax administration. Much of the difficulty encountered in taxation arises from the complicated and controversial issues involved in one or another of these processes.

Great differences exist under various tax laws in the formality and complexity of the several processes by which the tax obligation is determined. The assessment may be made by trained specialists or it may be left largely to the taxpayer, with the official acting merely as a receiver of the tax returns. Both of these extremes may be found in the operation of almost any tax. At this point the tax administrator is often obliged to recognize the force of public sentiment, which may support, for example, a strict assessment of incomes but not of some forms of personal property.

Most of the auxiliary devices of tax administration exist in connection with the assessment. Thus under the property tax good administration requires a comprehensive system of records by which relative values may be determined and an appropriate system of property classification, even if all property is to be taxed at a uniform rate. Under the income tax, information returns are used extensively as a means of checking the accuracy of taxpayers' statements, and a rather elaborate system of espionage is maintained for the purpose of enforcing a complete return of dutiable goods under the tariff act. "Tax ferrets" have been employed in a few states to discover the owners of intangible property.

When the tax rates are established in the tax law, the administrator's only task is the determination of the appropriate rates under the given circumstances of the return. Property tax rates are an aggregate of all the rates levied for the purpose of various overlapping jurisdictions, such as the municipality, the school district, the county and often the state. The final rate cannot be determined until after the budgets of the several units have been established.

Computation of the tax due may be made tentatively by the taxpayer under any tax for which the rate is set in the tax act, subject always to clerical verification by the examiners of the return. In the property tax and in some kinds of business and excise taxes the original tax computation is made in the office to which the returns are rendered, and a tax bill is sent to each taxpayer.

The process of review may be either administrative or judicial. In so far as taxation questions are taken into the courts, the matter is carried outside the field of administration as such, although the court's decision may involve subsequent action by the tax administrator in the immediate case and in all later cases. Requests for a review of administrative action may arise at any stage of tax determination, but they are made most frequently in connection with the assessment. Once the correctness of the assessment has been established, the remaining steps

in determining the tax obligation are not likely to involve serious differences between the taxpayer and the administrative officer. Since assessment is so largely a matter of fact finding, better tax administration tends to regard the review of assessments as primarily a ministerial rather than a judicial function. The superior administrative officers will have or should have the facilities and qualifications for testing the correctness of assessments made by their subordinates, whether it be a question of property valuation, of the amount of taxable income or of the dutiable value of imports. Under any system of responsible government the courts are accepted as the final interpreters of constitutional meaning and legislative intent and the administrator is bound by these interpretations even if he does not agree with them. Any of the factual aspects of taxation may involve questions of constitutional meaning or of legislative intent and thus lead to litigation; but it is better always to exhaust the agencies of administrative review and adjustment before resort to the courts for determination of complicated questions of fact.

The final step, collection of the tax, may be bound up closely with tax determination, as in the case of the requirement under many income tax laws that the taxpayer shall make payment at the time of filing the return; or it may be dissociated from tax determination and the responsibility for collection vested in another group of officers, as is commonly done in the case of the property tax. Collection at the source is extensive in England for the income tax and for the local rates on property, but this method proved quite unsatisfactory in the United States, where its application was attempted in the early federal income tax acts.

All systems of tax administration provide penalties for violation of tax laws. They fall into two general classes: those applied for sheer failure to comply with the tax law at any point through neglect, inadvertence, inability or misunderstanding; and those for deliberate intent to evade. When there is no evident intent to defraud the government, tax penalties are ordinarily moderate, although in the case of the property tax failure to pay because of sheer inability may involve a severe penalty; namely, loss of the property or of the owner's equity in it through a tax sale. Sometimes interest at a substantial rate on the omitted amount of tax or on the delinquent tax is the only penalty until after a certain period of delinquency has elapsed. The penalty, when imposed in addition to interest, is usually a stated proportion of the tax. A deliberate intent to defraud the revenues becomes a basis of criminal action against the offender under many tax laws.

The operation of any tax system and the attitude of taxpayers toward it are strongly influenced by the quality of its administration. It is often said that the defects of a bad tax may be substantially corrected by good administration, while bad administration may convert a good tax into an instrument of injustice. Good administration in this sense involves on the part of those responsible for it high qualities of intelligence, impartiality and moral strength. Heavy taxes do not seem so heavy when it is recognized that the tax laws are fairly and fearlessly enforced. The early state tax commissions were reasonably free of the patronage taint, but this cannot be said of many of them today. All of the important positions in the federal tax administration are patronage plums. Favoritism, whether partisan, sectional or personal, has no place in good government; but its consequences in tax administration, however manifested, are peculiarly disastrous and demoralizing.

The administrative framework of a tax system necessarily extends throughout the tax jurisdiction. The relation between the central and the local agents of administration varies considerably in different places and for different taxes, depending on the structure of the government and the destination of the revenue. In general there should be an effective concentration of the ultimate responsibility for tax administration. This does not require that such purely local taxes as municipal licenses should be administered by state authority, but it does imply that some degree of central supervision is beneficial, even with respect to the taxes which constitute the major sources of municipal revenues. Certain taxes, such as those on incomes, inheritances, business and intangible property, are dependent upon state rather than local administration for successful results.

For any unit of government the tax administration should be under a single tax department. The federal organization meets this requirement, for the secretary of the treasury is the nominal head of the federal tax system. Under him are two principal tax bureaus, in charge of customs and internal taxes respectively. Tax administration in the states follows no organization pattern. While most of them have a state tax department, headed by a commissioner or a tax commission, the functions of such departments

are by no means uniform. In some cases they do not administer all of the taxes levied for state use, although at least this degree of concentrated responsibility should be provided.

The authority of state tax departments over the principal source of local revenue, the property tax, also varies widely. Complete centralization of property tax administration is not essential to satisfactory results. Advocates of such centralization have never gone farther than to demand state appointment of the assessing officials, who naturally have a vital position in the equitable operation of this tax. The experience of Wisconsin indicates that proper state supervision of local tax officials is on the whole sufficient without obligatory state appointment. This experience also indicates that large local assessment districts are not essential, particularly for rural conditions. But the Wisconsin practise includes a unique feature of property tax administration which has contributed materially to the satisfactory results obtained through central supervision of locally chosen assessors. This is the supervisor of assessments, an official selected by the tax commission and in charge of a property assessment district which may include two or more counties.

The unitary state escapes the conflict of internal tax jurisdictions which besets the federal state. This conflict becomes more serious with the increased relative importance of interstate property ownership and business transactions. The administrative problems presented by such a situation are not beyond the capacity of competent state tax organization, although the adequacy with which these will function will depend upon the conditions under which the federal constitution and statutes may sanction state taxation of interstate commerce or business. The success achieved by the states in solving the problem of multiple taxation of inheritances indicates what might be done with other taxes. It should be no more difficult to secure interstate comity of tax administration than to secure general state acceptance of the basis of distributing federally administered taxes.

The attempt to eliminate interstate complications by an extension of the scope of federal tax administration as proposed by some fiscal writers may solve one problem, but it will create others quite as perplexing and difficult. Some state tax departments operate as economically as does the federal tax organization. Even if the various state tax departments could not function as smoothly as a gigantic federal tax machine, the gains from the greater efficiency of federal administration claimed by the proponents of such measures would be, in the opinion of the writer, more or less neutralized by the resulting loss of state fiscal responsibility, the disintegrated morale of all state administration and the diminished sense of state independence.

HARLEY L. LUTZ

See: TAXATION; FINANCIAL ADMINISTRATION; BUDGET; ACCOUNTS, PUBLIC; ASSESSMENT OF TAXES; DOUBLE TAXATION; REVENUE FARMING; PUBLIC FINANCE; LOCAL FINANCE; MUNICIPAL FINANCE.

Consult: Cohn, Gustav, *System der Finanzwissenschaft*, System der Nationalökonomie, vol. ii (Stuttgart 1889), tr. by T. B. Veblen as *The Science of Finance*, University of Chicago, Studies in Economics, no. 1 (Chicago 1895) p. 600–33; Meisel, Franz, "Steuertechnik" in *Handbuch der Finanzwissenschaften*, ed. by Wilhelm Gerloff and Franz Meisel, vol. i (Tübingen 1926) p. 506–34; Schmeckebier, L. F., *The Bureau of Internal Revenue*, and *The Customs Service*, Institute for Government Research, Service Monographs, nos. 25 and 33 (Baltimore 1923–24); Jensen, J. P., *Property Taxation in the United States*, University of Chicago, Studies in Economics (Chicago 1931); Lutz, H. L., *The State Tax Commission*, Harvard Economic Studies, vol. xvii (Cambridge, Mass. 1918); Spaulding, H. B., *The Income Tax in Great Britain and the United States*, London School of Economics and Political Science, Studies in Economics and Political Science, no. 91 (London 1927); Wisconsin, Tax Commission, *Assessors' Manual* (Madison 1930), and *Manual for Supervisors of Assessments* (Madison 1931).

TAX EXEMPTION. Narrowly conceived, tax exemption exists only when a taxing law or the constitution under which it operates specifically excludes from its scope a person or thing which would be taxable were it not for the excluding clause. This definition is unsatisfactory, however, in so far as it fails to cover many phenomena which have identically the same effect as a specific exemption clause. A tax may be levied on tobacco products, for instance, with cigars specifically exempted; or it may be levied on cigarettes, snuff and smoking tobacco, cigars alone being omitted from the list. Furthermore a mere reference to the law omits consideration of the final resting place of the tax burden; in the economic sense probably no person in any country at any time has enjoyed complete "tax exemption," in view of the existence of many indirect taxes shifted to consumers. Despite these defects of the narrow concept of tax exemption it is necessary here to treat the subject primarily in this light. To discuss what might be taxed were the language of the tax laws more general would be an illimitable task; and the ascertainment of relative degrees of tax exemption

involves problems of shifting and incidence. It must suffice to indicate that tax exemption provisions are merely instances of the general phenomenon of differential treatment under a tax system, and that the distinction between a specific exemption provision and another form of differential treatment is often merely formal.

Tax exemption in earlier epochs rested largely on a basis of social and political distinction. In ancient China, India, Persia and in certain parts of ancient Greece the aristocratic classes resisted taxation as a type of servitude. The existence of outright slavery as opposed to serfdom seems, however, to have led to rather general taxation of the upper classes, as for the most part the slaves were necessarily outside the group of direct taxpayers. Thus in Rome exemption of the upper class developed markedly only after slavery had given way in part to serfdom. Much of the tax exemption that developed during and after the decline of the Roman Empire was in effect an expression of independence: the more powerful temporal lords and the church refused to support the exchequer of the national or imperial ruler. In other instances exemption took the form of favors granted more or less capriciously by an absolute ruler who wished to reward his friends and supporters. At times during the mediaeval period taxes were comparatively insignificant as sources of revenue. Many of the exemptions from taxation in this period accrued to those who had as yet failed to rid themselves of military obligations by paying taxes in lieu thereof.

The reasons usually given for tax exemption in the modern state rest on different but still numerous bases. Many exemptions exist only because the person or thing exempted is reached through some other branch of the tax system. Some states of the United States, for instance, exempt automobiles from the property tax and levy the annual registration tax at a correspondingly higher rate. Some exemptions avoid undesirable double taxation: securities of various types are in some jurisdictions exempt from the property tax because the property which they represent is fully taxed, and reciprocal exemptions under death taxes have been used in the United States to avoid multistate taxation of the same property.

Still other exemptions are based on the notion that it is useless for the government to tax itself or its own agencies. Thus under the property tax a state usually does not tax its own property or that of its political subdivisions, nor does it always allow the subdivisions to tax one another's property or state property. In the state of New York in 1930, for instance, cities owned 53 percent and other governmental units 12 percent of all tax exempt real property. Such taxation would often be more than a meaningless transfer of funds: a city may own property located in another city within the same state, and under these circumstances taxation of the property by the latter city is sometimes permitted. A somewhat similar circumstance arises with state owned property and the local tax. A political subdivision may be put to a certain expense by the existence of this property yet be unable to recoup the expense through taxes. It has been argued also that government property in competition with private enterprise (e.g. public service corporations) should be taxed in order to protect the latter and to furnish a fair test of public ownership.

Still another type of tax exemption has arisen out of the necessity of maintaining the national and state governments in countries having a federal form of government organization. This is the basis for the (implied) constitutional exemption of the United States government and its instrumentalities from state taxation, the exemption of the states and their instrumentalities from federal taxation and the exemption of interstate commerce from state taxation. There would seem to be little objection, however, to abolishing these exemptions if discriminatory taxation were guarded against.

A subject which has aroused considerable controversy in recent years is tax exemption of government securities. In the United States federal obligations are exempt from state taxation, and securities issued by the states and their political subdivisions are likewise exempt from federal taxation. In addition the various authorities frequently grant tax exemptions to their own issues largely as a means of making the loan more attractive to investors. The tax exemption of such securities has been attacked on the ground that it impairs the effectiveness of the progressive rate feature of income taxes, in so far as the volume of securities issued becomes so great that their price sinks to a level allowing only for their attractiveness to low income or to no income tax payers. This affords wealthy taxpayers an opportunity to benefit greatly through escape of high taxes at a low cost. Recent studies in the United States indicate that such impairment of the progressive rate feature does in fact exist; but its extent, measured in terms of gross

revenue lost, is probably much less than is popularly supposed. For various reasons, chiefly perhaps because of the uncertainty concerning future tax rates which may considerably modify the attractiveness of such securities to the large income tax payer, wealthy investors hold far fewer tax exempt securities than might be expected. From this it might be deduced that the net loss to the issuing governments (tax revenue lost, minus interest charges saved) is small or negative, were it not that the spread between tax exempt and other comparable taxable bonds has in fact been slight and hence the amount of interest saved correspondingly small. Indeed large amounts of tax exempt bonds are held by educational and charitable institutions, which are entirely exempt as such. If these institutions be considered as among the marginal buyers, the spread between tax exempt government bonds and other high grade obligations may be considered to be attributable almost wholly to factors other than tax exemption. If this be true, the government may save almost nothing in interest by tax exemption. Under the federal-state relationship the present exemptions are in part an indirect "aid" from one governmental body to the other: the issuing government gains at the expense of the taxing government.

Some jurisdictions from time to time have felt it desirable to encourage certain types of economic activity. In recent decades under the property tax exemptions limited to a term of years have been granted certain new manufacturing enterprises, residences, farm improvements, vessels, hotels and other economic enterprises. Probably the exemptions have had the desired result to some extent, but for the most part it has been impossible to trace the effects. If the validity of singling out certain kinds of economic activity for encouragement at the expense of others in the community be assumed, direct bounties would seem preferable to tax exemptions; the cost is kept clearly before the public, and the bounty is a more flexible tool for the purpose than tax exemption. The political advantages and apparent simplicity of tax exemption, however, are evident.

Other activities commonly or occasionally encouraged through tax exemption are non-profit in character: religious institutions, labor organizations, non-profit cemeteries, the Boy Scouts, veterans' organizations and the like. Direct grants to such organizations would probably not meet with public approval; if they did not, it would of course be illogical to grant them tax exemption. Other non-profit organizations, on the contrary, more clearly supplement work already carried on at government expense. Such institutions are those engaged in charitable, educational or health activities. Here the issue of direct appropriations versus tax exemption seems to be largely a matter of the extent to which the government wishes to exercise control over such activities. Direct appropriations in contrast to tax exemptions are usually accompanied or followed by governmental control of the activity thus supported. Some exemptions are clearly mere substitutes for appropriations which would not involve a problem of extension of control; for instance, exemptions to veterans, widows and orphans and government employees. Particularly here the appropriation of adequate and taxable pensions or salaries seems preferable to tax exemptions.

Other exemptions are granted chiefly on an administrative basis. The exemption of a large section of the population from income taxation is an example. Sometimes this has been justified on the ground that a certain minimum of subsistence should be exempt from taxation; but this argument has little force, inasmuch as the same governments that grant this exemption tax even the poverty stricken classes through various indirect taxes, particularly excises, customs duties and a certain part of the property tax. The occasional exemption of food under the sales tax probably expresses a feeling that the poorer classes already bear a heavy enough burden or that, if they are to be taxed further, they should be reached in other ways. The exemption of annual sales under a certain amount is almost wholly for the sake of administrative—and perhaps political—advantages.

CARL SHOUP

See: TAXATION; PUBLIC FINANCE; PUBLIC DEBT; BONDS; HOUSING.

Consult: National Industrial Conference Board, *Tax Burdens and Exemptions*, Research Report, no. 64 (New York 1923); Hardy, C. O., *Tax-Exempt Securities and the Surtax*, Institute of Economics, Investigations in Finance (New York 1926); Jensen, J. P., *Property Taxation in the United States*, University of Chicago, Department of Economics, Studies in Economics (Chicago 1931) ch. v; National Tax Association, "Report of the Committee on Tax Exemptions" in *Proceedings*, vol. xiii (1921) 235–49; New York, State, Special Joint Committee on Taxation and Retrenchment, *Tax Exemption in State of New York; a Preliminary Report*, Legislative document, no. 86 (1927); Fournier de Flaix, Ernest, *L'impôt dans les diverses civilisations*, 1st ser., 2 vols. (Paris 1897).

TAX FARMING. *See* REVENUE FARMING.

TAXATION constitutes the chief financial resource of the modern state. In ancient times tribute and returns from the public domain loomed large in finances and, if present tendencies continue, the income account may soon be dominated by receipts from socialized industry. But in the democratic state of today the great bulk of the public revenue is supplied by compulsory levies, apportioned among the people according to the standards acceptable to their representative legislatures.

Historically taxation appears to have grown out of the voluntary contributions characteristic of all primitive societies. Gradually these contributions, freely given, became transformed into legal obligations of persons to perform services in support of a limited number of specified public objects. With the development of private property and commercial activity these legal obligations gradually evolved, first into fees and charges of various kinds, later into levies on exchange and transport and finally into compulsory contributions which were apportioned among persons according to general standards of equity and upon bases, such as property and income, which seemed most convenient at the time.

The taxes levied in the course of centuries have been profoundly affected in character and amount by the nature of the environment, economic, political and social. Taxation has changed from a simple to a very complex process with the evolution of economic life generally. Tax bases have varied as the economic factors at the foundation of economic life have changed in importance. Land taxation, for example, played a different role in the agricultural economy from that which it plays in the present industrial era. The development of the large territorial area for purposes of governmental and business administration has affected the choice of taxes for financing the activities of both the national states and the localities. Modifications in the form of the ownership organization of business, such as the advent of the corporation, have raised new problems and occasioned the introduction of new types of tax. Increased skill in administration, in the records of economic activity and in the technique of appraisal and valuation has created opportunities to refine the distribution of burdens among the taxpayers. Changes in habits of thought with reference to the measurement of economic strength have had their effect in changing the tax bases. Finally the gradual emergence of social ideals of justice and equity have transformed the very foundation upon which tax systems are erected.

The evolution of taxation has been accompanied by striking changes in the attitude of the citizenship toward these compulsory levies. In Athens at the time of Pericles taxes were imposed largely upon foreigners and slaves; and in the ancient world generally, where tribute was an important financial resource, tax liability was usually considered a mark of bondage rather than of freedom. During the periods of feudalism and of absolute monarchies taxation so far as it was used at all was imposed with little regard to equity. Favoritism was common, the taxes often falling only on those classes which were without special influence. Indeed, so long as rulers were under no obligation to submit their programs of expenditure to parliamentary bodies for approval, the attitude of the taxpayers was usually strongly antagonistic. Since it was necessary to employ crude levies and it was discreet to use hidden ones, taxes on transactions and consumption reached their heyday. The development of representative government and of democracy created the first real opportunity to utilize effectively types of taxes which require for their successful administration a high degree of cooperation from the taxpayer. Only after the control of the public purse had been placed in his hands, was the taxpayer willing to make the disclosures and declarations necessary for the proper assessment of property and income taxes of the modern type. In very recent times the growing disparity between the patterns of distribution of political power and taxpaying liability consequent upon the wide extension of the suffrage and the development of highly progressive taxes has raised the question of the attitude of the taxpayer in a new and interesting form.

The precise content of the term tax is not always the same in the writings of scholars, in the language of legislators and judges and in the practise of those who keep the public accounts. There is little occasion for confusion as between compulsory payments in general, on the one hand, and gratuitous payments, such as gifts, subventions and indemnities, and contractual payments, such as land rentals and the purchase price of the products of governmental enterprises, particularly when they are not monopolies, on the other. It is with regard to the various types of compulsory payments that the difficulties of terminology arise. Such levies may have as their legal foundation either the power of eminent domain, the penal power, exercised

either independently or as the fiscally significant portion of the police power, or the taxing power. The legal power of taxation, however, is depended upon to sustain numerous charges which certain students of public finance are accustomed to distinguish from taxes in the economic sense. Bastable it is true makes the definition broad when he describes a tax as "a compulsory contribution of the wealth of a person or body of persons for the service of the public powers" (Bastable, C. F., *Public Finance*, 3rd ed. London 1903, p. 263). Likewise H. C. Adams defines a tax simply as "a contribution from the citizen to the support of the State" (*The Science of Finance*, New York 1898, p. 302). E. R. A. Seligman, however, prefers to restrict the content of the term to more narrow limits. Arranging the various types of public charges in a scale which varies inversely with the degree of the special benefit and directly with the importance of the public purpose, he distinguishes among quasi-private prices, public prices, fees, special assessments and taxes. The last three of these types commonly involve the use of the taxing power and are usually termed taxes in legal discussions.

The widely accepted definition of a tax as developed by Seligman in his early writings is this: "A *tax* is a compulsory contribution from the person to the government to defray the expenses incurred in the common interest of all, without reference to special benefits conferred" (Seligman, Edwin R. A., *Essays on Taxation*, 10th ed. New York 1925, p. 432). A special assessment is distinguished from a tax on the grounds that it is a payment made once and for all to defray the cost of a specific improvement to property and levied according to the particular benefit accruing to each property owner. A fee is distinguished from a special assessment on the ground that it is a recurring charge, and from a tax on the ground that the service financed by it confers a measurable special advantage on the taxpayer. Some writers (e.g. Plehn, Carl C., *Introduction to Public Finance*, 5th ed. New York 1926, p. 332) recognize no significant distinction between a fee and a special assessment.

It is obvious that, if Seligman's definition is interpreted so as to deny the application of the term tax to all types of charge in which special benefit is not merely an incidental result but is depended upon to some degree as the justification for the imposition of the charge or the manner of its apportionment, the resulting content of the term tax does not conform to the common usage of the legislator, the lawyer and the accountant. A pure tax, so defined, is in practise much more rare than is commonly assumed. A host of charges, generally termed taxes, falls without the bounds of the category. The strict definition is extremely useful for purposes of scientific analysis, but care must be exercised in applying the conclusions arrived at through that analysis to types of charges included by legal and accounting parlance within the scope of the term tax but excluded from the scientific concept by definition.

The danger of confusion from the use of a narrow definition is particularly great in the case of such charges as the gasoline tax and the business tax. In the gasoline tax special benefit is measured with a fairly high degree of accuracy and is certainly not "only an incidental result." Benefit is also important and not merely incidental as the justification for many business taxes and as the basis of their apportionment among the subjects of the tax. This is notably true, for instance, of the revised German *Gewerbesteuer*. Even the real estate tax, in its modern role in the American state, is largely if not predominantly affected by considerations of special benefit. In the municipalities of New York, for example, it has recently been shown that nearly 60 percent of the local taxes may be justified on the ground that the proceeds are expended for services of direct benefit to real estate owners (New York, State, Commission for the Revision of the Tax Laws, *Report*, Legislative Document, no. 77, 1932, p. 132). It should be observed that Seligman in his subsequent writings did not interpret his definition so narrowly as to exclude impositions of the type which in any degree utilize as a factor benefit to the group rather than special benefit to individuals. Moreover in his most recent contributions it is clear that as the result of his study of the problem of international double taxation Seligman has become convinced of "the fallacy of lumping all taxes together, as representing the principle of ability" (Seligman, Edwin R. A., *Double Taxation and International Fiscal Cooperation*, New York 1928, p. 103).

A fundamental question which arises at the very outset of any general discussion of taxation relates to its purpose and function. Is this purpose to be conceived narrowly, as merely the raising of money for the support of the fisc, or is it to be construed broadly to include the deliberate use of the tools of taxation to accomplish

economic changes which are considered socially desirable? The opposing points of view are well represented by Bastable and Wagner.

In all his writing in the field of taxation Wagner gave great weight to "socio-political principles." He considered it a primary function of government to regulate the distribution of wealth and urged the use of taxation as a means not only of raising sufficient revenue to meet the fiscal needs of the state but of consciously leveling the inequalities of distribution brought about by the workings of the market. Indeed even in defining taxation he stresses this function "of regulating and correcting the distribution and use of private property."

The case for the narrow conception of purpose as represented by Bastable rests largely upon the technical difficulties involved in the attempt to use taxation as a tool of social reform and the dangers of impairing its effectiveness for purely fiscal purposes involved in such an attempt. Distrust of the social ideals animating the adherents of the broad conception of purpose also undoubtedly plays a role. The abstract issue here raised is obviously one which will be disposed of by any writer as a corollary to his general political and social philosophy. As a practical matter the arguments in favor of the narrow view of the function of taxation are being rapidly undermined by the course of events. It is inevitable that this should occur if skill in administering complex taxes increases, if knowledge of their incidence and effects becomes more clear and dependable and if sentiment regarding the place of the state in the program of social betterment becomes more unified. Certainly, regardless of the manner in which the large compulsory levies characteristic of modern budgets may be apportioned among the citizens of a state, their imposition will have profound effects and repercussions upon the operation of economic forces and the welfare of economic classes. Since these effects will inevitably accrue even though they are completely ignored by the legislator, it seems the part of wisdom to recognize the raising of revenue as the primary function of taxation but also consciously to give preference to the types of taxes whose probable effects harmonize most closely with the prevailing social sentiment of the community. Few students of taxation will today dissent from the opinion expressed in the following sentence: "What is desirable is that taxes should be levied (a) without checking production; (b) without any avoidable waste; (c) without arousing an effective opposing force, e.g. a sense of injustice; (d) without encouraging social evils. If social weal is encouraged, or the sense of justice satisfied, or waste eliminated, or production increased, so much the better. There is no likelihood of our arriving at them any the quicker by taxing for revenue only" (Jones, Robert, *The Nature and First Principle of Taxation*, London 1914, p. 185).

It has been found convenient to classify taxes in many different ways for various purposes. The importance of some of the categories has varied greatly at different stages in the evolution of taxation, with the result that some of the classifications are of less significance than formerly. Those most commonly encountered are: according to the tax base, as property tax, income tax, inheritance tax and so on; according to the media of payment, as taxes payable in money and taxes payable in kind, in labor and the like; according to the regularity of levy, as ordinary and extraordinary taxes; according to the purpose, as general and special, such as school and road, taxes; according to the jurisdiction, as federal, state and local taxes; according to the manner of attaching the charge, as assessed and non-assessed taxes; according to the legal basis of liability, as taxes in rem and taxes in personam; according to the imputed economic source, as wages, profits and rent taxes; according to the stages of the economic process affected, as taxes on acquisition, possession, exchange and consumption; according to the nature of the rate structure, as proportional and graduated (progressive, regressive or degressive) taxes; according to the method of fixing the rate, as percentage and apportioned taxes; and according to the assumption regarding shifting, as direct and indirect taxes.

While the character and significance of most of these classifications will be understood without explanation, several of them, notably the last mentioned, require further elaboration. The distinction between direct and indirect taxes, so widely and so diversely drawn in present day discussion, appears to have been first utilized by the physiocrats. According to their analysis agriculture alone furnished a net surplus, and since taxes levied elsewhere finally came to rest upon this surplus, it was more economical and equitable to levy them directly there at the outset than to levy them indirectly through other subjects. Smith and Ricardo, while not accepting the economic theory of the physiocrats, utilized the terms "direct" and "indirect" taxes

in a similar sense, distinguishing between the taxpayer and the tax bearer and designating as direct the taxes where these persons were identical. Accurate identification of the tax bearer is a task which of course can be accomplished only by those who have a simple and complete faith in the adequacy of their economic theory. Mill made the test slightly more objective by substituting for the presumed actual result the intent of the legislature as to the person who should bear the tax. But even assuming definite information regarding the intent of the legislature, which often does not exist, few students are willing to accept that intent in place of their own hypotheses regarding the identity of the tax bearers.

The confusion in the general use of the terms direct and indirect has been augmented by special meanings which have come to be attached to them through usage in administrative and legal circles. Thus in France a direct tax has come to mean a tax which is administered by the Division of Direct Taxes of the Ministry of Finance, and such taxes do not include even all elements of the income tax; the tax on security income, for example, being assigned to the Registration Taxes Administration. Moreover the *contributions indirectes* comprehend only a small part of the taxes where the taxpayer is presumably not the same person as the tax bearer. The test in France makes a "direct" tax virtually identical with an "assessed" tax. In the United States the term direct tax was incorporated in the federal constitution adopted in 1787, and the restriction that such taxes must be apportioned among the states according to population was placed upon the use of such taxes by the central government. In interpreting this restrictive clause the courts have, gradually and with vacillation, evolved a definition which certainly does not accept the economic test of shifting as the determining factor in the classification. Capitation and property taxes are considered direct. Inheritance and franchise taxes are indirect. Even income taxes were first considered indirect but were later declared direct. The present federal income taxes, which are of course not apportioned according to the population test, are expressly authorized by an amendment to the constitution adopted in 1913. The term direct tax is also used sometimes in a highly specialized sense in certain localities, as in New York, where the phrase is commonly employed to describe the property tax which the state may and sometimes does impose on property in addition to the local taxes on this base. Finally, attention should be called to the classification recently developed by Seligman in connection with his analysis of the problem of international double taxation, in which, after pointing out that the "distinction between direct and indirect taxes is now recognized as not scientific, but only colloquial," he proceeds to identify indirect taxes with impersonal taxes on wealth irrespective of persons and to contrast this category with "direct taxes," defined so as to include "personal," "semi-personal" and "mixed" taxes. It is clear that whenever the terms direct and indirect are encountered care must be taken to ascertain the sense in which the writer uses them. Moreover in view of the qualifications and the uncertainty which surround the conclusions regarding shifting and incidence, even in the case of taxes which are assessed to the taxpayers individually, students are more and more inclined to avoid the use of these terms, despite their great convenience in any rough description or analysis of a tax system.

The intelligent formulation of a tax system assumes the selection of the particular forms of taxation which will best accomplish the desired results. Diversity of opinion regarding objectives is almost always present. In a later section the character of some of the results which students and statesmen have come to regard as desirable will be discussed. But let it here be assumed that agreement has been reached as to objectives; it remains to be decided, in the light of all available knowledge regarding the qualities and properties of the various alternative types of taxes, with what taxes and in what proportions the tax system shall be contrived.

Observers have long recognized that information regarding the amounts of money which various persons pay to the tax collector as the result of the imposition of a given levy is but the beginning of the knowledge that it is desirable to have regarding the results which may be expected to follow the act of levying a tax. The original pattern, according to which the tax is distributed upon its impact, is often radically modified by the action of the taxpayers, who may be in a position to relieve themselves of part or all of the burden which has been placed upon them. The process of transferring the burden of a tax to another, called the shifting of the tax, and the resulting new pattern of distribution after the burden has been readjusted through shifting, called the incidence of the tax, must also be determined. The two patterns may of

course in a particular case be identical. But it is important to determine whether these are in fact identical or whether they are different. It is indeed more important to know who bears the taxes than it is to know who pays them originally. In addition the imposition of a tax and its consequent shifting, if any, often set in motion forces which have extremely important economic repercussions, even though they are indirect and remote. Such repercussions as changes in the rate of saving, in the character and amount of production and consumption and in the forms of business organization are usually referred to as the influences and effects of taxation.

All this knowledge of the results of imposing a tax is desirable and indeed necessary if the task of imposing taxes is to be accomplished with precision and with confidence that the desired objectives will be attained. Unfortunately, however, this knowledge has proved very difficult to acquire by observation of the actual phenomena of economic life. It has been necessary therefore to proceed largely on the basis of what can fairly be termed only tentative hypotheses regarding the incidence and effects of particular tax measures.

A person who has been called upon to pay a tax can shift it to another person only if he has to others an economic relationship whose terms may be modified by virtue of the tax payment that he has been required to make. An understanding of what is likely to happen in a case of this sort will of course depend upon the accuracy of the knowledge with respect to the manner in which economic forces operate, particularly in the field of value and price. In the absence of adequate verified information based on objective, independent observation conclusions regarding incidence are bound to be largely inferences drawn from the particular systematic explanation of the economic mechanism which the writer chances to find most satisfactory. Theories of incidence are thus the stepchildren of economic theory, and their reliability depends upon the accuracy with which the economist is able to understand, analyze and describe the character and functioning of the general economic system.

Because of this necessary dependence upon economic theory in general, beliefs regarding the shifting and incidence of taxation have varied widely with the struggle to formulate a more and more satisfactory explanation of the operation of economic forces. For the physiocrats the problem of shifting was simple. They believed that agriculture alone furnished a net surplus, and that it was from this net surplus that taxes, wherever originally imposed, must ultimately come. Whatever the form of the tax, the incidence, in their view, was always on the land. On the other hand, the classical economists, reasoning on the basis of highly artificial assumptions, formulated elaborate sets of very definite conclusions, which often differed widely from one another; as, for example, those of Smith and Ricardo, the contribution of the latter being especially notable as the first truly systematic treatise on incidence. The complacent doctrine of "equal diffusion" has had a distinguished group of supporters from the time of Andrew Hamilton and Canard to the present day, and there are always those who are content to take the agnostic position that the entire problem is impossibly difficult. The view of the socialists, as expounded by Lassalle, is that all taxes except those on property and on personal incomes fall upon labor. The mathematical economists, including Cournot, Pantaleoni, Wicksell, Edgeworth and, recently in the United States, Hotelling, have attempted to apply their refined technique to this complex problem with results sometimes interesting and, to the practical mind, even startling. It is to Seligman, however, that the students of taxation are most deeply indebted for guidance and help in this field. In his classic treatise on *The Shifting and Incidence of Taxation* (5th ed. New York 1927) he has presented a comprehensive and critical review of the history of the doctrines and has elaborated in a masterly fashion the implications of the marginal analysis generally accepted by economists with respect to the various types of taxes which are of present day significance.

The shifting of taxes is not to be confused with tax evasion, or dodging, terms which apply to practises of escaping the imposition of taxes by illicit methods. It is also to be distinguished from the "minimizing" of taxes; that is, the reduction of legal tax liability to the lowest possible amount through the skilful utilization of every legitimate method, as, for example, reducing net income by claiming every possible deduction which the law can be construed to sanction. Furthermore the practise of avoiding taxes by the process of "transformation" should be recognized as something distinct from shifting. Transformation of taxes is applied to those rare cases in which the imposition of taxes leads to technical improvements in the business, the

value of which tend to offset the burden. Finally, some writers find it desirable to distinguish shifting from "capitalization" of taxes, a process whereby a taxpayer avoids becoming the tax bearer by insisting that the prospective tax burden be taken into account in arranging the terms of sale when he invests in the property subjected to tax (*see* CAPITALIZATION AND AMORTIZATION OF TAXES).

The term tax burden, as used in this discussion, refers approximately to the load after it comes to rest as the result of the process of shifting. It is not to be understood as describing the net balance which results from a comparison of the amount of the taxes borne by a taxpayer with the amount of the economic benefits he receives as the result of the expenditure of the taxes collected. It would be difficult indeed to arrange public affairs in such a fashion that no economic benefits would accrue to taxpayers as the result of the expenditure of tax collections. Indeed it is not unreasonable to expect that, even with all the imperfections of present day political organization and administration, the expenditure of tax money will generate benefits roughly equivalent to the amount so spent. In the case of any particular taxpayer his real tax burden is of course fundamentally offset by any economic benefit received by him as the result of the expenditures of government. Perfect articulation, if it were possible, between benefit and taxation should result in the elimination of all burden in this sense. It is with the incidence of tax payments, however, not with their cancellation through the receipt of benefits that this discussion concerns itself.

The orthodox analysis of the process of shifting and the calculation of the incidence of taxation approach the problem from the angle of price determination and deal with the numerous and subtle changes in supply and demand for commodities and services as they seek an equilibrium after the imposition of the levies. It is pointed out that the imposition of a tax disturbs the normal equilibrium and tends to increase the costs of production. Whether prices will be raised in the effort to cover these new costs is said to depend largely upon the attendant circumstances.

Among the significant factors that which is usually assigned the greatest importance relates to the presence or absence of competition. Under freely competitive conditions, it is argued, the tendency of prices to approximate costs of production at the margin raises a presumption in favor of the shifting of any tax which is so arranged that it enters into the costs of the marginal producer. On the other hand, under conditions of monopoly, where, according to the analysis, maximum net returns rather than costs of production tend to determine prices, the taxpayer cannot ordinarily hope to obtain a larger net revenue by increasing his prices and is therefore without an incentive to shift. Only therefore if the monopolist has not been shrewd enough to exploit the demand for his product to the full, is the imposition of a tax likely to cause a reexamination of his situation and a price adjustment.

In considering the possibilities of shifting under conditions of free competition it is customary to attempt to determine, on the side of supply, whether the article is produced at constant, at increasing or at decreasing cost per unit and to inquire, on the side of demand, regarding the degree of elasticity present. The less sensitive the demand in its reaction to a price rise and the less sensitive the costs per unit as the number of units produced is diminished, the greater the chance of shifting. The situation is well summarized in the following statement: "In the theory of incidence, two general propositions may be laid down. The first is that, other things being equal, the more elastic the demand for the object of taxation, the more will the incidence of the tax be upon the seller. And the second is that, other things being equal, the more elastic the supply of the object of taxation, the more will the incidence be upon the buyer. For the more elastic the demand, the more will the demand fall off, as a result of a given rise in the price of the object of taxation, and the less, therefore, will it be worth while for sellers to raise the price. And, on the other hand, the more elastic the supply, the more will the supply fall off, as a result of a given rise in the cost of production (including tax) of the object of taxation and the less, therefore, will it be worth while for buyers to resist the raising of the price. The sellers, in short, try to put the incidence on the buyers by reducing supply, the buyers try to put it on the sellers by reducing demand. The relative ability of the two groups to achieve their aims, with the minimum loss to themselves, determines the result" (Dalton, Hugh, *Principles of Public Finance*, 5th ed. London 1929, p. 53–54).

A second important circumstance relates to the nature of the tax, whether it is general or exclusive. A comprehensive general tax upon property or income is according to the theory

non-shiftable. Similar in character is the question as to whether the form of the tax is such that it falls upon the marginal producer. A tax upon surplus rather than costs may be expected to influence prices in a relatively indirect and unimportant manner. Furthermore it is desirable to know whether the capital used in producing the taxed article is mobile or whether it is fixed and poorly adapted to an alternative use. If mobility is absent, the chance that shifting will occur is considered to be less. Another significant circumstance often cited is whether the tax is light or heavy; a trifling tax will often be absorbed by the business man and not shifted in view of the risks involved in changing the prices of the commodity, especially if the commodity be one for which there is a "round," or customary, price. Complications may also be added by the use of a progressive rate scale in case the base of the tax is not a surplus. Moreover, if the commodity is an intermediate and not a final good, the case for shifting obviously demands reexamination in the light of the circumstances that surround the production and marketing of the article into which it is incorporated.

Theoretical conclusions regarding the probable incidence of taxation, such as those above outlined, can be applied to the analysis of a practical problem only with great difficulty. If the conclusions are to be valid, not only must the economic theory be sound and adequate but the conditions surrounding the particular levy under consideration must not depart materially from the assumptions made in the theoretical analysis. Since such assumptions are highly artificial, it is seldom safe to advance confident pronouncements regarding the incidence of a particular tax. Pure monopoly and free competition are not often encountered in modern business life. "Normal" conditions of supply and demand are abnormal. Conclusions regarding the incidence of a tax on the pure site rent of land may be applicable only in small part to the usual type of real estate tax imposed in an American community. A levy called a business tax on net income may be found upon analysis to be a very rough approximation indeed to the theoretical tax on pure economic profit, being as well a tax on interest, on rent, on earnings or on capital. This does not mean that it is impossible ever to be reasonably definite regarding the incidence of a particular tax, but it does imply that absolute assurance can seldom be attained. In this field modesty is a becoming virtue.

Among the specific forms of taxation which, because of their general character and the conditions ordinarily surrounding their application, the orthodox economist would usually expect to be borne by the payer and not to be shifted are the following: the general property tax, either in the form of a personal net fortune tax or in the form of an objective tax on all property, and the general personal income tax, the inclusive character of the above levies tending to make shifting difficult; the business tax based on net income, so arranged as to avoid a charge against the marginal producer; the tax on the site value of land, in the form of either a charge upon the annual rent or a charge upon the selling value founded on that rent; the tax on monopoly profits; the tax on inheritances and estates and the poll tax. On the other hand, shifting would ordinarily be anticipated in cases of the numerous property taxes with restricted bases, such as the house tax and the mortgage tax and the various excises and charges upon transactions and sales, including the gross receipts taxes.

The discussions of shifting and incidence in the literature of public finance have only slightly been affected by the recent works of economists in the field of prices. It even seems doubtful whether the implications of the writings of Alfred Marshall have been given the consideration they deserve. The studies of demand curves by statisticians, such as Ezekiel and Schultz, the conception of the bulk line producer developed by Taussig and Secrist, the importance of overhead costs as a factor in price determination emphasized in the writings of J. M. Clark and the new studies of "imperfect" and "monopolistic" competition are full of suggestions for the student of public finance. It is, however, perhaps fair to state that while the recent efforts of students of prices raise doubts as to the adequacy of the marginal analysis, they have not as yet succeeded in establishing in its place a generally accepted alternative theoretical framework.

If the amount of verified knowledge concerning the shifting and incidence of taxation is disappointingly slight, the knowledge relating to the more remote influences and effects is even more negligible. Yet the debate regarding specific tax measures is necessarily carried on largely in terms of what are alleged to be influences and effects. The real estate tax is opposed because "it discourages home ownership." The tax on the net income of corporations is attacked because "it drives manufacturers out of the

state." The application of the federal income to gains from appreciations in the value of property is criticized because it "interferes with the orderly marketing of property." The tax on personal property is argued against on the ground that it "prevents the rich from establishing a residence in the jurisdiction." Complaints are common that certain types of taxes "stifle initiative," "repress production" and "discourage saving." It is contended that the protective tariff diverts economic effort from its normal channels and brings about an uneconomic distribution of economic resources among different employments and different localities.

While the greatest difficulty and uncertainty attach to the effort to attribute certain specific influences and effects to undifferentiated taxes of broad application and of moderate rates, it is usually a simple matter to devise a specific tax, of narrow application and with high rates, to accomplish some desired effect upon economic behavior. The issuance of banknotes by other than national banks has been effectively prevented by a specific federal tax. The consumption of certain harmful drugs has been discouraged by the imposition of heavy taxes. Moreover there doubtless exists considerable opportunity under such a general tax as the income tax to introduce modifications which will produce similar results. Thus in most modern statutes taxable income is so defined as to offer definite encouragement both to individual saving and to reinvestment of corporate earnings in the business. Of late definite proposals have been made by certain students of the business cycle looking toward a radical modification in the definition of taxable income designed to encourage spending and to penalize saving.

The foregoing discussion concerns itself with the scientific problem of attempting to determine the consequences which may be expected to flow from the imposition of various types of taxes. It now becomes necessary to revert to the problem of objectives. Instead of attempting to determine what will happen in case a certain tax is imposed, the effort is now to define what men ought to wish to happen as the result of imposing taxes. What are the standards by which the quality of a tax should be judged?

Discussions of this topic usually start with the four justly famous propositions laid down by Adam Smith, "the evident justice and utility" of which, have, he remarked, "recommended them more or less to the attention of all nations." These propositions, to which Smith himself applied the unpretentious term "maxims," may be summarized as follows: equality: "The subjects of every state ought to contribute towards the support of the government, as nearly as possible, in proportion to their respective abilities; that is, in proportion to the revenue which they respectively enjoy under the protection of the state"; certainty: "The tax which each individual is bound to pay ought to be certain, and not arbitrary"; convenience of payment: "Every tax ought to be levied at the time, or in the manner, in which it is most likely to be convenient for the contributor to pay it"; and economy in collection: "Every tax should be so contrived as both to take out and to keep out of the pockets of the people as little as possible, over and above what it brings into the public treasury of the state" (Smith, Adam, *The Wealth of Nations*, ed. by Edwin Cannon, 5th ed. London 1930, vol. ii, p. 310–12).

While Smith's principles lack both comprehensiveness and precision and the maxims are more or less incommensurate and inconsistent, they have proved to be exceedingly stimulating. Writers since Smith have elaborated his list of desirable qualities, have analyzed and developed the conception of equality and have attempted to assign relative values to the maxims in cases of conflict. T. S. Adams contended that temperance in taxation is of more importance than most of the maxims appearing in Adam Smith's list, and in assigning relative values he placed both certainty and temperance above equality (National Tax Association, *Bulletin*, vol. xix, 1933–34, p. 3). Arthur T. Hadley emphasized the inconsistency among the maxims. "What if the first two requirements (which are the most fundamental general principles, the third and fourth being largely matters of administrative detail) be found to conflict with one another? What shall we do if the pursuit of equity demands sacrifice of certainty, and if all the methods of taxation which promise a sure return seem to leave some men untouched who can best afford to pay?" Hadley's answer was to give preference to certainty, recognizing, however, that as administration and taxpayers' cooperation improved it might be possible ultimately to "make equity our primary object as well as our ultimate goal" (*Economics*, New York 1896, p. 450–52). Seligman suggests a classification of canons into a primary and a secondary group. In the secondary group he places the fiscal canons of adequacy and elasticity, the administrative canons of economy, certainty and convenience

and the economic canon of harmlessness, or innocuity. In the primary group he places the social canons of universality and of uniformity. Except for the canon of uniformity and equality, these maxims deserve little comment within the limitation of this discussion. With respect to universality, the general doctrine that everyone should pay, it may be pointed out that the problem resolves itself largely into an analysis of permissible exemptions from taxation (*see* TAX EXEMPTION) and of double taxation (*q.v.*).

It is the canon of uniformity and equality which has most excited the interest of students and statesmen in recent decades and which has become the battle ground of great popular struggles. Although the general concept of faculty or ability to pay is very old, Adam Smith's pronouncement that equality demands contributions from subjects "according to their respective abilities" stimulated discussion and analysis which are still under way. John Stuart Mill developed the concept of equality in terms of individual sacrifice. "It means," he said, "apportioning the contribution of each person towards the expenses of government, so that he shall feel neither more nor less inconvenience from his share of the payment than every other person experiences from his" (*Principles of Political Economy*, new ed. by W. J. Ashley, London 1909, p. 804).

At this point there becomes apparent the great advantage for purposes of theoretical analysis of Seligman's insistence that charges justified by or apportioned according to benefit be excluded by definition from the concept of taxation. Mill disposed of benefit as a basis for taxation, not by definition but by a cavalier dismissal in the following terms: "Government must be regarded as so pre-eminently a concern of all, that to determine who are most interested in it is of no real importance. If a person or a class of persons receive so small a share of the benefit as makes it necessary to raise the question, there is something else than taxation which is amiss, and the thing to be done is to remedy the defect, instead of recognising it and making it a ground for demanding less taxes" (p. 805). With respect to local taxes, however, he reversed his position and advocated an arrangement which would throw the burden "on those to whom the service is rendered" (p. 862). Moreover Mill of course did not foresee the enormous development of governmental functions which has come about, resulting in traceable benefits and forming the foundation for the modern demand that specially benefited individuals and classes should assume some degree of responsibility for the costs involved.

Mill identified equality of sacrifice with minimum sacrifice: ". . . sacrifices . . . should be made to bear as nearly as possible with the same pressure upon all, which, it must be observed, is the mode by which least sacrifice is occasioned on the whole" (p. 804). Later writers have been quick to draw the distinction which Mill failed to recognize. Pigou's recent discussion of the point is illuminating, and his conclusion is that least aggregate sacrifice rather than equal sacrifice is "the one ultimate principle of taxation" (Pigou, A. C., *A Study in Public Finance*, London 1928, p. 61).

The distinctive contribution of Seligman to the discussion of uniformity and equality in taxation was an acute criticism of the sacrifice theory as inadequate and unworkable and the development of a broader theory of faculty which includes both the notion of relative sacrifice on the side of consumption and the idea of relative power of acquisition on the side of production (Seligman, Edwin R. A., *Progressive Taxation in Theory and Practice*, 2nd ed. Princeton 1908, ch. iv). This broadening of the theory makes possible its utilization in defense of both the special taxation of privileges of various sorts and the use of progressive rate scales.

In the field of progressive taxation as in the field of shifting and incidence Seligman's work has established itself as authoritative. His monograph entitled *Progressive Taxation in Theory and Practice* has played a large role in the remarkable development in the use of graduated rates. Although there are sporadic instances of the use of progression in earlier times, the principle has come to be generally accepted and to be widely applied only in recent decades. During the World War rate scales rose to heights formerly unheard of. Progression finds its chief usefulness in the field of income taxes and death duties, but it is also utilized in net fortune taxes and in special taxes, such as taxes on land whose purpose is to discourage large holdings, and in business taxes of the excess profits type, designed, in the language of Stamp, to "skim the richer crocks of cream." The application of progressive rates to business income has been generally opposed by students of taxation on the ground that it represents a mistaken effort unless the purpose is to discriminate against mere size. The popularity of progressive taxation in recent years is doubtless traceable in no small part to

the opportunity it offers in a democratic state to place added burdens upon the group which, while economically strong, is often politically weak. This opportunity has been particularly attractive because of the failure of the students of the subject to produce an acceptable theoretical foundation for the determination of any definite rate of progression as the ideally just rate. Perfect smoothness in the scale it is true has been achieved in some instances by the legislative enactment of mathematical formulae, but such devices, useful as they may be, do not serve to answer the questions as to how rapidly and how high the rate scales should progress. In concluding his discussion of justice Hugh Dalton (*Principles of Public Finance*, p. 94) observes that equity in taxation is "an elusive mistress, whom perhaps it is only worth the while of philosophers to pursue ardently and of politicians to watch warily." This elusive mistress has, however, exercised a powerful influence upon events in the realm of taxation in recent years and seems destined to play an even more important role in the period which lies ahead.

In view of the large number of factors which enter into the formulation of a tax system in any country it is not surprising that endless variety should result. Some countries are rich and others are poor, yet the poor may require larger revenues to finance their activities than the rich. Some countries are highly developed economically and others are backward; in some the government is highly centralized, in others it is highly localized; in some a high order of administrative skill is available, in others the standards of administration are low; in some the sense of social responsibility is well developed and in other countries it is almost non-existent; in some conditions are highly homogeneous and in other countries they differ widely from section to section. These and many other factors complicate the task of selecting the types of taxation to be used and serve to multiply the variations in the systems of taxation which result.

It is impossible in brief compass to describe systematically the tax systems of any of the leading countries. A few observations regarding general characteristics and trends must suffice. In the first place, the more advanced countries evidence a decided trend in the direction of emphasis upon the income tax. In Great Britain the degree of dependence upon this type of tax is greater than in any other country; there the income tax is indeed the backbone of the system. Even the local rates on real estate are based fundamentally on the income norm. In general business taxes have been avoided. The death duties and the excises on a restricted list of articles supplement the income tax and the local rates.

In contrast with that of Great Britain the tax system of France is very complex and diversified, its net effect being to place very heavy dependence upon business taxes of various types. The income tax is of recent origin and plays a minor role. Most of the lucrative taxes are of the type little emphasized in England—taxes upon business transactions and operations of various sorts.

In the tax system of the United States, although income taxation has developed greatly during the last two decades in the realm of federal and state finance, the taxation of property still remains the striking feature. In contrast with France real estate is depended upon to carry a very large share of the aggregate burden. In contrast with England there is a notable use of business taxes, mostly taxes on corporations, but the taxation of business does not approach the extreme reached in France. Consumption and sales taxes, in spite of a recent trend in this direction in the states, are relatively insignificant. The sums collected through charges based on benefit, such as special assessments and gasoline taxes, are very large.

The academic influence has been perhaps greater in Germany than in any of the countries mentioned above, and Germany possesses the most highly developed and well rounded system of all. Under the stress of post-war conditions Germany has reorganized its tax system along very interesting lines. To the federal government has been delegated all the "ability to pay" taxes, including the income and net fortune taxes. The central government also has the customs duties, the sales tax and the death duties. The revenues of the Reich, however, are shared to a very substantial extent with the states and their political subdivisions, which have in addition the various "benefit" taxes, such as the *Gewerbesteuer* as well as the real estate taxes, and certain excises and fees.

Because of the ease with which the base may be segregated according to territorial lines real estate is almost universally depended upon as the foundation of the local tax systems, but by reason of the variation in the functions vested in the local authorities as well as the variation in the use of supplementary revenues the resulting burden on realty is not uniform. Under modern

conditions of rapid transportation and communication the localization of the tax base in the case of income, inheritance, business and even consumption taxes is becoming progressively more difficult and the trend is consequently in the direction of greater and greater centralization. This trend is especially evident in the United States, where state administration has already largely replaced the traditional local administration and where even state administration now threatens to give way to federal administration in the case of several of the most important types of tax. In spite of the fact that such a development runs counter to the traditional conception of the federal type of organization, it seems highly probable that substantial changes in the tax system of the United States along the lines of the German development will soon become imperative.

ROBERT MURRAY HAIG

See: PUBLIC FINANCE; FINANCIAL ADMINISTRATION; REVENUES, PUBLIC; TAX ADMINISTRATION; BUDGET; LOCAL FINANCE; MUNICIPAL FINANCE; CAPITALIZATION AND AMORTIZATION OF TAXES; DOUBLE TAXATION; TAX EXEMPTION; GENERAL PROPERTY TAX; PROPERTY TAX; INCOME TAX; EXCESS PROFITS TAX; INHERITANCE TAXATION; BUSINESS TAXES; CORPORATION TAXES; POLL TAX; EXCISE; SALES TAX; GASOLINE TAX; LAND TAXATION; HOUSE AND BUILDING TAXES; UNEARNED INCREMENT; SINGLE TAX; MORTGAGE TAX; CORVÉE; AIDS; CAPITAL LEVY; SPECIAL ASSESSMENTS; MONOPOLIES, PUBLIC; REVENUE FARMING; ECONOMIC POLICY.

TAYLOR, FRED MANVILLE (1855–1932), American economist. Taylor was born at Northville, Michigan, and received his collegiate education at Northwestern University. From 1879 to 1892 he was professor of history and politics at Albion College. He finished his doctorate at the University of Michigan in 1888 and in 1892, having attracted favorable attention from the economics faculty, notably from Professor Henry C. Adams, he joined that university as assistant professor of political economy; he became junior professor in 1894 and professor in 1904. In 1926 he was given the honorary degree of LL.D. by his alma mater and in 1928 was elected president of the American Economic Association. He retired as professor emeritus in 1929.

Taylor came to the study of economics from that of politics, and his early interest centered in the practical or applied phase of the subject. A number of closely reasoned and lucidly written papers on the problem of money culminated in 1906 in a volume entitled *Some Chapters on Money* (Ann Arbor). The same year, however, he began to print in leaflet form for class use material on general economics, which by 1911 had grown into his book, *Principles of Economics* (Ann Arbor; 9th ed. New York 1925). From that time forward Taylor's energies went into the field of theory, into the successive hobbies for which he was noted, and more particularly into teaching.

Taylor's influence on American economic thought was extensive and profound and was felt outside the country as well. It was exercised chiefly through his teaching, especially of the instructors who taught under him, many of whom achieved distinction. His contribution went far beyond the doctrine expounded to the communication of a deep respect for both the vital importance and the strenuous difficulty of correct analytical thinking in the study of economics. Taylor feigned no charitable feeling for carelessness or stupidity, and this attitude at times gave him a somewhat stern demeanor; yet he was to an extraordinary degree loved as well as respected by all who knew him. His course in the elements, although rigorous and formally logical, was genuinely popular with the undergraduate students.

Taylor's ultimate interest centered in economics as the study of the conditions affecting general welfare and social justice. He was a political conservative on intellectual grounds, seeing no panacea for the shortcomings of the economic order in the substitution of politics for business as the controlling principle. The economic doctrine for which he stood was in detailed content less remarkable than the method and spirit of instruction that he pursued. He followed the neoclassical economic theory, but with a strong Austrian bias. Taylor was one of the leading expounders of the later Austrian position. His modifications of this doctrine in the interest of greater realism and correspondence with fact have not all been accepted as improvements by later theorists. His work was formally published late in life, at a time when the general drift of interest in economics, especially in the United States, was away from formal theoretical analysis toward various other approaches, especially that of statistical description. Such fashions in doctrine come and go; but some general principles of economy and waste cannot lose importance while the race retains any disposition to think intelligently about its material problems. The general type of economic thought and the mental attitudes toward economic problems

fostered by Taylor cannot for long lose their interest for thinking men.

FRANK H. KNIGHT

Consult: Suranyi-Unger, T., *Die Entwicklung der theoretischen Volkswirtschaftslehre im ersten Viertel des 20. Jahrhunderts* (Jena 1927), tr. by N. D. Moulton as *Economics in the Twentieth Century*, ed. by E. R. A. Seligman (New York 1931).

TAYLOR, FREDERICK WINSLOW (1856–1915), initiator of scientific management in the United States. Taylor's activity and contribution responded to the needs of the second stage in the industrial revolution, which became pronounced about 1880 when productive capacity began distinctly to outrun the capacity of the market to absorb goods at profitable prices. Whereas previously emphasis had been placed largely upon obtaining capital, expanding plant and equipment, increasing limitations of the market now made imperative a more efficient use of productive equipment to cut costs and raise profits. Taylor was the first conscious exponent of this necessity, and the scientific management which he founded has since spread throughout the industrial countries of the world. One of its more elaborate forms is the movement for rationalization of industry. Trained as an engineer, Taylor, while working as a gang boss in the employ of the Midvale Steel Company, became involved in a controversy with workers which led him to seek the exact content of a day's work. He was then led into a series of experiments in mechanical engineering, into the field of management, into the discovery of tempering tool steel to permit of high speed metal cutting operations and into the renovation of shop management. Always Taylor's goal was to determine best or standard ways, tools and materials by scientific method and experimentation and to create a control sufficiently extensive, intensive and flexible to permit the standards once set to be maintained. More important, however, than any tangible achievement was his demonstration of the possibilities of management in achieving economical gain through the establishment of standard practises based upon scientific methods. From the labor angle Taylorism was not simply a system of "time and motion" standards to insure more efficiency; it included a policy of placing "on the side of management" an increasingly larger part of the working force.

Some critics hold that Taylor did not appreciate the difference between an engineering problem and a labor problem. Hoxie has pointed out that scientific management in operation was a less perfect instrument than its founder indicated. Organized labor has frequently asserted its opposition to scientific management on the ground that it has not operated in a humane fashion. Without doubt the practises of the business world which have often been labeled scientific management have fallen far short of even Taylor's ideals. To some social engineers he represents a plea for a complete realization of the arts of production. But Taylor apparently did not understand that as long as the arts of production are carried on in terms of profit making rather than of goods making, the social implications of scientific management cannot fully be realized.

WILLARD E. ATKINS

Important works: *Shop Management* (New York 1911); *The Principles of Scientific Management* (New York 1911).

Consult: Copley, Frank B., *Frederick W. Taylor*, 2 vols. (New York 1923); Drury, Horace B., *Scientific Management*, Columbia University, Studies in History, Economics and Public Law, no. 157 (3rd ed. New York 1922); Hoxie, R. F., *Scientific Management and Labor* (New York 1915). See also bibliography of SCIENTIFIC MANAGEMENT.

TAYLOR, JOHN (1750–1824), American publicist. Taylor practised law from 1781 to 1792, sat in the Virginia legislature for ten years and served in the United States Senate for three short periods. Apparently, however, he preferred to devote himself to activity as a publicist and as a plantation owner. He regarded agricultural life as the means to the development of man's noblest impulses. This strong predilection for agriculture colored both his economic and his political ideas.

The ablest theorist of the early state rights school, Taylor had a pronounced spirit of political independence. His writings, all pervaded by a deep antagonism to centralization and to industrial interests, were extremely influential in the south. In a number of pamphlets and in *An Inquiry into the Principles and Policy of the Government of the United States* (Fredericksburg 1814) he opposed Hamilton's ideas concerning a public debt, exclusive privileges for corporations and bounties to capitalists, which, he felt, would create a moneyed aristocracy and permit it to thrive at the expense of the landed interests. This work also contained Taylor's answer to Adams' *A Defense of the Constitutions . . . of the United States* (3 vols., London 1787–88), which advocated aristocratic government. An

ardent admirer of Jefferson, he did not hesitate to criticize the Jefferson-Madison foreign policy which culminated in the War of 1812.

Taylor challenged boldly the reasoning of Chief Justice Marshall in accordance with which the federal government, under the constitution, could exercise sweeping authority. The employment of such powers, Taylor held, would destroy that division of powers between the federal and state governments provided for in the constitution; accordingly he suggested the principle of interposition by the states to resist encroachments upon their rights. If the federal government remained limited in authority, no special geographical interest could, through control of that government, produce discord by passing legislation that bore heavily upon other sections. These ideas are developed most thoroughly in *Construction Construed* (Richmond 1820) and later in *New Views of the Constitution of the United States* (Washington 1823).

Arator (Georgetown 1813; 6th ed. Petersburg, Va. 1818), a collection of essays by Taylor, was the first important work on agriculture published in the south. It discussed methods of improving cultivation and the effect of political factors on agrarian situations. The book was widely read and gave a strong impetus to agricultural studies.

HENRY HARRISON SIMMS

Consult: Simms, H. H., *Life of John Taylor* (Richmond, Va. 1932); Dodd, W. E., "John Taylor, of Caroline, Prophet of Secession" in *John P. Branch Historical Papers of Randolph-Macon College*, vol. ii (1905–08) 214–52; Beard, C. A., *Economic Origins of Jeffersonian Democracy* (New York 1915) p. 196–211, 322–52; Ford, J. V., "The Economic Philosophy of John Taylor" in *William and Mary College Quarterly*, 2nd ser., vol. ix (1929) 221–35.

TEA. *See* PLANTATION WARES.

TEACHING PROFESSION. If a profession be defined as requiring a culture broad enough to allow its work to be viewed in a perspective of social values, as entailing a systematic technical preparation for the development of skills and as providing financial and social rewards adequate to attract persons endowed with distinguished intellectual and personal qualities to permanent careers in a given field, it is open to question whether the vocation of teaching may yet be characterized as a profession in the same category as law and medicine even in modern, educationally advanced communities. In earlier times teaching seldom figured as a profession in this sense. Frequently it was not even a distinct vocation, because it was performed by persons or classes who were simultaneously engaged in other important vocational activities.

Among primitive peoples little or no formal teaching is to be found. The elementary school first appeared in a rudimentary form in ancient Egypt; those who taught in such schools enjoyed little social prestige except in the case of the high official who instructed the royal princes and certain sons of the wealthy in a school in the king's palace. In their temple colleges the priesthood taught those who wished to devote their lives to religion or to medicine and trained the youths to become scribes. Teachers of vocational subjects were honored mainly, however, because of their proficiency in the arts they taught rather than as teachers. In Biblical days among the Jews the first teachers outside of the family were the priests, but later teachers rigorously selected on the basis of their knowledge, maturity, morals and interest in youth were frequently drawn from the laity and were paid from public funds and exempt from taxation.

In Sparta teaching was under state control and had strictly utilitarian aims. City elders chosen for the task of training youth from the age of seven to thirty were carefully selected for their proficiency in the art of warfare as well as for their patriotic zeal and were treated with marked respect. In Athens, on the other hand, although a law urged all citizens to give their sons an elementary education, the state set no definite requirements relative to the preparation, certification or supervision of teachers. There was, however, no religious control over teaching by a powerful priesthood. Consequently there appeared a variety of private, secular elementary schools, differing in quality of instruction with the ability of the individual teachers, who were for the most part slaves or provincials treated with disdain. Prolonged preparation for teaching was first evidenced in the age of Pericles with the advent of the sophists, who charged fees for their services, an innovation regarded as reprehensible by their opponents, who taught with no utilitarian end in view and who expected no recompense save presents from their pupils or donations from interested patrons. In early Rome teaching was again a family function. A system of secular schools gradually developed under the republic. It was encouraged by Julius Caesar, who conferred the franchise on the professions of liberal arts and medicine alike. Later emperors extended their favor to educators by establishing a definite scale of salaries in all

branches of the profession and by exempting its members from military service. Municipalities scattered throughout the empire founded and maintained their own schools, the salaries of those who served in them being derived partially from taxes and partially from fees.

During the Middle Ages teaching was confined almost exclusively to the Catholic clergy. Although elementary instruction was generally neglected by the church, parish priests were frequently expected to teach grammar to the children of their parishioners without remuneration save occasional gifts. Secondary schools attached to cathedrals served as training centers for priests. A special church dignitary, the *scholasticus*, had charge of the appointment, certification and supervision of the teaching corps of these schools. Under the stimulus of an expanding commercial life mediaeval cities increasingly encouraged the teaching of reading, writing and "reckoning" in the vernacular, without the sanction of the church, which compelled the use of Latin in all its institutions. Such instruction was provided by a heterogeneous group, including itinerant priests and nuns, "traveling writers," secular city clerks and women eager to earn an extra pittance.

The position of teachers appears not to have improved very much after the Reformation during the sixteenth and seventeenth centuries. Lacking resources for the establishment of new schools to replace the Catholic schools they had closed, Protestant states were forced to fall back upon such minor church functionaries as the sexton or chorister for the provision of elementary instruction. When it was impossible to secure the services of these officials, laymen were used; but their appointment ordinarily extended for only one year, they were often paid less than policemen and the sole quality they were officially required to possess was piety. There were scattered efforts to improve instructional methods and the preparation of teachers, notable among which were the Jesuit schools for secondary education in which the teachers were thoroughly trained. Both in Protestant and in Catholic countries, however, the Latin, or grammar, schools remained largely in the hands of the clergy. As a rule schoolmasters in secondary schools in Europe acquired a relatively high social standing mainly because of their learning or their close connection with the church. In the New England colonies they stood next in the social hierarchy to the clergy, and it was not uncommon to exempt them from military service and the payment of certain taxes. Throughout this period the lot of elementary lay teachers was less favorable than that of their more highly educated confreres. For the most part the former consisted of men and some women, with no formal training beyond elementary subjects; sometimes they were itinerants who taught school for only a few months at a time, sometimes bond servants, as in the southern part of the United States, sometimes cobblers, tailors or old women willing to devote their spare time to teaching the barest elements of learning to children. The meager wages of all classes of teachers were drawn from the church, town rates, voluntary or charity subscriptions, as in England, fees from parents or payment in kind, as in many parts of the United States.

The turning point in the attitude of the teacher was inspired by Rousseau's contention that the child rather than the subject matter should be the pivot of education. Early in the nineteenth century Pestalozzi and his disciples gave body to this concept through their development of formal pedagogical methods. In the teacher training schools which they helped to establish they attached a hitherto unknown dignity to the role of elementary teaching as a logical corollary of the belief that mankind could be regenerated by proper educational methods if and when employed by adequately prepared teachers.

Prussia was the first modern state to apply this point of view in the development of a public elementary educational system. In the nineteenth century the Prussian schoolmaster became a professional teacher whose preparation embraced a course of special study in a seminary, who had to fulfil and maintain certain prescribed qualifications and who was accorded security of tenure and definite opportunity for career advancement. With the advent of the German Empire in 1872 the elementary teacher attained the status of a full fledged civil servant whose professional interests were safeguarded by law. The German state then greatly enhanced the social importance of the teaching profession by inaugurating free, secular, common schools with attendance compulsory for all children.

Modern Germany set the pace in developing specialized professional training for elementary teachers. Between 1871 and 1918 a series of reforms established high training requirements, which were further raised during the republican period from 1918 to 1933. Normal schools of the traditional type gradually

gave way to a new kind of teachers' college of university rank, notably in Bavaria and in Prussia, where fifteen *pädagogische Akademien* were established by 1931. In other German states, of which socialist Hamburg was outstanding, the local university conducted the preparation of elementary teachers; while in other regions teacher training institutes affiliated with the universities were set up. The course of these notable efforts to raise standards of elementary teacher training was somewhat impeded by the inability of the Reich government to subsidize education in the states during the years immediately following the World War.

Other European countries came only gradually to realize the capital significance of a corps of highly trained public school teachers for the political, social and economic development of the national community. In England the teaching staff ceased to owe allegiance to denominational or charitable organizations only during the last decade of the nineteenth century, when the elementary school system became largely tax supported. The first English schools for the special training of teachers grew out of the monitorial system and the pupil-teacher centers established early in the century. These training colleges, as they were called, were originally denominational institutions, but eventually they were subsidized by grants from the central government. Control over them is now maintained jointly by the college authorities or by local public educational bodies and by the Ministry of Education at London; the former were allowed wide discretion to vary courses and pedagogical methods and the latter was insured minimum standards of instruction and examination by a flexible scheme of regulations and inspection. Teacher training departments have been established also in a majority of the newer English universities. Since 1928 a full time secondary education until matriculation in a training college or a university training department has been required of candidates for an elementary teacher's certificate. In contrast with the centralized system of certification which prevails on the continent teachers' certificates in England are issued by county and municipal educational authorities or by the governing bodies of training institutions. The teacher does not acquire civil service status but becomes merely an employee of a local educational authority. Uncertified teachers, with a preparation equivalent to the requirements for admission to a training college, still form a considerable part of the total elementary teaching corps, but relatively their numbers are declining. Similarly the traditional pupil-teacher centers, which are now used only for the preparation of rural teachers, will probably disappear when the full effect of recent reforms is realized. Throughout the nineteenth century English elementary teachers were recruited in part by state scholarships, or bursarships. In 1925 the Board of Education declared its intention to reduce the number of such special aids; many local educational centers, however, still provide scholarships, awarded competitively, as the basis for free admission to training colleges and university training departments.

In France the first *école normale* for training male secular elementary teachers was founded by the Convention as early as 1794. A law passed in December, 1832, authorized a similar institution for each *département*; schools for women were established later. A long and bitter struggle was necessary before the teaching corps was completely laicized. Since the establishment of the Third Republic, however, the official status of public elementary teachers has been uniformly guaranteed by a series of general laws beginning in 1881 and extending down to the period following the World War. This legislation is based upon the principle that before temporary appointment each candidate must possess a certificate of professional capacity corresponding to his function. Successful applicants for the normal schools receive state scholarships providing free instruction, board and lodging on the condition that they sign an agreement to teach at least ten years in a public school or refund to the state the cost of their maintenance. Notwithstanding recent provisions for classroom observation and practise teaching as a part of the three-year normal school course, the keynote of the French training system is a rigorous emphasis upon intellectual attainment rather than upon the mastery of educational methods. France holds strongly to the nineteenth century notion that teachers as servants of the national state should be trained to carry out detailed regulations as prescribed by the Ministry of Education and that there is therefore little room for the exercise of initiative by the individual teacher.

Until the advent of Fascism the Italian system of preparing elementary teaching personnel followed generally the lines of the French. The Gentile reforms of 1923, however, departed sharply from traditional practise. Italian normal

schools were replaced by a new type of training institution, the *Istituto magistrale*, which provides a seven-year course wholly cultural in character. The new arrangement substitutes for specialized professional training the proposition that the successful teacher must be imbued with the aspirations of the nation.

The attempt in the Soviet Union to combine study and productive work and to give education in the fundamental principles and skills that underlie all labor has led to the establishment of seven-year schools with a unified system of polytechnical education. This program and the fact that elementary school education has recently been made compulsory throughout the Soviet Union have overtaxed the resources of the teachers' training schools. In 1930, for example, an additional 7,000,000 children were admitted to the schools and in the school year 1931–32 the teachers' training institutes could provide fewer than 14,000 of the 92,000 new elementary teachers called for; the remainder were recruited from the ranks of young Communists trained by special brief courses. The second Five-Year Plan provides for drastic extension and improvement of teacher training facilities. Teachers have recently been ranked in the highest category of labor along with industrial workers; they are entitled to food and manufactured articles at special terms and are provided with the best medical, hospital and other social services.

The United States exhibits great diversity of patterns of elementary teacher training, including high schools, state and local normal schools, teachers' colleges and schools of education in universities. Until well into the nineteenth century the preparation of grammar school teachers took place in private academies, of which the earliest was founded by Benjamin Franklin in 1756. Massachusetts in 1838 was the first state to adopt legislation for public normal schools; other states followed soon after but normal schools expanded markedly in number and importance only toward the end of the century. American practise has evolved steadily from admitting students to these normal schools directly from the elementary schools in the direction of requiring some secondary school work, if not always graduation from high school.

Notwithstanding the extensive development of state normal schools the rapid expansion of public school systems created until recently such a shortage of trained teachers as to lead to the establishment of other institutions for teachers' training, notably county normal schools and one or two-year training courses in high schools. Meanwhile an increasing proportion of the better state normal schools were granted collegiate status, with the right to grant degrees upon the completion of a four-year course. By 1930 there were in the United States 331 normal schools and teachers' colleges with an aggregate enrolment of 210,000 students. In addition the majority of American colleges, junior colleges and universities, through their departments of education, contribute to the training of teachers as well as of school principals and supervisors.

The exercise of control over the certification of teachers in the United States was originally lodged with local school authorities, whose jurisdiction was limited to special districts particularly in rural areas, to municipalities or to counties. Within the last generation, however, in order to elevate standards state departments of education have tended to assume this function or at least to share it with local agencies. In twenty-nine states certificates are now issued exclusively by the state superintendent or state board, while in the other nineteen states the function of licensing teachers is divided among the state and counties, cities, institutions of higher learning, normal schools, teachers' colleges and independent school districts. It is not uncommon to find a situation such as that in Wisconsin, where more than a hundred different authorities have the power to grant certificates. In recent years there may be noted a further tendency to specialize teachers' licenses by type of school or subject to be taught. Whether based upon examination or scholastic credentials, the minimum qualifications required for the certification of elementary teachers still remain relatively lower in the United States than in Europe, although a constant improvement in standards may be observed over the last two decades.

Technical training for teaching at the secondary level has had a later development than that for elementary schools. This is explained in part by the fact that secondary education remained for a longer time under the control of the clergy, which was concerned only with morals and conformity to the faith, and in part by the persistence until recently of the view that secondary schools should be but feeders for colleges and universities, the emphasis in selection of teachers thereby being placed upon knowledge of subject matter. The first steps toward the special preparation of secondary teachers, taken by France and Germany early in the nineteenth century,

had nationalist as well as professional ends in view, as part of an effort to bring secondary education under state control. Thus Napoleon in 1808 established the École Normale Supérieure, which along with the universities prepares a male student élite for the highly competitive examination leading to the diploma required for an appointment to a state *lycée* for boys; a similar normal school is now available for women candidates preparing to teach in *lycées* for girls. There also exists in France the municipal *collège*, a secondary school of somewhat lower grade, financed in part locally, for which a special four-semester course in a university, leading to the *licence d'enseignement*, suffices as the minimum qualification for teaching. Two years of additional preparation as *Referendar* in a university is a prerequisite to teaching in the German *Gymnasien* and the *Oberrealschulen* for boys and the *Lyzeen* and *Oberlyzeen* for girls, which are governed and financed jointly in varying degrees by the central state and the communes. Successful candidates receive the title of *Studienassessor*; final appointment as *Studienrat*, based upon a difficult merit ranking by the Ministry of Education, is rarely given before the applicant reaches the age of thirty-two. While the national Board of Education in England has not defined precisely the qualifications for instructors in the various types of secondary schools, it has since 1902 exercised some control over training through money grants to local educational authorities. About 75 percent of English secondary teachers are university graduates.

The nation wide development of free, public high schools in the United States since the 1880's has accentuated both the numerical and the social importance of teachers in the secondary schools to a degree not equaled elsewhere. Yet, as in the training of American elementary teachers, the preparation of high school instructional staffs conforms to no uniform national pattern, unless it be the requirement, now found in every state, of a college degree for the highest grade of certificate for senior high school teachers, with two to three years as the minimum for junior high school work. All states moreover have come to require a certain number of hours of work in either educational psychology, principles of high school teaching or directed teaching. In 1923 there were still as many as thirty-five different ways in which prospective teachers might enter high school work. Among the most potent influences for improving the standards of high school teaching in the United States has been the growth of accrediting associations of colleges and secondary schools, of which the North Central Association, founded in 1894, ranks first in importance.

For a long time the teachers of literary subjects were either indifferent or opposed to the rise, in the twentieth century, of vocational schools, the introduction of manual training in the academic public schools and the appearance of kindergarten and nursery schools. This attitude grew out of a feeling of class superiority based partly upon the traditional idea of what constituted an education and partly upon the fact that handwork and industrial training originated in schools for paupers, juvenile delinquents or the children of peasants or laborers. Gradually, however, the success of Fröbel's kindergarten work and the influence of democracy in the United States tended to liberalize the point of view of both teacher and public. Impetus was given to the movement by the founding in New York City of a college for training teachers in handwork and the industrial arts, an institution which later expanded in function and became Teachers College of Columbia University. Not only in the United States but in most European countries as well vocational training is now provided by a variety of technical, commercial and agricultural schools supported by public and private funds and designed to prepare thousands of children of laborers, farmers and the lower middle classes for non-professional pursuits. These schools provide new sources of teacher employment, as do the public and private nursery schools and kindergartens, which are being established in constantly increasing numbers, and the continuation schools for industrial workers, labor colleges, correspondence schools and night schools in urban centers.

The status of teachers in the well established private and parochial schools of the academic type is by and large not as advantageous as in state supported institutions, although in countries like France and Italy there is a tendency in the better Catholic schools to approximate the qualifications for instruction set by the public educational authorities. The quality of the teaching staffs in the misnamed public preparatory schools in England, such as Eton and Harrow, and in certain wealthy private schools of similar standing in the eastern part of the United States is usually high.

Expressed in quantitative terms, the teaching profession constitutes one of the largest occupa-

tional groups in contemporary society. In the United States, for instance, where popular education has advanced furthest, more than 2.1 percent of all persons gainfully employed belonged in 1930 to the school teaching profession. During the preceding sixty years the number of teachers of all categories below the college level increased almost tenfold. While the rate of increase has been considerably slower in European countries, except in Soviet Russia, teachers have everywhere increased more rapidly in number than have members of the other liberal professions. In Great Britain nearly one half of all the employees of local governmental authorities are teachers, as is also true of the states and thousands of local units in the United States; the elementary and secondary teaching corps in Germany accounts for a fifth of the entire civil service of central and local governments; and in France 17 percent of all persons on the pay roll of the national treasury are teachers.

As indicated in the accompanying table, the aggregate number of both privately and publicly employed elementary and secondary school teachers in the leading countries has in recent years reached an impressive figure. In spite of the great expansion of popular secondary education during the last half century elementary instruction still requires the services of from three fourths to nine tenths of the entire body of public school teachers in European countries and in the United States. The ratio of elementary to secondary teachers is higher in French and Italian public educational establishments than elsewhere, although if parochial schools are included it is closely comparable to that prevailing in Germany and England.

Since the middle of the nineteenth century a striking phenomenon has been the admission of increasing numbers of women to the vocation of teaching. In the United States women teachers now dominate by a ratio of five to one, while in Great Britain they are about two and a half times as numerous as men teachers. In France and Italy the men have succeeded in holding little better than an even numerical balance with the women teachers. On the other hand, men outnumber women in the German schools by nearly three to one. In all countries the intrusion of women has been much more marked in the primary schools than at higher educational levels, although 65 percent of the teaching personnel of American high schools was in 1930 composed of women, a proportion similar to that in most continental elementary school establishments. In the elementary schools of the United States male teachers constitute but 10 percent of the total staff. Notwithstanding the clamor of some educational authorities against alleged evils of excessive feminization, the proportion of women teachers appears to have increased. During the severe economic crisis of recent years, however, strong sentiment has been voiced in favor of the employment of men who were heads of families in place of married or even of single women.

Prior to the economic crisis there was a substantial improvement in the economic and social status of the teaching profession. While nearly all types of teachers benefited therefrom, the most marked advance was in respect to the staffs of national educational establishments in Europe and of urban school systems in England and the United States. Standards of compensation for rural teachers, especially in countries whose public educational system was not under central control, remained very low. In relation moreover to the material rewards offered by liberal professions, like law and medicine, the economic situation of the entire teaching class below the university level had not become sufficiently

NUMBER OF TEACHERS IN ELEMENTARY AND SECONDARY SCHOOLS IN RELATION TO ENROLMENT, FIVE SELECTED COUNTRIES

(In 1000)

COUNTRY	YEAR	CHILDREN OF SCHOOL AGE*	ENROLMENT	TEACHERS	TEACHERS PER 1000 ENROLLED PUPILS
United States	1930	36,200	28,300	938	33.1
Germany	1932	16,700	8,650	249	28.7
England and Wales	1932	10,700	6,100†	192†	31.4†
France	1931	8,800	5,200	175	33.6
Italy	1932	12,200	4,900	119	24.2

* Five to nineteen years of age.
† Not including private schools.

Source: Figures on children of school age from League of Nations, Economic Intelligence Service, *Statistical Year-Book*, Publications, 1932.II.A.11 (Geneva 1932) p. 26–32. Figures on enrolment and teachers from United States, Office of Education, *Biennial Survey of Education 1928–1930*, Bulletin 1931, no. 20, 2 vols. (1932) vol. ii, p. 5, 8; Germany, Statistisches Reichsamt, *Statistisches Jahrbuch . . . 1932* (Berlin 1932) p. 421, 424–25; Great Britain, Board of Education, *Educational Pamphleis*, no. 94 (1933) p. 37; France, Statistique Générale, *Annuaire statistique 1932* (Paris 1933) p. 33; Italy, Istituto Centrale di Statistica, *Annuario statistico . . . 1933* (Rome 1933) p. 75, 78. Figure on teachers in France estimated by author.

favorable to attract an adequate number of persons of first rate ability. The economic differential against the teacher may be seen clearly from a study of the incomes of various occupational groups in the United States for 1926: the average salary of teachers, principals and superintendents in the public school was $1275 as compared with the $1908 average wage of high grade clerical workers and the average of $2010 for all gainfully employed persons.

Uniform salary schedules for each class and level of the teaching profession are fixed by national law in most continental countries, including France, Italy and Germany, although in the latter salaries are paid by provincial and local authorities. In England the minimum scales of compensation for public school teachers have recently been standardized by national agreement, local school authorities suffering a reduction in national grants as salaries fall below these minima. As a rule in Europe base salaries are provided with a scale of increments up to a specified maximum, receivable at intervals varying with the period of service, the acquisition of additional training and the service rating. In France and certain other states supplementary allowances are granted in proportion to the number of dependents and the cost of living in the locality of employment, together with such perquisites as reduced railway fares and free tuition for the teacher's children. In the United States, where teachers' remuneration is determined by local authorities, great variation in the scale of pay exists, although since the World War many states have enacted minimum salary laws applicable to all their teachers. For secondary teachers salary ranges are everywhere considerably higher than for instructional personnel at the elementary level. An organized movement for a single salary schedule for both levels has appeared in the United States.

Practise varies with regard to the compensation of women teachers. In France, for example, there is no differentiation on account of sex, but in England the remuneration of women remains appreciably below that of men. In the United States about one half of the city school systems pay higher salaries to men and the discrimination tends to vary inversely with the size of the city. Both in Europe and in the United States professional organizations of teachers recently have favored equal pay regardless of sex.

The average annual compensation of public school teachers rose during the World War and in the post-war period before the effects of the economic crisis were felt; in England it mounted from £119 for male elementary teachers, £74 for women and £104 for both in 1913 to £324 for men, £217 for women and £245 for both in 1931; in the United States the average annual salary for secondary as well as elementary teachers increased from $525 in 1914 to $1420 in 1930; when the latter figure is corrected in terms of the cost of living index it amounts to $851. In many countries teachers' salaries have recently suffered drastic reductions; in some cities in the United States teachers' salaries have remained unpaid for months. The economic situation of the teaching profession has suffered severely along with that of the impoverished middle classes as a whole, especially in those countries where there has been extreme inflation.

Prior to the economic crisis the profession of teaching had been gaining considerably in economic drawing power through the widespread enactment of legislation providing for disability pensions and retirement annuities. Scarcely a public educational establishment in Europe now functions without some sort of pension system for its instructional personnel, while in the United States one half the states have adopted state wide systems and most others have authorized city and county school authorities to establish local retirement systems. Many private schools moreover have joined private annuity insurance schemes, of which the Teachers Insurance and Annuity Association established by the Carnegie Foundation for the Advancement of Teaching has been one of the best known. Most of the public teachers' retirement systems are based upon small annual deductions from salaries, supplemented in some instances by government contributions, with provisions for retirement at a minimum prescribed age of from fifty-five to sixty or at the completion of a prescribed period of service, with a superannuation allowance varying in amount with the average salary during the last few years of active service and the total number of years of service. In the main teachers' pension plans conform closely to the pension systems for other public employees in administrative, clerical or technical work.

Paralleling the adoption of salary classification and pension systems there was notable progress toward more reliable guaranties of security of tenure as well as provision of definite opportunities for economic and professional advancement after initial appointment. In France and Italy national legislation limits both suspension and discharge to cases of serious misconduct

or professional incompetence, only if and when such action is recommended by a disciplinary council on which the staff is represented; the accused has the right to see his *dossier* and to appeal to the higher authorities in the Ministry of Education. On the other hand, British teachers lack full civil service status and have indefinite tenure; their positions are held during the pleasure of the local employing authority, although in practise dismissals are rare even on educational grounds or for personal misconduct and the right of appeal to the courts may always be resorted to. While academic tenure is less well protected in the United States, a number of state legislatures have enacted laws for continuing teachers' contracts for a specified period of more than one year. In states where the duration of contracts of employment is governed by municipal ordinances or the regulations of local school boards, the typical procedure is either to limit contracts to one year, with annual reelection thereafter, or to engage teachers for an indefinite period subject to termination without cause at the end of any year. Political interference with staff tenure is still common, particularly in the smaller cities and rural districts in the United States.

The degree of academic freedom enjoyed by the modern teacher may be said to vary with the extent to which security of tenure is adequately guaranteed. But even with statutory guaranties against the infliction of disciplinary penalties without proper cause the esprit de corps of the teaching profession frequently suffers as a result of official regulations prescribing narrowly what shall or shall not be taught in the classroom, especially as regards subjects like patriotism and evolutionary science. Nor is the teacher free from those community pressures focused upon him by sectarian and superpatriotic groups.

With a view to combating a certain complacent lethargy which exists among large numbers of teachers efforts have been made in most of the better school systems the world over to encourage teachers to continue their professional training during the period of active service and to derive new stimulus through travel. In the United States bonuses, increases in salary and promotion to supervisory posts are not infrequently offered as the reward of continuation of training through university attendance and the acquisition of a higher degree. During 1926 to 1928 nearly one third of the entire body of teachers of the United States were in attendance at college or university summer sessions, the cost of which to individual teachers was defrayed in part by two fifths of the school systems employing them. In Europe special continuation training courses are provided in many cities and foreign study for outstanding younger teachers is occasionally subsidized by state grants.

A significant index to the status of an organized profession is the rate of turnover of its personnel. In Europe voluntary withdrawals from teaching are comparatively rare, even in periods of relative prosperity, whereas in the United States the average period of teaching service ranges from seven to nine years only. Until the impact of severe economic stringency beginning in 1929 the demand for teachers greatly exceeded the available supply of recruits. With the rapidly expanding secondary school enrolment additional teachers had to be recruited at the rate of almost a million about every nine years. Because of the magnitude of the task of teacher placement private employment agencies, organized on a fee basis, sprang up throughout the country; there were 164 such agencies by 1931. In England likewise a serious shortage of teachers existed from 1900 until the end of the World War. In central Europe adverse economic conditions during most of the post-war period have operated to overcrowd the ranks of the teaching profession. Thousands of the annual contingent of university trained applicants for educational posts have, especially in Germany and Austria, been forced into prolonged unemployment because of the lack of openings not only in education but in other occupations. After 1930 a similar situation developed in the United States, where it was estimated in 1933 that there was a surplus of at least 100,000 teachers, many of whom had to resort to federal and state relief funds in order to live. In view of the general tendency to contract public school budgets an indefinite oversupply of experienced and potential teachers appears to be in prospect. This is in sharp contrast to the situation prevailing in the Soviet Union, where the constantly expanding educational program demands a vast further increase in facilities to supply a sufficient number of experienced teachers.

Professional and trade union organizations of teachers have struggled to improve their status. Class consciousness developed first among the rank and file of elementary teachers. As early as 1870 in England a National Union of Teachers was organized. Originally open only to elementary school teachers, it expanded in 1889

into an association which all classes of teachers were eligible to join. By 1914 its membership had reached 90,000 and in 1932 it numbered 143,000, or almost three quarters of the entire corps of public elementary and secondary teachers. A variety of special and regional associations have also been established. In the 1880's French *instituteurs* organized in defense of their economic interests and civic rights and eventually became a powerful national *syndicat* with a membership including over two thirds of the total teaching personnel in the primary schools. In less militant fashion a separate association movement developed among *lycée* teachers early in the present century. Although there have recently been signs of a rapprochement of the two groups, the organized secondary teachers still remain organically aloof from their elementary confreres and exhibit a decidedly more conservative type of group behavior. In the German Empire teachers of every rank and grade united in national professional associations. The Deutscher Lehrerverein was the most important association of this type during the German Republic. Although the leaders of most of these associations were men, women were attracted into their ranks in large numbers, in some instances forming a majority of the total membership. The attitude of the public authorities toward the independent professional organization of teachers in England was on the whole favorable, as it was likewise in Germany until the recent Hitler decrees amalgamated all teachers' associations into a single unit under the aegis of the National Socialist party. In France, however, the Syndicat National des Institutrices et Instituteurs has clashed with the government on a number of occasions over the right to teach pacifism in the classroom and over participation in protest strikes along with the other syndicalist groups of state employees. For a generation French elementary teachers have conducted active propaganda for educational self-government under the slogan "The schools to the teachers!" A number of educational reforms as well as a marked improvement in the economic conditions of teachers must be credited to the influence of teachers' associations in every European country. For example, the English National Union of Teachers has labored successfully for superannuation allowances, national salary schedules, better facilities for training of teachers, reduction in the size of classes, relief from compulsory extraneous tasks and professional initiative in matters concerning school time tables, schemes of work and methods of teaching. In several countries, largely as a consequence of the efforts of teachers' associations, joint advisory committees and councils have been set up and teaching staffs share directly in the formulation of public educational policy.

In the United States the teachers' association movement has not yet attained as wide a development or exerted as much influence as in Europe. The largest American group is the National Education Association, organized in 1870 and incorporated in 1906. It grew slowly and by 1917 had only 8500 members. In the following fifteen years its numbers increased to 200,000, but seven ninths of all American elementary and secondary teachers are still outside its fold. The National Education Association has not functioned primarily as a fighting group concerned with promoting teachers' professional interests but has been rather an organization for the assembling, interpretation and dissemination of information on current trends in education. It publishes a journal, a yearbook and periodic research bulletins, holds annual conventions and has recently devoted considerable effort to the development of model codes of teaching ethics; thirty-three state teachers' associations had officially adopted such codes by 1930. In the main the National Education Association has been so dominated by the administrative elements in its membership that it cannot be said to have served materially the vital interests of the teaching corps.

Partially as a reaction against the conservatively managed National Education Association local teachers' leagues were formed early in the present century. Certain of these local leagues in the larger cities united in 1916 to form the American Federation of Teachers, which at once affiliated with the American Federation of Labor. Frankly trade unionist in outlook, this organization, following a phenomenal expansion just after the war, settled down to a slow but steady growth. By 1933 it comprised 20,000 individual members and 269 locals distributed through every state in the United States. Most of these locals, however, are still minority groups. To achieve its objective, the American Federation of Teachers relies upon arousing public opinion and influencing legislative bodies rather than upon any form of direct action, such as strikes. Already it has done much to secure advanced state legislation relative to tenure, salaries, pensions and the like, and it works

constantly for experimentation with progressive instructional methods and for a better general realization of the social dignity and value of the function of teaching. Other local teachers' groups, especially in metropolitan communities, have advocated and used more militant tactics to counteract the retrenchment policies that are imperiling the present standards of the teachers.

Since the World War there have been attempts to establish professional organization among teachers on an international scale. As an outgrowth of the World Conference on Education called by the National Education Association at San Francisco in 1923 a World Federation of Education Associations was formed. Chiefly British, Irish and American in membership, this federation has held biennial conferences at Edinburgh, Toronto, Geneva, Denver and Dublin. Reflecting the conservative point of view of the National Education Association, it tends to confine itself to facilitating the interchange of information and ideas and to creating a better understanding of British and American educational problems. A more militant organization is the International Federation of Teachers' Associations, which consisted in 1934 of 534,000 individual members from twenty-one European and four Latin American countries; these include France and England, but exclude Italy since the advent of Fascism and now Germany, whose Nazi delegates were expelled in August, 1933. This federation maintains staff headquarters in Paris, publishes a quarterly bulletin and holds annual congresses. Although its activities are focused in part upon ways and means of improving the professional and economic status of teachers, its primary concern is to wage a concerted fight against the forces of nationalism and clericalism in European education. Thus the federation vigorously advocates the revision of history textbooks so as to make them less bellicose and more internationalist in their emphasis. The teaching profession is at present far from being a united, effective factor in the struggle for international cooperation, but the leaders of the federation understand the strategic position which teachers hold and what they could achieve in the promotion of such causes were they to utilize their opportunities.

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See: EDUCATION; EDUCATIONAL PSYCHOLOGY; PUBLIC EMPLOYMENT; PROFESSIONS; PENSIONS; ACADEMIC FREEDOM; UNIVERSITIES AND COLLEGES; LEARNED SOCIETIES.

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TECHNICAL EDUCATION. *See* VOCATIONAL EDUCATION.

TECHNOLOGICAL UNEMPLOYMENT. *See* UNEMPLOYMENT.

TECHNOLOGY. The character of the modern world, which reached its full development in the nineteenth century, is most intimately bound up with the profound transformation of the technical means of production. In earlier epochs there were great technical advances, as, for example, the improvement in the technique of applying horse power during the Middle Ages. Such inventions, however, appeared merely as isolated changes in production and never resulted in any fundamentally new method of production. The significance of modern technology did not become clearly evident until the expansion of industry on the European continent in the nineteenth century, when the intensification of competition hastened the development of technical progress and promoted its rapid extension. Although a technological conception of history is to be rejected, it must nevertheless be admitted that modern technology was one of the most important conditions which made possible the rise of the industrial system.

The economic nature of modern capitalism is historically bound up with the development of technology. This characteristic quality, which has made the capitalist system so effective, has given rise to an enormous increase in physical production. It is this quality which distinguishes capitalist production from that of previous epochs and not division of labor, which is age old and which was widespread also during the Middle Ages. Standardized mass production likewise is not a peculiar characteristic of the capitalist era. All static cultures, including the economic systems of the Far East, had standardized mass production on a national scale long before the advent of capitalism. It was modern machinery, however, which made possible the rapid increase in volume of production; and this in turn was the necessary condition for speedy industrialization, for the opening up of precapitalistic countries and for the rise of the general standard of living simultaneously with an increase in population. In short, however much the significance of intellectual and spiritual factors for the growth of technical development may be emphasized, it is certain that the dynamics of capitalist economy is bound up intimately with modern technology. As a result of the shift of all heavy work as well as a large share of the finishing work to machines driven by natural power the curve of production was able to rise sharply above the curve of population increase and great individual and social wealth, characteristic of capitalism, was made possible. This vast and sudden increase in wealth was related also to other economic, social and psychological conditions. Of the economic factors only that of the increase in the volume of money, due to increased production of the precious metals, need be mentioned here. Only with an increase in the volume of money could there have been such a tremendous increase in production without at the same time a serious repercussion on the price level.

Capitalism is further characterized by the scientific basis upon which it rests. The production process during the first phase of modern industrial development was still dependent upon skilled labor and upon the training of the worker in handicraft. With the development of technology, however, programs and plans have been shifted to the preparatory stages of production and production itself has been concerned merely with the mechanical realization of the engineer's plans. Thus the work performed in industries, as distinguished from transportation and trade, has become monotonous, often reduced to a few mechanical manipulations.

As production becomes more mechanical, it becomes also more scientific. The precision and tremendous speed of mass machine production,

the utilization and combination of new materials, the fundamental significance of chemical processes—all are based on the systematic and scientific work of the engineer and have taken the place of the older traditional techniques, which developed organically and which were mutually dissociated. In the same way the construction of commercial and production industries is possible only when established upon scientific foundations. Conversely, modern natural science has developed rapidly with the technical aids with which modern industry has provided it.

The cultural implications of the modern production process are far more difficult to grasp. Max Weber and Werner Sombart stressed chiefly the spirit of calculation in capitalist economy. This spirit, they maintained, was reflected back in all aspects of life and created or at least made possible the rationalism of the modern era. Weber, however, also called attention to the rational character of magic and traditional cultures. In these cultures too life is regulated in strictly schematic fashion. It is therefore not true that exact economic calculation began only with the coming of capitalism or with the advent of commercial capitalism. What happened was that the methods of exact economic administration were refined to an extraordinary degree and extended over wider fields. Furthermore the rationalist methodology of the economic system has psychologically transformed the modern man and has pushed into the background the power of irrational forces. But it must not be forgotten that this rationalist spirit became infused into the spontaneous development of science and social organization long before the advent of modern technology. This rationalist tendency represents the dissolution of the mystical element in the consciousness of man, the illumination of all obscurities and enigmas and, as Max Weber put it, the "disenchantment of the world." It was, however, brought about by both science and technology and reflects the decline in the force of religious values.

The relations between technology and social consciousness are very much more complicated. The systematic building up of individual industries and the rational administration of the work are accompanied by sudden and incomprehensible market disturbances. In these disturbances and crises the production process suddenly becomes paralyzed. This change in the general economic situation invests the entire modern production process with an aspect of mystery and, particularly where there are long depressions, creates the disposition to look at things irrationally. The monotony and the drabness of work perhaps also serve as influences in the same direction. The most modern and most rational technological development thus is accompanied by the appearance of irrational mass movements. There are undoubtedly other causes for these movements, but modern technology does play an important role in that it makes the whole social process more mysterious.

Influenced by technological development, the economic and social structure of the nineteenth century reveals still more acutely the very characteristics which emerged in the industrial revolution: the tendency toward large scale industry, organization and social disciplining of the workers; the decline in skilled labor; the rise of entrepreneurs who organize a strictly rationalized production to fit the market situation; and the creation of a commercial system which develops and expands the market. With the expansion of modern industry there comes also a transformation in social relationships. Whereas the period up to the industrial revolution was dominated by the opposition between the forces of conservatism and the revolutionary bourgeoisie, the following period witnessed the emergence of the conflict between entrepreneurs, capitalists and workers. The question of equitable distribution of the social product is a difficult one because of the antinomy in capitalist production whereby wages not only figure as costs of production but are at the same time also a source of purchasing power. Whereas the lowering of wages up to a certain level is often a necessary condition for the realization of profits, it may likewise involve a danger for profits. These difficulties have been augmented by the growing importance of machinery, for the increased burdens of fixed costs render difficult the determination of this correct distribution and make error so grave.

There are other special characteristics of the capitalist epoch which are even more intimately related to modern technology. The modern period has often been called that of the engineer. Industry and railroads are the most outstanding features of the new world. These were vociferously acclaimed not only because they netted fabulous earnings to the ruling groups but also because they provided undreamed of sensations for the great mass of the bourgeoisie and the workers. An increasing number of production industries, developed out of the traditional handicrafts, were systematically reconstructed

and were drawn into machine production by the growing concentration of capital. In this way a whole army of technical auxiliary forces arose with academically trained men at the top but with the mass of workers engaged only in routine work. And since the industrial system also required a personnel for the sale of the commodities and for public management, there developed also an army of commercial employees and public officials. In this way technological development accelerated the process of bureaucratization, so that a large quota of the gainfully employed were taken from the immediate production processes and shifted to administrative departments.

The increased importance of engineering for production has not been accompanied by a corresponding increase of influence of the engineer in production, society and politics. The engineer's attention is concentrated upon technical progress rather than upon the conditions requisite to economic success, which depends upon the relation of cost to yield. The entrepreneur of the nineteenth century was seldom a technician, but he was always on the watch for inventions which looked promising. He financed the high costs of testing and installing new inventions; he developed a market and thus carried the technical idea into the economic world. Only a few engineers become captains of industry and of these only those who have an insight into the problems of economic organization and finance. Singularly few engineers become great political leaders. The great mass of technical functionaries constitute but a passive element in the whole complex structure. They exert much less influence upon the character of the production process and upon the selection and elaboration of technical ideas than does a foreman in a smaller plant, who exercises a determining influence on technical, organizational and even personal matters. The average technician, even when expertly trained, is more easily replaced than such a foreman.

The great increase in productive powers during the nineteenth century is, then, a result of technological development. Three factors are to be distinguished in this process: the transfer to the machine of complicated motions, the acceleration and intensification of this movement by mechanical power and the introduction of new articles of demand or the satisfaction of old needs through the consumption of new articles. This increase in productive forces has resulted in an enormous per capita increase of the social product. Even if there be accepted a high estimate of the losses brought about by economic crises, it cannot be denied that nineteenth century Europe and America witnessed an unprecedented rise in the standard of living. During the first half of the nineteenth century in England and to a still later time on the continent the zeal for extension and construction of modern technical equipment was so intense that the strongest pressure upon wages, due to the increased possibilities of capital investment, brought no reaction upon the commodity market. The maintenance of the standard of living on a low level, despite enhanced efficiency of labor, was made possible by the rapid disintegration of the old handicrafts and the simultaneous increase in population (in England the decline of agriculture as well) which flooded the labor market. In the next period, in the continental countries after the 1880's, the working classes and officials came to receive an increased share in the social product. The importance of the consumer was also increased thereby. During the three or four decades before the World War and as a result of the increased industrial production and growing efficiency in transportation the living standards of skilled workers and functionaries began to approximate that of the petty bourgeoisie. This was not yet true of the unskilled and agricultural laborers. With the improved conditions of the European workers came also increased prestige and influence of labor organizations and trade unions, which prevented a rapid drop of the workers' standard of living during the crisis. There was, however, but incomplete security against sudden impoverishment and this only for certain groups of the proletariat. For machine production pushes the older workers out or forces them into less remunerative posts. In times of depression or in highly mechanized industries such degradation may come to workers when they are as young as forty. Nevertheless, despite the insecurity of individual workers, despite the fact that individuals may sink to the lower strata of the proletariat, the cultural development of the workers has made great progress under the influence of a rapid advance in the standard of living.

The new technology has also had a powerful effect upon the political changes which have occurred since the middle of the nineteenth century throughout the world. The countries of the Near and Far East, with the exception of Japan, soon came under the control or influence of European and American powers. Railroads,

telephone and telegraph communications together with modern instruments of warfare gave to the western governments so superior a position that any colonial uprising was hopeless. So great did the power of the western nations become that even the nominally independent states of the Asiatic east were turned into "spheres of interest" as a result of tacit understandings between the great powers. The ascendancy of European influence was furthered also by great capital investments for the construction of railroads, harbors and the like. Since foreign capital investments usually go hand in hand with exports to the debtor countries, their growth was again tied up with the increased technical capacity of western industry. World opinion—similarly under the influence of technical successes—gave impetus to an unlimited belief in progress, which permitted no doubts as to the cultural superiority of the European nations. Even nations of the Far East were inspired by the same ideas, as is borne out by the enormous enthusiasm with which Japan took over European and American methods. Although this naïve enthusiasm of many peoples for technical progress and their belief in its cultural significance subsequently lost intensity, the decisive political changes had already occurred and could not be undone.

The significance of technical progress for social change is complex in character. The most striking social characteristic of the first stage of modern capitalism was the rise and concentration of an industrial proletariat. Social composition was later differentiated by the numerical growth of non-independent middle groups and by the unexpected resistance of the peasants and artisans to their destruction by large scale industry and superior oversea competition. The middle groups made use of the technical advances in both agriculture and handicrafts. Technical progress therefore did not hinder but in a certain sense emphasized the differentiation in social stratification wherever a democratic form of government gave the individual groups an opportunity effectively to serve their own interests. In this connection it is important to note the growing political significance of the class of intellectuals, which increased numerically with extraordinary rapidity. This was a phenomenon accompanying the modern industrial system; and in the severe crises in the post-war period these groups constituted the principal cadres for the formation of fascist parties. The revival of older romantic notions is also of significance in this connection. In a socialist society these technological facts have a quite different bearing. This is proof that technical development is not unequivocally determined along one line in the social and political field. Thus whereas in western Europe electrification served to improve the economic position of the small producers, in Russia Lenin made it the foundation of socialization even in agriculture. Electrification carried out by a socialist state not only increases the instruments of political power but also makes impossible any production outside the collective economy. This ambivalence of influences, depending on the distribution of political power, is one of the most powerful arguments against a technological interpretation of history.

It is still too early to evaluate the long run significance of modern technology. Sooner or later it may lead to a planned economy with predominantly collectivistic economic measures. These measures can hardly be considered as necessary and inescapable consequences of technological development. Such measures may appear inevitable, however, during economic crises, which increase in intensity and duration as a result of the technological characteristics of modern production and which result in heavy unemployment.

The most recent period since the war has been influenced particularly by the effects of technical progress. Wars have always been accompanied by an advance in technical efficiency. During a war no difficulties confront the financing of new production, even by credit inflation. In modern wars every means of facilitating production improves the position of the warring state and in war time there is an almost boundless demand on the part of the state for agricultural and industrial products of all sorts. The tempo of technical progress therefore is unchecked.

The specific features of technical progress are the extension of the use of machines to new fields, which results in a great saving of human and animal power and the rationalization of already existing machine production. Technical progress has probably never been so universal as during the present era. Only thirty years ago the medium and small scale establishments of European industry were not yet entirely freed from handicraft technique. Today an ever larger share of production is carried out with the most modern methods. The tempo of technical progress is probably more rapid today than it ever was before, in respect to the depreciation of invested capital and in respect to the need for new

investments and the elimination of labor power.

These lines of development are cut across by counter tendencies. Thus capital requirements for new production and expansion of production are often greatly reduced by technical advance in the manufacture of the means of production and they are shifted to meet the needs of organization and marketing.

The causes of the recent acceleration of technical progress are as follows: the systematic promotion of all improvements in production during the war years; the continuation of similar economic conditions during the inflation period, which promoted all kinds of investments; the dissemination of scientific methods, which are now systematically developed in research institutes for almost every industry, and the reciprocal enrichment of individual fields of research.

The substitution of machinery for human and animal power is often considered the chief characteristic of modern technology. This, however, has been the fundamental principle of modern industry for many decades. More important is the fact that this principle is more widely utilized today and that the machine replaces the human hand also in the finishing processes of production. Even today, however, and for a considerable time to come only a small part of the theoretically available power will really be applied to production and transportation.

A decisive and still unsolved problem is that of the effect of technology upon the labor composition of industry and the extent to which modern technology is responsible for permanent unemployment. Both opponents and proponents of the theory of technological unemployment often are satisfied merely to refer to experience. The latter emphasize the fact of mass displacement, and the former point to the absence of permanent unemployment during the period of major inventions and changes in the technique of production during the nineteenth century. Experience, however, does not provide an adequate argument. Displacement could have been compensated by counter tendencies, and not all inventions are of the same nature. As for compensation, it does not come about automatically. In order really to compensate for displacement by the creation of new permanent positions there is need of new capital, new orientation of the workers, initiative on the part of entrepreneurs and discovery of new fields for investment. Older economic theorists took all these conditions for granted on the basis of nineteenth century experience. This is not conclusive, for many of the inventions of that century, such as the railroads, created new needs which resulted in a general expansion of the productive system. Today the greater portion of technical advance is purely labor saving and thus creates unemployment. In theory as well as in practise the process is quite different in the two cases.

It is the surface facts of rapid technological development and mass displacement which have led to the concept of a new technological era. Completely neglecting the severe disturbances of war, inflation, customs and currency barriers, many writers tend to ascribe the general crisis to technological development. Such theorists fall into an error opposite to that of the orthodox economists. The latter always subscribed to the idea of an automatic establishment of equilibrium and did not take into account the possibility of compensations such as occur in the course of time. They operated with the undisputed facts of displacement. According to the statistics of the United States Department of Labor ("Digest of Material on Technological Changes, Productivity of Labor, and Labor Displacement" in *Monthly Labor Review*, vol. xxv, 1932, p. 1031–57) per capita production in all industrial groups increased 49 percent from 1899 to 1925, with an increase of production of 172 percent and an increase of 87 percent in the number of employed. In individual industries the rise in efficiency was still greater: paper 62 percent, chemicals 114 percent, metals 125 percent, tobacco 191 percent and transportation 1016 percent. On the other hand, other branches of production reported a lesser increase in efficiency: textiles 20 percent and leather 3 percent. The increase in efficiency up to 1925 was perhaps not much greater than in the preceding decades, but it continued in the following years. The absolute increase of production per man, however, was now much greater since it rested upon a broader base. The effects of this increased efficiency coincided with a less rapid growth in population, and therefore the other circumstances which accentuated the crisis prevented speedy compensation for unemployment. Particularly important in this respect was the almost complete stoppage of the international flow of capital, which made more difficult the discovery of new investment opportunities. On the other hand, the fact should not be overlooked that despite monopolies and tariffs the reduction of costs which is brought about through technical advances ultimately leads to price reductions which, under favorable conditions, make possible the reem-

ployment of a large number of the unemployed.

A purely technological viewpoint is misleading in the examination of this process. The fact that present day workers are assisted by a much greater and rapidly increasing amount of mechanical horse power becomes an economic and above all a social problem only when prices and income do not respond to changed market conditions promptly enough to effect an alteration in the structure and scope of production. The change would be sufficient if the utilization of all existing capital could thereby secure the employment of all labor power. Technical advances which result only in saving labor can be incorporated into the system of production without disturbing the labor and capital market only under certain conditions: when the loss of purchasing power and capital values resulting from the depreciation of old investments is made good; when there is assured an additional flow of capital to finance these investments and to absorb the displaced workers, in addition to the financing of investments which are needed to absorb the normal increase in the number of workers; when, during the period in which this flow of additional capital is made available, there is no overstepping of the bounds which are necessary to prevent inflation and with it a severe setback; when fields of investment for such additional capital, whether it be in extending existing production or in creating new types, are opened up; when the volume of production can be expanded by a lowering of prices and eventually of wages; finally, when there is compensation for those disturbances which arise from the fact that enterprises are burdened with debts that were profitable only at the former price level and former market situation. Since during a period of rapid technological progress not all these conditions can exist, severe disturbances are brought about which may thus be traced back to advances in technology.

In popular discussion the disturbances arising from technical progress are considered in relation to the argument concerning purchasing power. It is asserted that the purchasing power necessary to absorb all the goods produced lags behind technological capacities. From another angle this amounts to saying that income and price are not adapted to the new supply. The purchasing power argument is in this sense correct and it is implicit in all theories of business cycles. The decisive problems, however, of reestablishing a new equilibrium cannot be solved simply by the creation of new and additional purchasing power whenever the market comes to a standstill and unemployment sets in.

Still less plausible are the theories of the technocrats. As a result of the increase in technical equipment and horse power the technocrats advocate a new social organization of production with the introduction of a new standard of value. Naïvely too they urge the creation of a new monetary unit. If this demand really means more than the mere substitution of a new name for the existing system, then it implies the creation of a new system of relative prices based on a technical rather than an economic unit. No particular proof is necessary to show how impossible and essentially absurd this idea is. It would lead to false evaluation of capital and labor and to new disturbances. The tendency, resulting from the great increase in technology, to entrust the direction of production and even economic direction to the engineer would have meaning only if there could be set up a commercial economy based on technical units of production. Even a fully planned economy, however, must calculate in terms of economic units, for its main problem also is the proper application of the available production elements; and the evaluation of these is derived not from their horse power but from their relative scarcity.

The effects of modern technology in the political field are decisive. The World War revealed how rapidly technical progress can move when once it is unleashed and how profound its effects can be. The deadlock of open warfare, the maintenance of armies of millions of men in trenches and the fact that attack could be made only after months of preparation—all these were results as well as causes of the modern technique of warfare. The increasing use of airplanes and the motorization of armies, which characterized the World War, created new tactical and strategic possibilities and needs. Modern warfare with its demands upon both the armies at the front and the population at home, with the necessary organization by the state of all industrial and agricultural production and the rationing of every necessity of life, brought about such a comprehensive organization and such an enormous concentration of power in the state that the way was thus prepared for the dictatorship of the totalitarian state. The totalitarian state too has grown up on the foundations of modern technology, which created the means for mass propaganda of all sorts. In addition there are the modern technical means of mass domination through violence, as in street fighting. It is not

to be assumed, however, that modern technology has completely broken down the movement for the emancipation of the individual. The modern system of production can permanently pursue its inherent dynamic impulses only if there is freedom in the intellectual sphere.

The philosophies of modern technology are mutually contradictory. The influence of technology, like that of every social institution, is open to more than one interpretation. It was first generally assumed that modern technology on the whole made human labor more monotonous when handwork was transferred to the machine. It is true that many of the modern labor functions are spiritually deadening, but it must not be forgotten that many tasks in agriculture and handicraft are likewise monotonous. On the other hand, modern industry has created a great number of functions which require unlimited concentration and skill. In view of the enormous increase in trade and communications and the need for quick changes in methods of production it is not at all certain that the number of really monotonous tasks is particularly large or relatively larger than before, although the kind of monotony is today more exacting and more destructive to the nervous system. It is a distortion of historical reality, however, to consider slave and serf labor as more inspiring than modern factory labor. The absurdity of such romantic idealization is revealed in the contrast between the intellectual level of the dull peasant groups of earlier centuries and that of the enlightened urban and industrial working class of today.

The skeptical attitude toward contemporary culture is unjustly linked up with modern technology. Technology has in fact given rise to measures counter to alienation from nature and monotony of urban life. The absurdity of the typical apprehension of intellectuals that security is becoming too great has been revealed by the course of historical events. The cultural dangers of our era are indeed, like everything else, conditioned by technology but only indirectly. They are connected with the problem of the masses, their concentration in cities and their incorporation into cultural institutions which had previously served only small groups of the élite. The older classical educational ideals were shattered by the broadening of the base of the educated classes and the greater turn to practical tasks. At the same time the possibility of intellectual relations with the masses provided a basis for demagogy, which developed within democracies and which during economic crises was able to destroy democracy. The emancipation of the lower classes thus leads to a crisis which threatens to destroy all the values of the bourgeois world and the entire sphere of intellectual freedom. Modern technology is concerned in this process only in so far as it supplies the means for mass domination; it could, on the other hand, be made to serve quite different social systems and ideas.

Decadence, another characteristic feature of the contemporary cultural situation, is influenced but not wholly determined by technological development. Only in so far as decadence comes about primarily in periods of great but unequally distributed wealth and in so far as increased productivity is dependent on technological development is decadence conditioned by technology. The looseness of this dependence is illustrated by the peoples of the Far East, who have thus far withstood the psychic influences of modern technology. The Japanese in particular have managed to absorb modern technique without losing their attachment to their own traditions, history and family cohesion. The cultural crisis of Japan which threatens the whole foundation of Japanese life has been brought about not by the labor process but by the social problems of capitalism.

Marx reduced all crises in European history to an ever recurring contradiction, founded in the dialectic of history, between the increasing productive forces and their relationship to social exploitation. This thesis is undeniably applicable to the present situation, and the prevalence of the purchasing power argument is an economic expression of this fact. Upon the solution of the inner contradictions, that is, the elimination of the hindrances to the utilization of technological potentialities, ultimately depends the possibility that society may do away with the permanent dangers of crises and provide for cultural productivity together with an undisturbed dynamic course of production. For technology in itself is indifferent. The real cultural problem involved in such an industrialized society would not be caused by psychical dangers inherent in the character of work under modern technology but would rather be bound up with the problem of the masses. Much of the danger involved, however, could be overcome by the utilizaion of technological possibilities.

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See: MACHINES AND TOOLS; ENGINEERING; SCIENCE; INVENTION; PATENTS; STANDARDIZATION; SPECIALIZATION; INDUSTRIALISM; LARGE SCALE PRODUCTION;

FACTORY SYSTEM; INDUSTRIAL REVOLUTION; CAPITALISM; PRODUCTION; LABOR; WAGES; UNEMPLOYMENT; TRADE UNIONS; POWER, INDUSTRIAL; LOCATION OF INDUSTRY; NATURAL RESOURCES; MINING; METALS.

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TELEPHONE AND TELEGRAPH. The economic and social benefits consequent upon the development of the telegraph and telephone are well nigh immeasurable. Although these industries employ about 1 percent of the wageworkers in the United States, they play a most important part in all phases of public and private life. Previous to the invention of the telegraph communication was, generally speaking, tied to transportation. Except for such devices as carrier pigeons, beacons and smoke signals messages had to be carried by man. The telephone and telegraph brought the rapidity of light to communication and thus combined with other factors marvelously to transform modern life.

Trade previous to the organization of companies furnishing these speedy methods for general dissemination of information involved tremendous risks. Purchases had to be made without knowledge of price changes in the locality in which goods would later be sold. Traders with private channels of communication could take advantage of other business organizations and the public because of advance information regarding events of national and business importance. Grain and security exchanges without the telegraph and the telephone could not function in anything like their present form. In general, electrical communications have played an important part in the development of those far flung markets upon which modern large scale industry depends. This fact is emphasized by the use of the telegraph by the railroads as a practicable means of communication. Some method of high speed communication is essential in the operation of a great railroad system. All parts of the organization must be subject to immediate orders from some central office. At a later period the telephone somewhat displaced the telegraph in railroad operation. Finally, speedy means of communication have stimulated the formation of large corporations with offices or representatives at distant points and have also facilitated communication between officials of a large organization within the same building.

On the political side the telephone and telegraph have cooperated with the railroad in binding together the various geographical sections of great nations. The entire world is now quickly informed of events of national and international interest either through the newspapers or otherwise as a result of these electrical instruments of rapid communication. They have assisted the government greatly in transacting its affairs both in peace and in war and with the assistance of oceanic cables have brought great changes in the conduct of international relations. The telephone and telegraph, as most strikingly demonstrated during the World War, play an important part in the direction of armies at the battle front, for the commanding officers of a modern army must always be in touch with all branches and divisions of the fighting force.

On the social side the telephone especially has added safety, comfort, convenience and a wider range of human contacts. The individuals with whom one may converse are now largely a

matter of choice rather than of proximity. The telephone has in certain respects decreased the loneliness of life on farms and in other isolated parts of the country. A considerable amount of social benefit has resulted from research work in connection with the art of telephony. Incidental to its primary objectives this research has laid the foundation for the development of the talking moving picture industry and for television. It has developed an artificial larynx and has been of great assistance in the work of aiding the deaf to hear.

The invention of the telegraph is generally credited to Samuel F. B. Morse, although partially successful systems using the needle telegraph were in operation in both England and Germany a number of years before Morse was able to demonstrate the practicability of his invention. There seems to be no scientific reason why the telegraph and later the telephone should have been invented by Americans. Certainly most of the scientific work basic to the invention of the telegraph had been done in Europe. Morse first conceived the idea which resulted in his magnetic telegraph in 1832. Because of his own extreme poverty and a lack of general public interest it was three years before he was able to build even the crudest model. His first instrument was a kind of printing telegraph driven by an eight-day clock. It was only after the telegraph had come into successful commercial operation years later that the simple manual key and the Morse code were devised.

The government of the United States was interested in the development of some form of telegraph, but although President Van Buren and other government officials and congressmen were favorably impressed by Morse's practical demonstrations, it was not until 1843 that Congress finally made an appropriation for this purpose. The sum was $30,000, and plans were immediately made to build a line from Washington to Baltimore. By May, 1844, messages were being sent. One year later Congress refused the opportunity to buy Morse's rights for $100,000, partly on the advice of the postmaster general, who feared that great financial loss might result. This settled the policy that in the United States the industry, in contrast to the general practise elsewhere, should be developed by private capital rather than as a government venture in connection with the postal department. In 1934 the government of the United States is operating only a few very minor telegraph and cable lines; these are used primarily for the transaction of government business but will also transmit commercial messages.

The early development under private capital took place through the organization of many companies. The first were financed mostly by people of small means with contributions from $100 to $1000. A contract was made in each case with Morse and his associates by which the company was granted the rights to use the Morse patents in exchange for a portion of the stock, in some cases as much as one half. In 1856 the Western Union Telegraph Company was formed as a result of the consolidation of several companies. During the ensuing years it rapidly extended its control over other companies by lease or stock purchase. Even at this early date it gave evidence of the dominating position it was to attain in the field of telegraphic communication.

In 1854 Morse, who had experimented with submarine cables, appealed to Cyrus W. Field for enough money to lay a cable from Newfoundland to Cape Breton, Nova Scotia. Field immediately proposed instead to lay one all the way across the Atlantic Ocean. Europe had had several rather unsuccessful experiences with submarine cables as early as 1845. Real success waited upon the discovery of gutta-percha and the later invention of a machine for applying it to copper wire. This machine was invented by Siemens in Germany about 1848. Shortly thereafter cables were laid across the English Channel, the Irish Sea, the North Sea, the Baltic and the Mediterranean. Enthusiasm was easily aroused in England, and Field organized the Atlantic Telegraph Company to raise £350,000. Morse, hampered by his lack of technical knowledge, had only a nominal connection with the technical staff. Unfortunately at the beginning good engineering knowledge was sacrificed to commercial haste. After 380 miles had been laid in the summer of 1857 the cable broke and the end was lost. The season was considered too far advanced for any further attempt that year. Before the next summer Field raised more money to manufacture cable to replace the part lost and to make an improved type of laying machine. In 1858 the second attempt met with repeated misfortune because of storms and technical errors, but the cable finally was laid. Communication began and for a month the cable rendered service. Then, since it was overloaded with too much electric pressure, it gradually weakened and fell into hopeless disrepair. Field retained his confidence in the project

and by tremendous effort again raised capital, but the American Civil War broke out and further attempt was abandoned until 1865. Despite improved technical knowledge and equipment the cable again broke in mid-ocean. Field made one more successful attempt to raise funds, and at last in 1866 the final effort was crowned with success. From that date cable communication between the two hemispheres has never been interrupted. Additional cables to the total number of 21 have been laid across the Atlantic without any fundamental change in the methods worked out during this period.

The telephone, as it finally came to be developed by Alexander Graham Bell, furnishes an illustration of an invention based upon an earlier invention. While it appears that Bell planned eventually to make the telegraph talk, the immediate objective of his research was to discover some means by which the same pair of wires could carry several messages at the same time without interference. Quite unexpectedly he discovered how to use electricity to transmit speech. By February 14, 1876, the same day on which Bell filed his application for a patent, Elisha Gray filed a caveat for a new art of transmitting vocal sounds telegraphically. Very expensive patent litigation brought out the fact that the two methods were dissimilar and that Bell's was the one which promised further development. For many years the business world was indifferent to the possibilities of Bell's invention, and no one with financial means could be found to finance its development. A few friends with limited resources gave him all the help in their power, but it was some time before business men became aware of the great financial possibilities inherent in the invention.

Most of the early experimental telephone conversations were carried on over telegraph circuits. The first line exclusively for telephone use was built in 1877. This early type made no use whatever of the idea of a central exchange. The connection was merely between two points, for example, a man's home and his business. The idea of an exchange came later and with it the need for companies to build and operate them. The lack of large funds determined the procedure of Bell's financial backers. Local interests were united to form companies, and in return for the use of the Bell patented apparatus a certain amount of their stock, from 30 to 50 percent, was demanded. This laid the basis for later acquisitions and permanently identified them as Bell companies. The guiding policy, developed from the beginning and continuing to 1927, was to manufacture and rent the instruments to the operating companies rather than to sell them or the right to manufacture. In 1927 all telephone instruments were sold to the operating companies.

The early companies served only a limited district with no outside connections. It was not at first practicable to attempt to establish long distance telephones. Gradually improvements in technique and the desire for an extended range of communication led the Bell interests in 1884 to set up intercompany connections. This laid the basis for the development of the long distance service. Really long range communication, however, had to await the turn of the century and Pupin's invention, an induction coil placed at intervals about the wire, preserving the vibration and resonance and lengthening the possible distance of transmission. It was after this invention that the phenomenal expansion of the industry set in; the number of telephones in use rose from 339,000 in 1895 to 10,523,000 in 1915 and to 17,424,000 in 1932.

In common with many other industries the telegraph and telephone had their early development through many small companies, out of which a few large ones came to dominate the field. Exploitation of Bell's profitable patent rights was carried out by several companies taken over in 1880 by the American Bell Telephone Company; this was superseded in 1899 by the American Telephone and Telegraph Company, which remains the holding company for the stock of the Bell operating companies and the operator of the long distance lines. While there are still about twenty-five telegraph companies in existence in the United States, most of the business is handled by the Western Union Telegraph Company and the Postal Telegraph and Cable Corporation.

The Western Union and its affiliated companies not only operate throughout the United States but also control an extensive telegraph and cable service in other parts of North and South America as well as cable connections with Europe. In its earlier years the company was the object of considerable speculation and in the 1880's was under the control of Jay Gould, who had threatened to organize a competing service. The Western Union has been kept clear of the telephone business. In 1909 the American Telephone and Telegraph Company bought a considerable amount of the Western Union stock with the intention of operating the companies

harmoniously. It was contended that the companies were more complementary than competitive and that considerable economy would result from the use of certain lines for both telephone and telegraph circuits at the same time. The arrangement aroused widespread public criticism and the threat of a government investigation. As the result of government action the American Telephone and Telegraph Company agreed to dispose of its holdings in the Western Union and to take no steps leading to combination with a competing company without the consent of the attorney general or the Interstate Commerce Commission.

The Postal Telegraph and Cable Corporation, sometimes called the Mackay companies, is the other large organization in the telegraph field in the United States. The Mackay interests started to acquire telegraph and cable operating companies shortly after the beginning of the twentieth century, engaging in a severe competitive struggle with the Western Union group. In general their telegraph business has not extended as widely into the smaller districts as has the Western Union's. The Postal has cable lines across the Pacific as well as the Atlantic and along the coast of North America. It has utilized its telegraph lines for the development of a long distance telephone service in certain parts of the United States, and in 1928 it initiated a radio service which is planned to reach all important points in Europe and the Orient. In 1928 control of this group of electrical communication companies was acquired by the International Telephone and Telegraph Corporation. The Postal Telegraph and Cable Corporation was created to control the Mackay companies as a part of the International Corporation's world system, which includes cables, telephones, telegraphs, radio and equipment manufacturing companies in about 30 countries.

The telephone industry was the subject of keen competition following the expiration of the basic Bell patents in 1894. Many of the so-called independents operated in districts not served by Bell companies, but many others challenged the supremacy of the older systems by invading their territory in direct competition. This was particularly true in the agricultural states of Iowa, Indiana, Illinois, New York, Missouri, Ohio, Wisconsin, Michigan and Minnesota, where it was charged that the Bell companies were not giving adequate service at satisfactory rates.

Some of the new companies were organized with ambitious programs and large authorized capitalization. In spite of their inability to furnish long distance service they secured subscribers by capitalizing upon the unpopularity of the Bell companies and promising lower rates. Many of them grew to a considerable size and some of them prospered. The greater number, however, were financial failures. The telephone is the most monopolistic of industries as service is of greatest value only when it enables the subscribers to communicate with all telephone users. Consequently the better established Bell companies reduced their rates and improved their service to meet the new competition. Many of the independents in their eagerness for profits neglected depreciation with disastrous financial results. Many raised rates above those originally promised. Some were purchased by the Bell companies. The outstanding results of this period of competition were certain questionable promotion schemes, improvement in the quality of Bell service, some reduction in rates, establishment of several sound independent companies and a distinct social loss to certain communities where competing companies continued to operate.

During this same period many mutual and farmers' lines were established. Most of these were in districts where it was not commercially profitable to organize a company, and they were built and operated generally by persons deriving benefit from the service. Some charged small rates but others none at all, repairs being made by the subscribers or a fee charged when necessary. Many of these companies still exist in rural sections of the United States. Following the check upon absorption of independents by Bell companies as a result of the Western Union incident in 1909, certain independents agreed with Bell competitors to divide their territory and arranged for the sale of property to one another. In 1921 Congress passed an amendment to the Transportation Act of 1920 which permits consolidation of telephone companies with the consent of the Interstate Commerce Commission. Independent telephone companies have from time to time formed associations for mutual benefit and a number of holding companies have been organized for closer cooperation. But the Bell system is still dominant (Table 1). The various telephone companies in 1929 had an aggregate capital investment of $4,070,000,000 and operating revenues of $1,172,000,000.

The American Telephone and Telegraph Company performs two main functions in the

TABLE I

DISTRIBUTION OF TELEPHONE SYSTEMS IN THE UNITED STATES, 1932

	ALL UNITED STATES TELEPHONE SYSTEMS AND LINES	BELL SYSTEM	ALL OTHER SYSTEMS AND LINES	
			REPORTING ANNUAL INCOMES OF $10,000 OR MORE	REPORTING ANNUAL INCOMES OF LESS THAN $10,000
Systems and lines	44,828	25	893	43,910
Telephones	17,424,406	13,793,229	2,491,002	1,140,175
Calls of system	30,048,165,513	25,061,085,648	4,039,372,665	947,707,200
Employees	334,085	281,350	39,413	13,322
Fixed capital investment	4,791,902,525	4,269,268,095	465,437,613	57,196,817

Source: United States, Bureau of the Census, *Census of Electrical Industries: Telephones, 1932* (1934) p. 2.

system it dominates. It operates the long lines service and it owns the controlling interest in the Bell operating companies. Its long distance service not only covers the entire United States by connecting with the independents but affects the rest of the world as well. Most of the long distance service to and from the North American continent has been developed in connection with radio.

The American Telephone and Telegraph Company, in addition to determining policies for the Bell system, performs certain services for which it receives a license fee. One outstanding service is the manufacture of instruments and other telephone apparatus by the Western Electric Company. The Western Electric, one of the early manufacturers under the Bell patents, later secured exclusive contracts to manufacture instruments and still later became the purchasing agent for the entire Bell system. This arrangement is provided for under contract and is defended upon grounds of efficiency. The American Telephone and Telegraph Company owns almost all of the stock of the Western Electric Company, but the latter sells its products quite as readily to independent companies.

The outstanding item of telephone equipment the manufacture of which is not dominated by the Western Electric is that used for automatic service. The Automatic Electric, Inc., reports that it has produced 75 percent of the automatic equipment in use in the world. It has manufacturing plants in the United States, Canada, England and Belgium. Independent companies in the United States made use of automatic equipment during the period of its development, while the Bell companies ignored it. As a result such equipment was manufactured by a company controlled by independent interests. By reason of its early start it has maintained a dominating position.

Speech was first sent experimentally across the Atlantic Ocean in 1915. In 1927 the first commercial system was opened to traffic between New York and London. By 1932, 30 transoceanic radio-telephone circuits were in operation. The subscriber in the United States could be connected with 33,000,000 other telephones, or 91 percent of those in the entire world. The problems basic to improved service are the development of the transmitting end, so that power may be radiated more effectively toward the receiving station, and the working out of more refined selective, or filtering, circuits, so that the receiving end will receive as little as possible from directions other than that of the transmitter. Work has been begun upon a transatlantic telephone cable between Newfoundland and Ireland. If successful this cable will be superior to radio because of the greater privacy and the avoidance of static noises and fading.

The nature of telephone and telegraph industries is such that for the most part the service can be furnished best by large organizations. This is easily apparent in regard to telegraph and long distance telephone service, where national or international systems are desirable. It is obvious too for the local telephone service in all except small and isolated communities, because the greater the number of subscribers the more valuable is the service to any one of them. Small operating companies can, however, continue to exist in some communities. A peculiarity of the industry is the fact that an increase in the number of subscribers involves greater fixed and operating expenses per subscriber. For each new line added to the system each of the lines already connected must be given facilities for an additional connection. This augments the complexity of switchboards and the number of exchanges.

The financial problem for these companies is primarily one of raising large amounts of fixed capital rather than frequent smaller amounts of working capital. The possibility of raising long time funds for large corporations has encouraged their development in the districts where expensive modern equipment is necessary. Capital has been secured from sales of stock and bonds and from earnings. Since the World War large amounts of stock have been sold to its customers by the American Telephone and Telegraph Company, which has around half a million stockholders. Because of the nature of the assets comparatively few of the bonds are secured by mortgages. Much of the investment is in physical plant located on public property. The holding companies of course have invested a large part of their capital in securities, and consequently collateral trust and debenture types are in wide employ.

The large fixed capital investment, which for both industries in 1929 amounted to $4,482,000,000, has made difficult curtailment of expenditures when business declines. The telephone operating companies whose subscribers are reluctant to relinquish service have met with slight difficulty under depressed economic conditions, but there is considerable variation in the income of telegraph and long distance telephone companies where use varies with business activity.

Obsolescence is a minor problem with telegraph companies. Telephone companies have witnessed much greater changes in technique; the Bell laboratories have indeed been responsible for a large percentage of such changes. In the case of companies operating under conditions of monopoly innovations are not likely to be of financial importance, since equipment can usually be scrapped just as slowly as desirable from the standpoint of the enterprise. Although technical changes have not been introduced rapidly enough to create any great financial problems, there have been changes in technique which have caused displacement of labor. The complete conversion of manual to dial telephones would eliminate about two thirds of the manual operations. At the end of 1932 about 41 percent of the world's telephones were of the dial type; in the United States the percentage was slightly less. The exact amount of employment which has been eliminated cannot be stated, but the estimates for the Bell system offer some indication. In 1921 the average operator in this system handled 279 completed calls per day. If there had been no change to dial telephones or no improvements in operating technique between 1921 and 1930, 233,000 operators would have been required at the 1921 average number of calls per operator. As a result of the technical changes which did occur, however, the business was handled by 180,000 operators.

The development of the teletypewriter, or printer's telegraph, has had a similar effect in the telegraph field. The teletypewriter may be connected to different subscribers by a switchboard much as a telephone is connected. An individual trained as a typist can write on the teletypewriter and all connected instruments anywhere in the country will type the message in unison with his own. The speed of the printer is about twice that of the Morse operator. In the sending of commercial messages this means a reduction of more than 50 percent in the number of operators. In the case of the news organizations, since one instrument can be used to send to any number of receivers, the displacement may be much greater. In 1931 it was estimated that in this field one operator was as effective as fifteen under the Morse system. The effect in the case of news organizations, however, has not been serious, because much more news is sent than would be possible under the older system. In 1915 the news organizations employed 1125 operators, and in 1931 this number was reduced to 921. The figures available for a majority of the telegraph offices in the United States in 1925 indicate that 7231 Morse operators were employed along with 4227 printer operators, while in 1931 there were 1793 Morse operators and 9795 printer operators. This change has called for workers who have merely typists' training and in general has meant a shift from male to female workers. Brokerage and investment houses are rapidly installing teletypewriters. Recent data show that railroad telegraphers are being gradually replaced.

Despite these improvements in efficiency there has been no absolute displacement of labor in the telephone and telegraph industries, for expansion of service has outstripped advances in efficiency. But the rate of increase in new employment has fallen steadily in recent years (Table II), primarily because of greater operating efficiency.

Under private ownership such as prevails in the United States some form of government regulation is essential. The systems were taken over by the government for military reasons during

TABLE II

EMPLOYMENT* IN TELEPHONE AND TELEGRAPH INDUSTRIES, UNITED STATES, 1909–27

YEAR	TELEPHONE	TELEGRAPH
1909	125,000	28,000
1919	248,000	49,000
1923	290,000	51,000
1924	308,000	52,000
1925	313,000	58,000
1926	315,000	58,000
1927	317,000	58,000

*Wageworkers only.
Source: King, Willford Isbell, *The National Income and Its Purchasing Power*, National Bureau of Economic Research, Publications, no. 15 (New York 1930) p. 57.

the World War, although they had not broken down. The lines were subsequently returned to private operation. Regulation has taken the form mostly of supervision by state commissions. Quite generally the commissions have exercised control over rates of local telephone companies. They have given relatively little attention to quality of service, which is difficult to measure. In more than half of the states permission of the commission is required for the issuance of new securities.

The federal authorities have done little by way of the Interstate Commerce Commission. The commission prescribes the accounting system to be used, and since 1921 it has had the power to forbid any consolidations of which it does not approve. In the case of each proposed merger the commission considers not only the economic factors involved but the basis upon which securities are to be exchanged or sold. Outside of the United States most of the land telegraph systems and about 70 percent of the telephones are operated by governments. Generally in both North and South America most of the telephone service is furnished by private companies, while for the remainder of the world it is furnished largely by governments. The rates charged by private companies appear to be somewhat higher than those of government operated systems.

Statistics as to the number of telephones for every 100 members of the population show that the United States leads by a considerable margin for the smaller communities. For cities with 50,000 or more inhabitants ranking countries are Canada with 22.8, Sweden with 22.2 and the United States with 21.9; Denmark, Norway and Switzerland are next in order. Bell statisticians have compiled partial estimates indicating the distribution of the world's telephones in 1932. According to these figures the number of telephones per 100 of the population was 12.5 for North America, 2 for Europe, 0.7 for South America, 0.1 for Asia, 0.2 for Africa, 0.9 for Oceania; the world average was 1.8. The figures for the countries in the various continents vary in general with the standard of living of the whole population rather than with the volume of the nation's business.

Three groups of interests have struggled for control of the international means of communication and the world's privately operated telephones outside the Bell system. The Bell companies remain aloof from this struggle, except for the efforts of their ally, the International Telephone and Telegraph Corporation, and endeavor merely to arrange satisfactory connections for their subscribers with all parts of the world. The three most active groups in the international field are the International Telephone and Telegraph Corporation, the Associated Telephone and Telegraph Company and the L. M. Ericsson Telephone Company, Ltd. In 1933 the International was attempting to conclude a transaction which would give it a 35 percent voting interest in the Ericsson company and thus reduce the three groups to two.

The International Telephone and Telegraph Corporation, which operated 803,459 telephones in 1932, is the largest of these enterprises and through its subsidiaries supplies telephone services in eleven countries. It has grown rapidly since 1920, when it operated 40,750 telephones. Its cable, telegraph and wireless services are world wide. Through All America Cables, Inc., it connects the United States with points in the West Indies and Central and South America. Commercial Cables operates services to Europe and to Honolulu, the Philippines and the Orient. The Postal Telegraph system operates throughout the United States and has connections in Canada and Mexico. The International company is incorporated in the United States, where most of its financing has been done, although it operates no telephone service there. It has an exclusive contract to distribute the Western Electric products in all countries except the United States, Canada and Newfoundland. The Ericsson company, a Swedish concern, which had 200,000 telephones in 1930, is considerably smaller. With the financial backing of the Kreuger and Toll Company it had embarked upon an aggressive competitive career, which was suddenly checked by the financial collapse of the latter company. The Associated Telephone and Telegraph Company has the financial

support of American and British capital. Besides its extensive manufacturing interests it controls or has substantial interest in properties in the United States, England, Canada, the Philippines, Colombia, Venezuela, Belgium, Portugal, India, Hongkong, Australia and elsewhere.

The most important field for the rival extension of these international groups is Latin America. Both in telephone and in telegraph development these countries are far behind Europe and the United States. Compared with the United States, which in 1933 had 1.8 miles of telegraph lines for every 100 inhabitants, and Canada, which had 3.5, the Latin American countries had less than one half mile for each 100 inhabitants; in many localities this service is considered very inadequate. While the land telegraph systems are quite uniformly under public ownership, the governments in general have favored the development of telephone services by private capital. Figures for the different countries vary, usually with economic conditions. For the whole group there are fewer than 2 telephones for each 100 of the population as compared with almost 16 in the United States. The struggle between the contending interests, primarily British and American, is bound up with general financial and imperialist objectives.

J. WARREN STEHMAN

See: ELECTRICAL MANUFACTURING INDUSTRY; PUBLIC UTILITIES; RATE REGULATION; COMBINATIONS, INDUSTRIAL; MONOPOLY; RADIO; RAILROADS; TRANSPORTATION; COMMUNICATION.

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TEMPERANCE MOVEMENTS are almost as old in the history of humanity as the use of intoxicating drinks; indeed in virtually all societies in which intoxicants have been consumed attempts have been made to encourage or enforce temperance, if not prohibition. The Chinese assert that as early as the eleventh century B.C. one of their emperors ordered all the vines in the kingdom to be uprooted. Priests of ancient India and Persia encouraged temperance and the Buddhists taught total abstinence. The Mogul emperors in India attempted to prohibit the liquor traffic. Certain Hebrew sects also counseled temperance and the Moslems preached abstinence, although they did not always observe their own precepts.

Apart from religious preaching against excessive drinking, various ancient societies advocated temperance or prohibition for political reasons. Plato observed that the Carthaginians were forbidden to drink wine while on a military campaign and that magistrates were not permitted to drink intoxicants. In Rome at various times emperors sought to curb drinking. In the New World the Aztecs punished drunkenness among the young with death and tolerated liberal drinking only on holidays and among the very aged. Thus temperance is not a modern phenomenon, having been advocated or enforced in many societies throughout history.

In mediaeval times temperance never attained the dignity of a movement, because the manufacture of wine and beer was not sufficiently widespread to allow of much intemperance. Even in areas where a relatively large supply of liquor was obtainable, the mediaeval peasant was not given to excessive drinking. The situation changed somewhat after the thirteenth century, when distilled instead of fermented liquors came to be more common. Aqua vitae (brandy), geneva spirits (gin) and usquebaugh (whisky) were manufactured in increasing amounts. It has been asserted that these stronger drinks were

popular in northern Europe because of the cold and damp climate. This is not entirely true, as is indicated by the case of Denmark, which consumed three or four times as much liquor as its northern neighbor Norway before the latter country adopted prohibition. In general, however, there has been heavier consumption of hard liquors among the north Europeans than among the south Europeans. Modern temperance movements usually had their inception in the north temperate zones rather than in the southern countries.

But even after strong drink was being widely manufactured, not all sections of the population were free to consume it. At times high taxes made the price prohibitive for the poorer strata of society. In England the tax on spirits was virtually removed in 1690 with the result that cheap gin, brandy, whisky and rum were available to all groups in the population, and drink consequently became the universal habit of the English poor. The fact that the poor could get "drunk for a penny; dead drunk for tuppence" aroused mixed feelings among the ruling classes, who, when they became intoxicated, did so at greater cost and with less speed. These felt that temperance should be part of a general movement for social reform and therefore they came to advocate it vigorously, particularly toward the end of the eighteenth and the beginning of the nineteenth century.

By the eighteenth century the beginnings of the modern factory system were already in evidence and there was manifested a desire for a sober, serious and conscientious working force. But the temperance movement was not entirely attributable to the changed economic conditions. The employers' problem was to habituate a handicraft, agricultural population to continuous work in a factory. Because this required a radical change in working habits, generous drafts of liquor might be as effective, from the employers' point of view, as abstinence or temperance. Benjamin Franklin, when he worked as a youth in a London printer's establishment, observed that wages were regulated to provide for liberal drinking during the course of a working day. In fact many of the early factories furnished liquor allowances. It is a plausible assumption that the early days of the factory system encouraged rather than discouraged drinking. In some cases the drinking among factory workers became so excessive that it stimulated a movement for prohibition rather than for temperance.

As the years passed, reformers and investigators of the drink problem came to consider not so much the conditions under which drunkenness was being produced as the concomitants of drink—poverty, slums, crime and child delinquency. Thus in the United States at the end of the nineteenth century the so-called Committee of Fifty in investigating these problems reported that among 13,402 convicts intemperance was directly responsible for crime in 16.87 percent of the cases, a primary cause in 31.2 percent and a factor in 49.9 percent. The committee attributed to liquor 25 percent of the relief cases which came to the attention of organized charity, and it reported further: "As to the general percentage of the destitution and neglect of children due to the liquor habits of their parents, we get 44.92 per cent which, when the intemperance of guardians and others is added, increases to 45.83 per cent."

There seemed moreover to be a growing interest in temperance among certain employers who required a steady labor supply and increased industrial efficiency. The attitude of these groups may best be illustrated by the answers to a questionnaire sent by Herman Feldman to employers during the period of prohibition in the United States. Out of 175 firms answering questions on the subject of the individual productivity of the worker 101 attributed an increase in productivity to prohibition; only 3 reported a decrease. Out of 223 firms answering on industrial accidents 74 claimed a reduction due to prohibition and none claimed an increase. Concerning attendance at work on Monday and the day after pay day, out of the 287 replying 184 employers noticed improvement attributable to prohibition and only 9 reported the contrary.

Indeed agitation for temperance had begun long before industrialists openly came to its support. In the United States the temperance movement as an organized force dates from 1808 with the churches as leaders of the crusade. In 1829 Ireland witnessed the rise of a similar movement, which soon spread to Scotland and to England. It is important to note that these early agitations had both compulsory and voluntary features; thus in the United States advocates of drink reform at first stressed the compulsory aspects by seeking to pass laws prohibiting the manufacture and sale of alcoholic beverages.

Before long the temperance crusade took on international characteristics. The Independent Order of Good Templars, which was founded in

Utica, New York, in 1851, soon expanded to Canada and England and thence to the Scandinavian countries; before the century was over active branches were to be found in Australasia, India, south and west Africa and in South American countries. In 1909 a world prohibition conference was held in London and resulted in the foundation of the International Prohibition Confederation, whose aim was to conduct propaganda not only in European countries but in other parts of the world where there were large industrial populations. An organization with somewhat similar purposes was the World League Against Alcoholism, which appeared in 1919.

The movement was strengthened further by a woman's auxiliary, the National Woman's Christian Temperance Union, founded in Cleveland, Ohio, in 1874. This organization soon boasted branches in every state in the union, and under the leadership of Frances E. Willard spread rapidly to other countries. The World's Woman's Christian Temperance Union eventually claimed societies operating in some fifty countries. The temperance cause gained a hearing likewise in the school systems of many lands. In English schools the teaching of temperance was first initiated in 1852; similar efforts were made in other European countries, with perhaps less success. In the United States, thanks to the efforts of the Woman's Christian Temperance Union, virtually every state passed laws making anti-alcohol instruction compulsory. In fact such instruction in the United States had been initiated before the passage of mandatory legislation largely because the religious interests, which had dominated early education, were opposed to drink. To a lesser extent temperance leaders concerned themselves with the scientific study of the effects of alcohol on the human organism and with the dissemination of their findings. While their research activities have not been particularly important and most advances in the field have been made by scholars working independently, it is undoubtedly true that the general interest in the subject aroused by temperance agitation has encouraged impartial investigations.

Throughout their activities temperance societies have relied on the churches for much of their backing. This has been true particularly in the United States, where many of the Protestant Christian denominations came to associate godliness with temperance and often with total abstinence. In some respects it was this alliance with the churches which made the temperance movement most effective; thus fully 30,000 churches cooperated with the Anti-Saloon League of America from the time of its founding in 1895.

It is not unlikely that the temperance movement has contributed to the decreased consumption of alcoholic beverages since the beginning of the twentieth century. On the other hand, the strong advocacy of prohibition by some of the societies, notably the Anti-Saloon League, may have contributed to the reaction. The temperance societies became more and more extreme in the measures they championed. At first they were content to use moral and religious suasion to induce people to become temperate or abstemious. Perceiving that this approach was not always successful, they began to advocate some sort of control and were instrumental in bringing about regulation of the conditions of sale and consumption of liquor, high fees for liquor licenses and sometimes state or governmental monopolies for the manufacture and sale of liquor. Charges of inefficiency and corruption were advanced against these controls in many countries and efforts were directed toward complete prohibition.

The World War contributed to the prohibition movement, since some countries, notably Russia and the United States, imposed prohibition on the military forces while others diverted much of their production to non-alcoholic goods considered more essential to military operations. After the war Russia and the United States extended prohibition to the entire population. Other countries by higher license fees and taxes lowered the consumption of alcoholic beverages. In fact with the exception of wine liquor consumption declined from 1900 to 1929. It is impossible, however, to determine how much of the decline was attributable to temperance as an organized movement.

In all of the prohibition countries there was some divergence from the general trend. Consumption fell off shortly after prohibition was inaugurated and then began to curve upward. Prohibition was widely attacked in the name of temperance. Illicit trade in liquor grew rapidly and there were many evidences of excessive drinking. The Scandinavian countries which had attempted prohibition, followed by Soviet Russia and finally by the United States, repealed their prohibitive legislation in the hope of encouraging temperance rather than abstinence. Increasingly it began to be felt that those coun-

tries which had regulated the liquor trade instead of abolishing it had been most successful in furthering the temperance movement. In the United States with the repeal of the Eighteenth Amendment federal control was terminated and the regulation of liquor trade was turned back to the states. Some states retained state prohibition; others regulated distribution of liquor by high license fees, taxes and control over hours and conditions of sale.

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See: PROHIBITION; LIQUOR TRAFFIC; LIQUOR INDUSTRY; ALCOHOL; ANTI-SALOON LEAGUE.

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TEMPLE, SIR WILLIAM (1628–99), English statesman and author. Temple, the son of the master of the Rolls in Ireland, was educated at Emmanuel College, Cambridge. He traveled widely on the continent, gaining first hand knowledge of conditions in France, Spain and the Netherlands. Upon the restoration of the Stuarts he became a member of the Irish Convention, but when the Parliament was prorogued in 1663 he removed to England. He entered the diplomatic service and through his work particularly in Holland contributed greatly toward adumbrating the balance of power policy which ultimately frustrated the aims of Louis XIV of France. Temple served for a while in the reorganized Privy Council designed to stand between Charles II and his Parliament, which soon proved unworkable because it sought to combine executive functions with those of criticism and control. The remainder of his life he passed in retirement in Surrey, pursuing his studies and cultivating his garden.

The most important of Temple's essays is the *Observations upon the United Provinces of the Netherlands* (1672). All English economic writers of the period exhibited great interest in the Dutch and many of their ideas can be traced to Temple, who knew Holland well. He made an interesting attempt to assess the factors which went to the making of that country. In his view economic progress was to be explained by the fact that a given area was densely populated. Thus he contrasted the prosperity of Holland with the backwardness of Ireland; the latter, although well endowed by nature, was sparsely populated, while the former had little natural advantage but a large population. Apparently he was not altogether aware that in this reasoning he confused cause and effect. While he found the spring of economic endeavor in the size of population relative to the land available, he had much to say about contributory factors. He stressed the importance of religious toleration, of the Amsterdamsche Wisselbank, of the low rate of interest, of moderate customs duties, of the specialization of towns on different trades and of easy intercommunication between them by inland waterways. He explained how the Dutch became the "common carriers of the world" and how they had won the ascendancy in the East India trade and had largely ousted their rivals from the Baltic. But his theoretical assumptions on such questions as the balance of trade and personal parsimony were typical of his time. The *Essay upon the Advancement of Trade in Ireland* (1673) may be considered an appendix to his more important work. Here he laid down the same general principles, with special reference to the resources of Ireland and suggestions as to their development. In his *Essay upon the Origin and Nature of Government* (1672) Temple criticized the doctrines of the social contract and the state of nature and inclined to the patriarchal theory of the state. He anticipated the later doctrines of Montesquieu, Savigny and Maine in his emphasis on custom and family as mainsprings of law and the state. In his *Of Popular Discontents* he advocated the building of a workhouse in each county, compulsory labor for the able bodied unemployed and the abolition of the death sentence for common theft and robbery; the last suggestion was made not on humanitarian grounds but to prevent criminals from escaping a life of hard labor by an easy death.

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the Life, Works and Correspondence of Sir William Temple, 2 vols. (London 1836); *The Early Essays and Romances of Sir William Temple, Bt., with the Life and Character of Sir William Temple by His Sister, Lady Giffard*, ed. by G. C. Moore Smith (Oxford 1930); Clark, G. N., "Introduction" to *Sir William Temple; Observations upon the United Provinces of the Netherlands* (reprinted from 1690 ed., Cambridge, Eng. 1932); Herriot, F. I., *Sir Wm. Temple on the Origin and Nature of Government* (Baltimore 1893).

TERMINALS. The principal function of the railroad is to transport passengers and commodities from place to place. The service includes not only the actual movement on the line but also convenient and orderly reception and discharge where the line movement begins and ends. These two elements of terminal and line are complementary and interdependent or, to use a better word in its full meaning, they are coordinate. The capacity of the railroad to produce transportation may depend upon either. In the early days of light traffic the limiting factor ordinarily was the line. From the beginning of the present century it has customarily been the terminal. The recurrent traffic congestions and car shortages in the United States up to 1923 were due in greater part to inadequacies in terminals. The freedom from such embarrassment during the record breaking traffic in 1926 and 1929 may be credited in large part to the heavy expenditures, beginning with 1923, for terminal improvements.

The word terminal when used in connection with railroads has a broader meaning than that usually given. It includes not only the termini, or extremities, of the road as a whole but also the extremities of the parts, or divisions, into which the road is divided for purposes of train operation. The terminal may be final or intermediate. For the New York Central Railroad, New York and Chicago are final terminals; Buffalo, Cleveland and many other places are intermediate terminals. In a broad sense every station on the line performs terminal service of a kind, but the word terminal is understood generally to include the facilities at the extremities of the line and at its divisional points and connections with branches and other carriers.

The prescribed accounting classification recognizes, in certain primary accounts, a distinction between line and terminal, but it is not possible exactly to divide the total operating and capital costs. For the railroads as a whole the terminal operating expenses are about one third of the total. The terminal part of the total investment is much larger, probably in excess of one half. The capital investment in the Grand Central passenger terminal in New York City is over $100,000,000. The average capitalization per mile of line of all railroads in the United States, in 1930, including terminals and equipment, was $77,343. On that basis the capital cost of that one station is equivalent to the capital investment in nearly 1300 miles of the average railroad.

The traditional theory that the traffic getting possibilities and the economic well being of a railroad depend in large part on the central location of its city terminals was applied generally, wherever practicable, in the early days of railroad location. In most of the metropolitan areas large tracts of land are devoted to railroad terminal purposes. Such real estate is relatively high in value, the tax burden is heavy and as a rule the facilities cannot be expanded except at prohibitive cost. With the advent of the motor vehicle the recent tendency has been to depart from the traditional theory and to locate the terminal outside of the central area, the motor vehicle being utilized as the collecting and delivering agency. Since the railroads have begun the collection and delivery of freight by trucks, the rails have been constructively extended to every part of the city, the strategic value of central location of terminal has been minimized and the economic cost of door to door transportation has been reduced.

One characteristic of railroad passenger terminals is their excessive cost in both capital outlay and operating expense. This may be attributed in substantial part to public pressure actuated by civic pride, the demand that the buildings shall be monumental and beautiful as well as utilitarian. The Pennsylvania Railroad passenger terminal in New York, for example, is a heavy drag on the net income of the railroad, but the building is "a thing of beauty" and it has been one of the greatest factors in the remarkable improvement in the surrounding area. Such imposing and unduly expensive terminals compare unfavorably, from the economic point of view, with the New York terminal of the Hudson and Manhattan Railroad Company, accommodating the downtown suburban passengers of the Pennsylvania Railroad. The passenger facilities are in the basement of two large office buildings. The waiting rooms are without grandeur, but the facilities serve their purposes with fair adequacy and at a minimum of economic cost. Additional reasons for questioning the

wisdom of the heavy investments in large passenger stations are that railroad passenger traffic has been declining since 1920 and that for the railroads as a whole the passenger service is not self-supporting.

There are three units in the typical large passenger terminal, as follows: the station building with its train shed, the passenger car yard and the engine house. The waiting rooms are centrally located, surrounded by the ticket offices, the telegraph and telephone rooms, the dining rooms, the information bureau and the news stands and other concessions. Adjacent to the train shed midway, which lies between the waiting rooms and the trains, there are baggage rooms, parcel rooms and the offices of the taxicab and baggage transfer companies. Stations as a rule are designed to afford easy access to and from the streets, a free flow of traffic by the shortest route from street to train and convenient locations for accessorial services.

The passenger yard ordinarily is located outside the center of the city. There the cars are stored between trips and are cleaned and otherwise conditioned for service. Separate facilities are required for Pullman cars and diners. These several facilities are necessarily extensive in a terminal such as the Grand Central in New York, where there are heavy peak loads of suburban traffic coincident with the arrival and departure of many through trains. Movement of the empty cars to and from the storage yard must be made with precision on a carefully worked out schedule, or else there will be interference with the regularity of train movement.

The engine house and appurtenant facilities usually serve the freight and yard locomotives as well as those in passenger service. The location of the engine house is determined by the combined needs of the three services. Every locomotive needs "grooming" between trips. Approaching the house the locomotive passes the coaling station, where it is loaded with coal, water and sand. Then it moves to the ash pit, where the fire is cleaned. Next it moves via the turntable to its assigned track in the house, where it is cleaned, inspected and put in requisite mechanical condition for the next trip. The engine house employees take care of minor repairs between trips. The periodical general overhauling and extensive repairs are made in the general shops.

In the freight service there are six units in the typical terminal: the freight station; the transfer platform; the classification yard; the repair tracks; the engine house; and the miscellaneous accessorial facilities. The freight station consists of the offices; the freight house with its track served platforms; the team, or bulk, delivery tracks; and facilities such as track scales and cranes. In large stations there may be separate facilities for inbound and outbound freight. The freight house and platforms are used for less than carload shipments brought to or taken from the freight house door by shippers and consignees and moved through the house and to and from cars by railroad employees. Carload shipments are loaded or unloaded on the team tracks by shippers or consignees. The function of the transfer platform, which may be a part of the freight station or located in the classification yard, is to consolidate the many small shipments for numerous destinations into through cars.

The heart of the freight system is in the classification yard. It is usually located well outside of the city where the large acreage necessary is not prohibitive in cost and where additions may be made when required. Such yards are of two general types, final and intermediate. The Markham yard of the Illinois Central near Chicago is of the first type; the Altoona yard of the Pennsylvania, in the heart of the coal region, is of the intermediate type. The Markham yard is used to classify cars from or to the Chicago district and the many connections in that territory; the Altoona yard takes care not only of the cars originating or terminating at Altoona but also of the trains which move through Altoona eastward and westward.

An intermediate yard consists primarily of the following three units in each direction, with auxiliary facilities: the receiving unit, in which the inbound road locomotives place their trains; the classification unit, in which the cars are sorted according to prearranged plan; and the departure unit, in which the classified cars, made up in trains, are placed for departure. The cars when placed in the receiving yard are inspected and marked for the designated classification track. They are then pushed by a yard locomotive to the summit of a hump, from which the cars run by gravity to the proper tracks. The car marker in the receiving yard, the foreman at the hump and the towermen who operate the switches have advance information which enables them to direct the cars to the proper tracks. In the modern yard the towermen operate also the mechanical car retarders, or track brakes, which control the speed of cars until they enter the classification track. In the older yards the

speed is controlled by car riders, who operate the hand brakes. A train of one hundred cars may be "shuffled" by hump switching in twenty-five minutes. The cars are thus placed together and may be taken from the classification tracks to the departure yard in train units or moved to delivery tracks of connecting carriers, placed at the freight station or on industrial sidings or transferred to repair tracks, storage tracks, stock pens or the icing plant as may be required. A similar process is employed in the opposite direction. The principal difference between the intermediate and the final classification yard is that the latter receives and dispatches through trains in but one direction, while the intermediate yard receives and dispatches in both directions. The situation in the final terminal, however, is ordinarily more complicated than in the intermediate, inasmuch as the final terminal has more work in handling receipts and deliveries to freight houses, steamship piers, coal wharves, storage warehouses, grain elevators, industrial sidings and rail connections.

The engine house has already been described. The auxiliary facilities depend on the nature of the traffic. If, as at Altoona, the engine house is a concentration point for coal, there must be track scales equipped to weigh each car in motion as it passes over the hump. If there are many cars of livestock, the yard may be designated as a resting point and equipped with stock pens and facilities for feeding and watering. If there is much perishable freight, there may be icing facilities. If conditions require, there may be tracks assigned for cars held for reconsignment or diversion. There must always be tracks, properly equipped, for car repair work.

The terminal has often been called the graveyard of the freight car. Time studies of car movement indicate that but 10 percent of car hours are spent on the road between terminals, the remaining 90 percent being spent at terminals. A substantial part of the terminal delay is unavoidable, as shippers are given two days, exclusive of Sundays and holidays, to unload and two days to load each car; but the greater part of the terminal time is consumed in the course of movement in yards, at freight stations and at interchange points. In the case of one railroad an expenditure of less than $5,000,000 in the complete revision of its two principal terminals saved enough in operating expenses to pay for the capital investment in less than ten years. The principal saving was in freight car days, but of equal importance was the increase in traffic resulting from the marked improvement in public service.

Each of the large metropolitan areas has its own set of transportation problems. Chicago is the nerve center of inland rail transportation. New York is the greatest American port. Philadelphia, Baltimore, Norfolk, New Orleans and all of the important Pacific coast ports have their peculiar problems of coordinating rail and water movement of freight. Municipal or state ownership of piers and to some extent of connecting tracks and belt lines is common on the Pacific coast and the Gulf of Mexico. In the New York metropolitan area there exists the Port of New York Authority with certain powers to unify operations. In inland cities there are no notable instances of the kind, but there is some degree of voluntary cooperation between the railroads in joint management of terminals and belt lines. In the case of Chicago most of the railroads entering the city in its early days constructed separate terminals. During the past half century there have been a general revision of all rail facilities, a substantial degree of coordination in the use of belt lines and a more general adoption of the principle of the union passenger station. The freight house facilities in the heart of the city are served by far outlying yards, and the heavy interchange of cars is effected by belt lines which encircle the city. Desirable progress has been made, but much more remains to be done in effective unification in the public interest. Progress has been made also in the New York metropolitan area. The activities of the Port Authority have brought improvements in coordinating the transportation facilities, rail and water, on both sides of the harbor. The problem is complicated by the necessity of transferring cars by floats and lightering freight from the railhead to piers and alongside ship.

The desirable degree of unification of rail facilities in metropolitan areas has been retarded by a natural disinclination of railroads favorably situated to share their advantages with competitors. Public interest, however, is so vitally affected by the efficient use of all facilities in the common good that there is likely to be further governmental initiative in bringing about public ownership and operation of rail as well as water terminals. The Interstate Commerce Commission in 1920 was given power to require joint operation of terminals under fair terms to the proprietary companies, but up to 1934 it indicated its reluctance to take action. It is likely that when the problem of railroad consolidation is

disposed of, the commission will undertake comprehensive unification of terminals.

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See: RAILROADS; MOTOR VEHICLE TRANSPORTATION; PORTS AND HARBORS; METROPOLITAN AREAS; MARKETS, MUNICIPAL; WAREHOUSING.

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TERRITORIAL WATERS. This term may be applied to a state's marginal sea, to its inland waters or to both. The marginal sea extends outward from the low water mark or from the so-called seaward limit of bays, straits or river mouths. Inland waters are those inside the marginal sea and within the state's land territory. A state's relations to these two areas are clearly distinguishable: since it has full sovereignty over inland waters, including the right to exclude foreigners therefrom, these waters are unquestionably territorial; its jurisdiction over the marginal sea is less complete, for there exist certain well recognized "servitudes" (so-called), such as the right of innocent navigation, in favor of the vessels of other nations, and for this reason many authorities deny that marginal sea is territory. A number of writers on international law distinguish two types of jurisdiction in coastal waters: virtually complete jurisdiction in so-called territorial waters, as, for example, that of the United States within the three-mile limit; and restricted rights based upon special needs, such as customs regulation, over an extent of open water adjacent to the territorial sea. Such is the control which the United States exercises within the twelve-mile limit.

The idea of the marginal sea is a relic of the old claims to sovereignty of the high seas. After these claims had been abandoned as anachronisms, the littoral state was nevertheless allowed to secure its various interests in waters near its coasts. Bynkershoek introduced the idea that national dominion should extend to cannon range; and this principle, expressed in the maxim *Terrae dominium finitur ubi finitur armorum vis*, was generally accepted, although the enforcement of many laws extending far beyond this distance continued. For some years England and the United States have regarded three marine miles as synonymous with cannon range and together with certain other states now urge this distance for the marginal sea, especially for purposes of neutrality and for fisheries. Other states have refused to accept this standard as a minimum for any purpose, insisting upon from four to twelve miles. Many governments, regardless of their claim in this respect, have enforced their revenue, neutrality, fishery, sanitary, navigation and traffic laws for distances varying from four to sixteen miles. Several states confine jurisdiction for all purposes within the limits claimed as the marginal sea. Others have been inconsistent, protesting a jurisdiction which in fact they have exercised. Like the "battle of the books" waged centuries ago between Selden and Grotius over the question of sovereignty of the high seas, at present there is a spirited controversy as to the width of the marginal sea. Out of the welter of claims no understanding has been reached beyond the agreement that the minimum is three marine miles and that all states have jurisdiction therein for most purposes—to make arrests and to enforce revenue, health, fishery, pilotage and traffic laws. International arbitration has furnished no definite decision. Treaties reflect the lack of uniformity in national practise. They

limit marginal seas for general jurisdiction to distances ranging from three to thirty miles; for purposes of the revenue laws limits of from nine to twelve miles are designated in the Helsingfors Treaty of 1925 between eleven European countries; while the distance a smuggling vessel can traverse in an hour is prescribed in the "rum treaties" made during the period from 1924 to 1930 between the United States and seventeen countries. In some of the rum treaties the three-mile limit for territorial seas was affirmed, while in the others and in the Helsingfors Treaty the parties retained their respective rights and claims with respect to the extent of this sea. The Conference for the Codification of International Law held under the auspices of the League of Nations in 1930 failed to reach an agreement upon the subject.

The waters of bays and river mouths whose entrances do not exceed six miles in width are considered inland, and the seaward limit from which the marginal sea is measured is a line drawn from headland to headland. If the entrance is over six miles, no uniform rule applies, although the general tendency is to fix the limit by a line from headland to headland if the entrance is not more than ten miles; while if it is greater, the limit is usually fixed as a line across the bay or river mouth at the first point where the opening does not exceed this distance. Certain large bays, such as the Delaware and Conception, are treated as territorial for historical reasons.

Even if a marginal sea of uniform width should be decided upon, it would be impracticable to prohibit the enforcement of any laws beyond it. The narrow belt which generally constitutes the territorial sea has been found inadequate in modern times for protection of neutrality, revenue or fisheries, especially in countries dependent upon the fishing industry or menaced by smugglers. A state should accordingly be allowed to secure these interests without regard to the limit of the sea. A wider zone for the enforcement of revenue as compared with fishery laws might be allowed some governments, while under certain conditions the reverse might be true for other states. This approach would not violate the freedom of the seas, for states already have certain jurisdictions on the high seas.

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See: BOUNDARIES; FREEDOM OF THE SEAS; BLOCKADE; NEUTRALITY; INTERNATIONAL WATERWAYS; FISHERIES; SMUGGLING; LIQUOR TRAFFIC.

Consult: Jessup, Philip C., *The Law of Territorial Waters and Maritime Jurisdiction* (New York 1927); Bustamante y Sirvén, A. S. de, *El mar territorial* (Havana 1930), English translation, American Institute of International Law, Publications (New York 1930); Fulton, Thomas W., *The Sovereignty of the Sea* (Edinburgh 1911); Raestad, A. C., *Kongens strömme* (Christiania 1912), tr. into French as *La mer territoriale* (Paris 1913); Fenn, P. T., "Origins of the Theory of Territorial Waters" in *American Journal of International Law*, vol. xx (1926) 465–82; Crocker, Henry G., *The Extent of the Marginal Sea* (Washington 1919); Potter, Pitman B., *The Freedom of the Seas in History, Law, and Politics* (New York 1924), especially ch. vi; Masterson, William E., *Jurisdiction in Marginal Seas, with Special Reference to Smuggling* (New York 1929); Mercker, Reinhold, *Die Küstengewässer im Völkerrecht*, Tübinger Abhandlungen zum öffentlichen Recht, no. xi (Stuttgart 1927); Oppenheim, L. F. L., *International Law*, 2 vols. (4th ed. by A. D. McNair, London 1926–28) vol. i, p. 370–417; Coenen, Hanns-Wolf, *Das Küstenmeer im Frieden*, Frankfurter Abhandlungen zum modernen Völkerrecht, no. 38 (Leipsic 1933); Moore, John B., *Digest of International Law*, 8 vols. (Washington 1906) vol. i, p. 616–743; Dickinson, Edwin D., "Jurisdiction at the Maritime Frontier" in *Harvard Law Review*, vol. xl (1926–27) 1–29; Schücking, Walther, *Der Kodifikationsversuch betreffend die Rechtsverhältnisse des Küstenmeeres und die Gründe seines Scheiterns*, Veröffentlichungen der Schleswig-Holsteinischen Universitätsgesellschaft, no. 35 (Breslau 1931); League of Nations, Committee of Experts for the Progressive Codification of International Law, *Questionnaire No. 2; Territorial Waters*, Publications, 1926. V. 10 (Geneva 1926); Harvard Law School, "The Law of Territorial Waters," reported by G. G. Wilson in *American Journal of International Law*, vol. xxiii, Special supplement (1929) pt. iii; League of Nations, Conference for the Codification of International Law, First, The Hague, 1930, "Territorial Waters" in its *Bases of Discussion*, Publications, 1929.V.2 (Geneva 1929).

TERRITORIES, UNITED STATES. *See* POPULAR SOVEREIGNTY; SLAVERY.

TERRORISM is a term used to describe the method or the theory behind the method whereby an organized group or party seeks to achieve its avowed aims chiefly through the systematic use of violence. Terroristic acts are directed against persons who as individuals, agents or representatives of authority interfere with the consummation of the objectives of such a group. Destruction of property and machinery or the devastation of land may in specific cases be regarded as additional forms of terroristic activity, constituting variations of agrarian or economic terrorism as a supplement to a general program of political terrorism. The term does not appear to be applicable to violent clashes or even to systematic resorts to violence in conflicts of an industrial nature, such as may occur between

workers struggling to secure recognition and status as an organized body and employers who fight these efforts; nor does it apply when violence results from the fact that racketeers have gained a foothold in an industry. Such phenomena may be described as manifestations of intimidation rather than of terrorism.

Intimidation differs from terrorism in that the intimidator, unlike the terrorist, merely threatens injury or material harm in order to arouse fear of severe punishment for non-compliance with his demands. The intimidator will resort only to the degree of violence needed to insure collection of tribute or to force certain persons to abstain from committing overt or covert acts. Having committed a crime or engaged in criminal practises, usually through hired underlings, a racketeer or an employing company whose anti-union labor "protective" machinery has been apprehended in unlawful acts will seek the protection of the law through influential politicians, purchasable attorneys and accommodating judges. The attitude of the political terrorist is entirely different. He imposes the punishment meted out by his organization upon those who are considered guilty or who are held to interfere with the revolutionary program; thus he serves notice that his organization will be satisfied with nothing short of removal of the undesired social or governmental system and of the persons behind it. The terrorist does not threaten; death or destruction is part of his program of action, and if he is caught his behavior during trial is generally directed primarily not toward winning his freedom but toward spreading a knowledge of his doctrines. Intimidation and the practises of violence resulting from it are a logical consequence although an extreme manifestation of the struggle among persons or conspiratorial groups for pecuniary reward in an acquisitive society based upon vested rights and the possession of capital wealth. Terrorism is a method of combat in the struggle between social groups and forces rather than individuals, and it may take place in any social order. Those who appear on the terroristic scene, whether as protagonists or as victims, stand as representatives of social groups or of systems of government. Violence and death are not intended to produce revenue or to terrorize the persons attacked but to cause society or government to take notice of the imminence of large scale struggles. The terroristic act committed in secrecy by one person or several is conceived as the advance notice of what may be expected from mass action. It is usually employed where other methods of propaganda are not permitted.

Resort to terrorism is not the exclusive monopoly of political organizations and parties. A group of any other character seeking the relocation of power may deem it expedient to use terror and may organize for this purpose. The nature of the power contested may vary greatly; it may be the dominance of one nation over another or the oppression of one economic class by another. A conflict between the supporters of two substantially different systems of government may also call forth terroristic tactics. Terrorism as a method is always characterized by the fact that it seeks to arouse not only the reigning government or the nation in control but also the mass of the people to a realization that constituted authority is no longer safely intrenched and unchallenged. The publicity value of the terroristic act is a cardinal point in the strategy of terrorism. If terror fails to elicit a wide response in circles outside of those at whom it is directly aimed, it is futile as a weapon in a social conflict. The logic of terroristic activity cannot fully be understood without a proper evaluation of the revealing nature of the terroristic act.

Terrorism differs in several important aspects from such phenomena as mob violence, mass insurrection and governmental terror. Terror practised by a government in office appears as law enforcement and is directed against the opposition, while terrorism in its proper sense implies open defiance of law and is the means whereby an opposition aims to demoralize a governmental authority, to undermine its power and to initiate a revolution or counter-revolution. While the terrorist party makes no pretense at legality, legitimate government must at least formally adhere to law. In the absence of directly supporting legislation governmental terror is made to appear as justified by a declaration that a state of emergency exists, usually followed by the issuance of special decrees. The moral and political justification of the terrorism of a revolutionary or counter-revolutionary party, on the other hand, proceeds from its consideration of existing government as a usurper of the people's power or of the historic rights of a certain dynasty or class.

Although it is based upon the practise of violence, terrorism differs essentially from what is described as mob violence. Terrorism is carried on by a narrowly limited organization and is inspired by a sustained program of large

scale objectives in the name of which terror is practised; mob violence, although it may conceivably break out in response to a terroristic act, is ordinarily unplanned and uncontrolled, brought into action by some immediate and not necessarily rational motivation and follows no precise program.

Mass insurrection is ideologically most akin to terrorism, but it too is not necessarily premeditated and is likely to occur without painstaking preliminary preparation. The initiation of a mass insurrection may be one of the objectives of a party which employs terrorism as a revolutionary method; in such a case the relation between the two may be one of means to an end. Generally, however, the two phenomena are not linked in the theory of revolutionary strategy. In a situation where mass insurrection as a means of attaining certain political aims is within the realm of possibility the terrorist method appears unnecessary, although it is not impossible that the removal of a conspicuous representative of the functioning government might prove the starting point for mass action or at least accelerate its pace. The Blanquist conception of revolutionary insurrection seems to be related to terrorism in the importance it attributes to detailed preparation and to the conspirative methods. Likewise the careful preparation of revolutionary forces appears in Bolshevik theory to be a revolutionary weapon similar in type to terrorism. But in addition to the essential distinction that neither Blanquism nor Bolshevism lists terror among its chosen instrumentalities of action, there are vital differences between the three concepts. The Blanquists conceived of armed insurrection as the task of a well organized and strictly disciplined band of trained fighters who might carry out their purpose whenever success seemed reasonably certain. Once successful the revolutionary party would proceed to enforce its program, whether or not the latter had gained a substantial degree of acceptance among the people. Blanqui's army of insurrectionists throughout the long period of his leadership between the 1840's and the 1870's at no time claimed more than a few thousand men. Blanquism in practise if not in theory is the technique of a *Putsch* or coup d'état. Differing entirely from this concept is the Bolshevik idea of armed insurrection. which regards the latter at the most as a link in a chain of revolutionary circumstances, a final weapon to be employed only after all preliminary measures have been completed. The frequently quoted statement, ascribed to Trotsky, that a few well trained, select shock troops may at a propitious time seize the government and change the course of history represents neither Trotsky's nor Lenin's ideas of a revolutionary overturn. Bolshevik revolutionary strategy is rooted in the acceptance of mass movements as the basic force which will effect the shift of social power from the capitalist class to that of the workers. Lenin repeatedly stressed the need of winning the masses to the party's ideas before a decisive action could be precipitated.

Terrorism as a means of achieving national emancipation was exemplified in the so-called Anglo-Irish war led by Sinn Feiners between 1919 and 1921. Its objective was forcibly to eradicate English control in Ireland and to establish Irish unity. Destruction of the property of the English government and of conspicuous Irish sympathizers with English rule, shooting of police, attacks on police barracks and ambushing of British soldiery with bombs, rifles and revolvers were among the means used in this internal struggle. Terrorism in this particular case bordered on guerrilla warfare and it was based upon the expectation that the noncombatant population would fall into line with the victorious side; terroristic means were used to force the issue. The revolutionary party claimed its justification in the right of the Irish people to national self-determination and made its terroristic practises appear as retaliatory action against the British reign of terror in Ireland.

Terrorism as a revolutionary technique was for many years an accepted tenet of anarchism. The writings of Bakunin with their emphasis upon violence as a method of achieving social change were the inspiration if not the actual source of this doctrine. The idea of "the propaganda of the deed" was developed in the years following Bakunin's death by Kropotkin, Brousse and others, who stressed the failure of generally accepted methods and the educative and publicity value of acts of terrorism. This theory was translated into action principally in the last two decades of the nineteenth century, especially in the Latin countries. In Germany and Austria-Hungary, where the anarchist movement was relatively weak, there were only a few *attentats*, but police measures proved quite ineffectual in France, Spain and Italy in dealing with the assassination of many government officials. Among the anarchists in the United States Johann Most was the foremost

exponent of terrorism, while the outstanding attempts to propagandize by the deed were the assassination of McKinley by Czolgosz and the shooting of Frick by Alexander Berkman. The method advocated by the syndicalists is one of direct mass action rather than of individual terror.

The fullest expression of the theory and practise of terrorism is to be found in the functioning of the famous Russian revolutionary organization—the executive committee of the Narodnaya Volya (People's Will), formed in 1879. Its spectacular activity began in the late 1870's under the name of its predecessor, a society called Zemlya i Volya (Land and Freedom), and it attracted attention with the shot fired by Vera Zasulich at General Trepov, the commandant of St. Petersburg, as an act of revolutionary revenge for the flogging of the revolutionist Emelyanov, which the general had ordered. In 1879 Solovev made an unsuccessful attempt to shoot the czar and in the following year a revolutionary workman, Khalturin, succeeded in dynamiting the czar's dining room at the Winter Palace, where the royal family was to entertain a large official assemblage; they were saved only by an accidental delay in the opening of the function. In 1881, however, Alexander II was killed by a bomb. Such an effective start encouraged the Narodnaya Volya (also called *narodniki*) and its activity spread despite the efforts of the government to exterminate the organization at all costs. As in the case of all revolutionary movements, it was not governmental persecution but popular reaction which determined its future.

The party's own view of its method of action was expressed in paragraph 2, section D, of its program, which defines destructive and terroristic activity as follows: "Terroristic activity, consisting in destroying the most harmful person in the government, in defending the party against espionage, in punishing the perpetrators of the notable cases of violence and arbitrariness on the part of the government and the administration, aims to undermine the prestige of the government's power, to demonstrate steadily the possibility of struggle against the government, to arouse in this manner the revolutionary spirit of the people and their confidence in the success of the cause, and finally, to give shape and direction to the forces fit and trained to carry on the fight" ["Programma Ispolnitelnago Komiteta, 1879 g." (Program of the Executive Committee, 1879), reprinted in *Sbornik programm i programmnikh statey partii "Narodnoy Voli"* (Geneva 1903) p. 3–8].

The motivation of the party's recourse to the terroristic method was, as frequently stated, that at that time it appeared the only possible way of achieving political change. The purpose of this change was explained in paragraph 1, section V, of the same program: "By this overturn, in the first place, the development of the people will be to proceed independently and in line with its disposition, and, in the second place, many purely socialist principles common to us and the people will gain recognition and be supported in our Russian life."

The spokesmen of the party stressed the following principles of their movement: that the use of terror was not an end in itself but only a means to effect the transference of power from the government to the people; that the party proposed to seize and retain power only until a form of popular government could be determined upon by a constituent assembly; and that it would not decree revolutionary reforms and impose its desires upon the people but on the contrary would aid the latter to express its own will, to which the party would submit.

This political program, unusual for its modesty and self-negation, sounds crudely naïve and almost unbelievable in an era of historic struggles between fascism, on which declining capitalism stakes its own survival, and communism, the fighting essence and pragmatic realization of classical socialism. But in its time and situation this self-negation of the terrorists had roots in the specific conditions of Russian life. The psychology of terrorism is that of romantic messianism. The Russian terrorists imagined that because certain conditions of landownership forced the Russian peasant community to adhere to a quasi-collectivist form of land utilization, the peasants were the carriers of the purely socialist principle germane to the very nature of the Russian people. These potential socialists were supposedly awaiting an energetic impulsion from the revolutionists, and the explosion of a bomb thrown at a cruel czarist officer was expected to awaken the people from their lethargy. But although many bombs were exploded and numerous officials and members of the ruling order assassinated, the masses failed to respond. Their passivity and total lack of rebelliousness at first spurred the terrorists tc more and more daring ventures. The program of the party called for widespread mass activity to arouse the peasants, the workers and the pro-

fessionals. Essentially, however, terroristic activity produced results contrary to its professed purpose for it centered party activity on the one tangible thing, organization of the terror, to the exclusion of all other contemplated work; and it fostered in the intelligent elements among the masses as well as among the revolutionists the idea that revolution was the task of the self-sacrificing terrorist. Terroristic activity thus was the joint product of trust in a metaphysical, peculiar fitness of a certain people for socialism or its contemporary equivalent, the "good life," and of distrust in the capacity of the people to organize a fight for the economically comprehensible things which at all times were the leaven of organization. The fact that the forces of the terrorists were generally recruited from young students and the descendants of the economically depressed elements of the nobility may account in part for the romantic orientation of the movement; but it is likewise true that this romantic aspect attracted the intelligentsia and left the peasants and workers cold. Support of terroristic activity came for the most part from the liberal bourgeoisie, a group which everywhere abounds in lovers of vicarious experience.

Terrorism was revived in 1901 when the Socialist Revolutionary party came into existence and proceeded to carry on the tradition of the older movement. But in the meantime economic development had led to the rise of a working class. Industrial changes, defeat in war and a complicated international situation which had repercussions in politics and finance made terrorism appear outmoded as a revolutionary method, although it still aroused admiration. The rising mass movement and the spread of nation wide economic and political strikes made terror irrelevant and unnecessary. Moreover the government had learned how to place its agents at the core of the central Fighting Organization of the party; the provocateur Azef, for example, instigated several assassinations of members of the czarist family. These factors together with the opening of the Duma led the party to abandon terrorism in 1906. Three years later, however, this resolution was revoked, and terroristic activity continued until the World War.

Terroristic methods were tried once again in Russia, after the revolution of 1917, upon the cessation of the temporary political alliance of the Socialist Revolutionary party with the Bolsheviks, when the former declared war on the Soviet regime. The assassination of the German ambassador to Russia, calculated to create an international conflict embarrassing to the Bolsheviks, and finally an attempt upon Lenin's life were the outstanding results of the campaign. But the "propaganda by the deed" failed to achieve its aim; the masses of the people did not respond, seeing no reason for joining a movement which appeared to hold no promise for them.

As a complete revolutionary tactic terrorism has never attained real success. Governments, whether conservative or revolutionary, are not inclined to retreat before acts of terror directed against key persons. The will to power is not weakened by the exercise of power, and positions made vacant through the explosion of bombs are readily filled. On the other hand, the will to revolution requires a stronger force than the heroism of isolated individuals or even of small, well organized groups. The art of revolution must be sustained by the interested will of a large proportion of the population and by concerted mass operations.

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See: REVOLUTION AND COUNTER-REVOLUTION; ASSASSINATION; INTIMIDATION; VIOLENCE; RUSSIAN REVOLUTION; FRENCH REVOLUTION; BOLSHEVISM; SYNDICALISM; ANARCHISM.

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TERTULLIAN (*c.* 160–*c.* 220), church father. Quintus Septimius Florens Tertullianus was born in Carthage, the son of a Roman captain. Educated in Rome, he was active there for a long time as a respected jurisconsult. Later he became the most powerful defender of rising Christianity in his native city against the Roman state and the gnostic heresy. Toward the end of his life he became chief of the pneumatistic sect of Montanists opposed to the Roman church and the primate of Rome. He not only enriched the language of early Christianity with words and images from the Roman military service and Roman jurisprudence but also laid down for future ages the juristic exegesis of Roman law as a model and instrument for the theological exegesis of the Word of God. The decisive importance which the legal concepts of *meritum* and *satisfactio* assumed in his dogma is characteristic of the juridical nature of his approach, as is his conception of atonement, which, in the manner of a bilateral legal transaction, is inseparably connected with salvation as the repayment of a due reward. The creed is likewise legally interpreted and its contravention appraised as an illegality.

It was of importance to the development of the church that this experienced jurist differentiated between the absolute validity of the divine commandment and its practical enforcement, which while demanding legal regulation nevertheless may change with the times. Thus in addition to the law of faith, the *lex fidei*, there appears the law of regulation, the *lex disciplinae*. In this way Christian life itself was subordinated to the force of law, and the bishop as well as the episcopal councils, which hitherto had exercised essentially charismatic-pneumatic functions, became as bearers of the apostolic charisma the appointed embodiment of ecclesiastical discipline; that is, definitely established organs of administration.

Tertullian was interested in economic questions only in so far as they touched the new norm of Christian life. He did not attempt, as do modern theorists, to clarify and explain economic interrelations but directed his attention to the problem of what economic pursuits were permissible to the Christian and what were forbidden. Paul's pronouncement that each was to remain in the occupation to which he was born had been maintained in essence for the first two centuries of Christian history. Now that the immediate resurrection of the Lord was no longer expected, however, not only were astrology and secular pedagogy, for example, declared impermissible, but all commerce was stamped as of doubtful character, and dealing in incense and other spices was labeled anti-Christian since these materials might be used for heathen sacrifices.

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TESTS, MENTAL. *See* MENTAL TESTS.

TEXTILE INDUSTRY

HISTORY AND ORGANIZATION. The textile industries were the pioneers of industrialism as it spread around the world from England, even as they were the first industries to adopt the factory system. In the older industrial countries, such as the United Kingdom, Germany, France, Switzerland and the Netherlands, as well as in Japan, China and India they have maintained their original lead when ranked either by value of products or by the number of workers employed; whereas in practically all other countries, with the exception of Australia and Canada, they are outstripped only by foodstuffs or by important raw material industries, such as wood. In the United States in 1929, the textile industries ranked first in average number of workers, second to foodstuffs in value of product

and second to machinery in value added by manufacture. This position of major importance is due largely to the use of textiles for clothing and household purposes. New uses have appeared with the development of modern industry and agriculture in the demands for electrical insulation, belting, rubberized fabrics, felts for paper making and cartridges, upholstery for railroad cars and automobiles, cords and baling materials and hospital supplies. The demand for clothing is relatively inelastic; increase in income results in the use of silk instead of cotton rather than in a proportionately increased consumption of fibers. Hence the rank of the textile industries, which have been declining in relative importance with the rise of the metal and machine industries, will in the future depend upon expansion of the industrial uses of textiles.

Textiles have been used since very ancient times, as is shown by samples which have been found on all continents: bits of linen of the Swiss lake dwellers of the neolithic period; a fragment of cotton cloth excavated in the Indus valley belonging to the period between 3500 and 3000 B.C.; a piece of cotton cloth discovered in a cave at Grand Gulch, Utah, which American anthropologists have dated between 2000 and 1000 B.C.; cloths of wool, cotton and hair found in the prehistoric grave sites of coastal Peru; a woolen cloak found in a peat bog of southern Sweden. Whether the almost universal primitive knowledge of the textile processes is to be attributed to diffusion from Asia or to independent origin is a matter for further research, but its wide dispersion in remote antiquity is an established fact.

As the great ancient civilizations rose to power, skill in the making of textiles was developed as an art, as is shown by the exquisite Dacca muslins, the shawls of Kashmir, the "Babylonian garments," the linen tapestries of ancient Egypt, the beautiful byssus fabrics made in the Egyptian temples and the bird and flower silks of China. Examples of these eastern luxuries were brought back to Greece and Rome by the conquerors of Asia. Trade sprang up to satisfy the new appetite for luxury, followed by knowledge of processes as Asia gradually receded in importance and the foundation of modern civilizations emerged. It was not until the industrial revolution, however, that European culture added anything fundamental to the technique of textile fabrication.

Although the earliest domestication of sheep is traced to Turkestan, it is probable that knowledge of their domestication reached Europe early in the neolithic period. In ancient times in both Greece and Rome the fabrication of textiles remained a household industry except for a few specialties, such as Corinthian blankets, cloaks from Pellene and embroideries from Chios, Miletus and Cyprus; both civilizations continued to import their luxury fabrics from Tyre, Sidon, Alexandria and the nearby islands which had learned the arts from Babylonia and Assyria. In Egypt during the Ptolemaic period, as formerly in Babylon, the textile industries were organized. Cloth making became a royal monopoly and wool and cotton were converted in royal mills and in the temples, which were given special privileges. Others worked under license and were obliged to sell to authorities at fixed prices. Later, during the economic supremacy of Byzantium, the most numerous among the corporations were those of the textile industries, famous for their production of precious fabrics, such as richly embroidered woolens and fine linens.

By the end of the Middle Ages Italy had become the center of the textile industry. It is estimated that at the beginning of the fifteenth century Florence employed 30,000 workmen in 300 factories, Milan 60,000 workers and Venice 16,000 workers; the last mentioned produced the finest of the Italian woolen cloth and sheer linen. The *arte di calimala* of Tuscany monopolized the purchase of English wool and the half finished work of Flanders and northern France; it was rivalled by the *arte della lana*, the Florentine association of merchants and manufacturers. By 1306 Florence manufactured 100,000 pieces of woolen cloth yearly. After the twelfth century their competitors were the workshops of Catalonia, the Balearic Islands, Brabant and Flanders (Fleming was synonymous with weaver); while in France, in Picardy, Ile-de-France, Champagne, Normandy, Bourges and Languedoc textile manufacture became the most important form of industrial activity. Germany manufactured coarse woolens and coarse linens; semifine linen and table linen were produced in Catalonia, Champagne, Languedoc and Normandy; sailcloth was made in Brittany and Galicia. Fine cloths were the romance of the Middle Ages, demanded for display by prince and prelate and the new bourgeoisie. During this time also the use of linen for garments developed as one of the refinements of living.

Although the continental industries had depended chiefly on English wool, which was

England's one important export during the late Middle Ages, it was not until the fifteenth century that English cloth became a serious competitor on the continent. Opinions differ as to the extent of Britain's indebtedness to the migrations of skilled artisans from Flanders, Holland and France from the time of William the Conqueror through the Middle Ages, but there can be no doubt that the craft was greatly enriched thereby; as, for instance, in the production of the new draperies and new techniques in the finishing trades, in which Holland had become proficient. Progress was made during the reign of Edward III, who refused to wear any but British cloth, encouraged foreign cloth makers to settle in England and prohibited the export of wool. By the fifteenth century the making of cloth had become "the grettest occupacon and lyving of the poore people of the land" and it continued for three hundred years as the chief source of the wealth of England. Toward the close of the seventeenth century wool manufactures were valued at £8,000,000, of which an amount valued at £2,000,000 was exported. Although the industry was widespread, it was centered in Yorkshire, Norfolk and the southwest.

In all probability China was the birthplace of the silk industry, although there is evidence that wild silk was spun in Persia and India at a very ancient date. Sericulture and the fabrication of silk cloth were an integral feature of the culture of China at least three thousand years B.C. The secret was carefully guarded, however, until the fall of the Chin dynasty, when refugees fled to Korea. From there the knowledge of sericulture was carried in the third century B.C. to Japan, where the industry was sponsored by the royal families. Sericulture spread westward in the third century A.D., when it was introduced into Khotan and then into Byzantium. Until its capture in 1204 Constantinople remained the western center of the silk industry, both for the production of raw silk and for the fabrication of precious cloths. Meanwhile the Arabs had become familiar with the Persian industry; in the eighth century they had carried their knowledge to Spain and in the ninth to Sicily, whence it probably spread northward to Italy.

Sericulture and silk weaving developed in the Italian cities during the twelfth and thirteenth centuries, especially in Lucca, where an industry organized on merchant capitalist lines was built up for the production of cloths of gold and silver, damasks, satins and velvets. Light silks were made in Catalonia and Valencia. Silk was imported through Genoa from Asia Minor, Greece and Spain to supplement the domestic supply, and the lustrous products were marketed at the great fairs, especially those of Champagne and Flanders, or on order from royalty or the papacy. From Italy the industry spread throughout Europe and to England; supremacy passed to France as civil wars demoralized Italian economic life and skilled artisans were encouraged to migrate.

By 1700 silk manufacture fostered by ambitious rulers had been introduced as a luxury industry into all the countries of Europe. It flourished fitfully in most countries, while in France it became firmly established by Colbert, who encouraged sericulture and aided it in other mercantilistic ways. Although in England an industry of considerable size was developed—40,000 persons are said to have been included in the silk guild in 1661—and the weavers of Spitalfields acquired some fame, it was able to survive, even when aided by the importation of Italian craftsmen and the Flemish and French refugees, only under protection amounting at times to absolute prohibition of foreign silks. Since England was able to hold its own in the other textiles, the failure of English silk goods to compete with the French must have been due in part to inability to produce raw silk either at home or in the American colonies.

Cotton was the last of the textiles to reach Europe. The earliest records of cotton weaving are to be found in the Chinese classics of the third century B.C. In all probability the people migrating from the central plains of Asia brought the technique as well as a knowledge of the plant with them to India, and by 800 B.C. the industry had advanced so far in India that there was a surplus for export. After the trade routes on both land and sea had been opened up by Alexander the Great, Susa became the first trade center outside of India, and Egypt discovered the uses of the plant. Cotton textiles never attained great importance in Greece, where they were a luxury of the upper classes; and they were imported comparatively late by Rome, where cotton remained a luxury import and no attempt was made to fabricate it. In their westward sweep from Arabia the Moslems brought the culture of cotton and the art of its manufacture to Spain. Under their influence all types of stout cotton fabrics were manufactured, and Barcelona, Granada, Cordova and Seville

became famous for their product. After the expulsion of the Moslems the industry waned.

Cotton made its first effective entrance into European industry as an adulterant in wool and linen mixtures. By the twelfth century a fustian industry had been established in Italy and its products had penetrated Europe. First Genoa and then Venice became the great centers for the distribution of supplies, and by the fourteenth century cotton was crossing the Alps to supply the fustian industries of Vienna and the towns of Swabia, Flanders and Holland. It was the fustian industry which laid the basis of the fortunes of the Augsburg families, like the Fuggers, who carried the cloth to distant parts. When the Walloon and Dutch immigrants crossed the channel to England in 1554 they undoubtedly brought the industry with them, but it did not become firmly rooted until the seventeenth century. By then its production was established, particularly in Lancashire, although the export of fustians from England was small compared with the trade in wool and linen.

Meanwhile the various East India companies were importing increasing quantities of cotton and silk fabrics, especially calicoes, muslins and chintzes. In response to protests from the silk and woolen producers the importation of printed calicoes and a variety of checked and striped materials was forbidden in England, France and several European countries. The demand for these fabrics led to the development of domestic color printing on linen and Indian calico and in lesser degree on wool. Although printing on cloth had been practised in Europe as early as the fourth century, having come from the East through Persia and Egypt, it did not influence the new technique, which was developed simultaneously in the seventeenth century in Holland, France and England, probably through Indian influences. The success of the English in this branch of the industry, coupled with the protection unintentionally brought on by the woolen manufacturers, was one of the reasons for their subsequent preeminence in the cotton industry.

By the end of the seventeenth century the textile industries, wool, linen, silk and cotton, had spread throughout Europe. Because capital requirements were slight, except for certain kinds of finishing equipment, the development depended chiefly on the migration of the artisan. Throughout the Middle Ages this was accomplished by direct importation, by emigration of political or religious refugees and by invasion, as in the case of the Saracens. Since the simple processes themselves were indigenous household arts, there was always a supply of workers accustomed to the industry and capable of practising it as a by-industry.

The methods of production and sale of textiles during the Middle Ages were similar in all countries. Wherever craft guilds developed, guilds of weavers were among the first to be created; second came the organization of fullers and dyers. As trade widened, these groups sometimes gained a monopoly of the trade, as in Venice, while more generally trading companies, such as the Teutonic Hanse and the Dutch and English chartered companies, arose to search for markets and to monopolize them. With the development of transportation and the widening of the markets local supplies of raw materials became insufficient, and the merchant capitalist appeared to carry the risk and to organize the many operations in the production of cloth. Although the guild system lingered, the merchant seems to have become an almost universal figure in the cloth industries of the continent and England, rising to power either by way of the marketing functions or through the control of raw materials. It was his function, as described in the Statute of Artificers . . . , "to put cloth to making." Josiah Tucker speaks of one person who "buys the wool, pays for the spinning, weaving, milling, dyeing, shearing, dressing etc., . . . is the master of the whole manufacture, from first to last, and perhaps employs a thousand persons under him. . . . This is the clothier." Sometimes he enlisted isolated workmen, in other instances artisans grouped in crafts or corporations. When industry moved into the country districts to escape the restrictions of the guilds and the regulations of the towns or to find additional craftsmen, as it did in the Low Countries, France, Germany, England, Scotland, Poland and Bohemia, his managerial functions became more important. As he gradually extended his activities, he became known as the merchant capitalist.

As yet little capital had been needed for production. It has been estimated that hand cards cost a few pence, a spinning wheel a shilling or so and a loom six to twelve shillings. The fibers were first combed or carded by hand, drawn out with a slight twist and finally spun into yarn. Although the distaff and spindle were still in use, the spinning wheel had become part of the household equipment. Looms, which were somewhat more elaborate, were set up in the cottage or in adjoining sheds.

Except in the chemistry of dyes and printing and the use of water power in the fulling of cloth, there was little change in the technique of the manufacture of cloth throughout the Middle Ages. The only two inventions of importance were the Dutch loom for small wares, which wove 12 to 24 pieces simultaneously, and Lee's knitting frame invented in 1589, used for wool and silk. The farmhouse or the worker's cottage was the scene of production for all the textiles, with the exception of the special, or public, mills used for fulling and teagling. Both on the continent and in England there were isolated instances of large scale production, but they were not the dominant type. There were, however, silk throwing mills which were using water power, one of the most famous of which was the Lombes factory at Derby on the Derwent, established about 1718.

In the application of power driven machinery, which ushered in the industrial revolution, the cotton textile industry led the way. Several reasons have been suggested in explanation of the fact that the new methods were applied first to cotton. It has been pointed out that cotton fiber is more uniform and stronger than wool and better suited to mechanical manipulation, even though it was less easily adapted to the earlier machinery; that the cotton industry was new and less hampered by tradition, statutes and a tenacious group of producers; that cotton was cheaper and more desirable than linen, and there was the growing African slave market to be supplied; and that the industry was well protected from Indian competition.

Expanding markets and the divisions between the processes stimulated inventions. Kay's fly shuttle (1733) sent weaving ahead by increasing the speed and enlarging the width of the cloth and made it possible for one weaver to use the product of 8 to 10 spinners, whereas formerly the ratio had been one weaver to 5 or 6 spinners. The demand for yarn as well as the need for improvement in quality for warp threads turned the attention of inventors to spinning; Hargrave's jenny (1764), Arkwright's roller spinning frame (1768) and Crompton's mule (1779) made possible the simultaneous spinning of a large number of threads and improved both the quality and the strength of the yarn. In addition Arkwright was able by means of a carding invention to apply power to the whole sequence of the operations of carding and spinning under one roof. Whereas a handwheel spinner could spin only 4 skeins a day, a mill spinner tending 90 spindles could produce 180 skeins. The heyday of the weavers followed, lasting until the successful application of Cartwright's power loom (1789) after 1813. Three other important inventions were Bell's development of cylinder printing for calicoes (1785); Whitney's cotton gin (1793), which made possible a sufficient supply of cheap raw material; and Jacquard's loom (1801) for the weaving of intricate patterns, first used in silk weaving and later adapted to cotton weaving.

With the application of steam power to these machines in 1785 the technique for the mechanization of the cotton industry was completed, while its swift development was facilitated by the decision in the same year that Arkwright's patents were null and void. Factories employing 150 to 600 hands sprang up on the river banks, and output increased at a prodigious pace to meet the demand, as is shown by the fact that imports of raw cotton and wool to England increased from 5,100,000 pounds in 1781 to 145,600,000 pounds in 1820.

This development was not characteristic of the other textiles or of other countries. In Great Britain there was a lag in the mechanization of the wool and silk industries. In the wool industry the power loom appeared as a serious competitor to the weavers in the late 1830's, but it did not become general until the 1870's, and the hand loom weavers lingered on until the end of the century. The resistance of wool to mechanical treatment, the more restricted market for it and the conservatism of old crafts may explain the delay. Both silk and wool are more expensive than cotton and their products are more specialized. Hence they do not cater to as large a market or offer strong inducement for standardization. In the silk industry the power loom was not introduced until the 1860's. In fact it was not until the American market, with its tremendous purchasing power, developed in the twentieth century that real industrialization appeared in the silk industry.

The factory system did not get under way in other European countries until after the middle of the nineteenth century. The British policy of prohibitions was in part responsible and helped Great Britain to maintain its differential advantage. Skilled artisans were forbidden to emigrate and were penalized by loss of citizenship and confiscation of property. It was forbidden to export tools or utensils used in manufacturing cotton or cotton and linen mixed as well as sketches, models or specifications, and

offenses were punishable by fines and imprisonment. France, although second in world spindleage, was producing in 1835 only one fourth as much cotton as Great Britain. Raw materials cost more, the industry was scattered and capital charges for equipment were higher. The real period of expansion in France began in the 1860's, when its spindleage was about 6,000,000; the United States succeeded to France's rank when the latter lost its Alsatian spindles to Germany after 1870. In 1885 one third of the French output was still woven on hand looms. In Germany there were only 658,358 cotton spindles by 1840; these had increased to nearly 2,000,000 by 1860. After the Franco-Prussian War a period of real expansion followed, and by 1901 Germany was in possession of 8,435,000 cotton spindles. Weaving progressed more slowly; in 1878 over one half the weaving was done on hand looms, which persisted up to the World War; the bitter struggles for survival on the part of the linen weavers have been among the tragedies of economic history. By the 1870's the factory system had been introduced in the Netherlands, with Twente as the center. Italy had 715,000 spindles and Russia 3,000,000 spindles. Thus on the continent industrialization appeared much later and proceeded at a more leisurely pace. It is in fact not yet completed, for the hand loom is still used in the rural districts of every country. Except in silk no continental textile industry presented any challenge to the British supremacy.

Great Britain found rivals, however, in the United States and Japan, the one challenging its rank in world production, the other its position in world trade. In the United States the textile industries were the first to be established. Although the spinning wheel was a familiar article of household equipment, the mercantile policy of the mother country had developed a dependence on British exports. When the new country was cut off from supplies by the series of wars from 1776 to 1815, cotton and woolen industries were established. From the outset the cotton industry led all other manufactures in amount of capital invested, number of persons employed and value of product. It was localized in New England, especially in Massachusetts, where there was water power, a market, free capital and a labor supply. By 1830 the United States was second only to Great Britain in amount of cotton consumed and third in number of spindles, and by 1860 it had one sixth the number of spindles of Great Britain, slightly fewer than France and nearly three times as many as Germany. Rapid increase continued and Great Britain's differential advantage was narrowed. In 1860 American spindleage was only 16 percent of British spindleage, in 1900 it was 42 percent, while just before the World War it had reached 56 percent.

Protected by tariffs, which in the 1890's averaged between 41 and 45 percent, the cotton textile industry in the United States was able to retain the domestic market and to shut out the British and European producers. It produced two inventions, peculiarly adapted to its own needs, which were to have significant effect on future dispersion of the industry, the ring spindle (1831) and the Northrop battery loom (1894). The ring spindle can be operated by less skilled operatives, it is continuous rather than intermittent, it takes less room and it makes it possible for one operative to tend a greater number of spindles. The Northrop battery loom saves running time, can be operated by women, takes less skill and permits great increase in the number of looms per operative. Without these two inventions the spread of the industry to Japan and to the southern states of the United States as well as to all backward industrial countries with their untrained labor supplies would have been greatly retarded.

Although the mechanization of spinning preceded weaving in the older industrial countries, the spread of the textile industries in the newer industrial countries has been characterized by a reversal of the process. Since weaving sheds can be operated on a simple scale with less capital and require therefore a smaller market, they are usually the first to be established in the agricultural countries. Yarns are imported from the industrialized countries, to supply both the new industry and the hand looms. Gradually the yarn importing country begins to spin as well, leaving the exporting country with a surplus supply. The latter in turn adds more looms to absorb its surplus yarn, as has been the case since the World War in Japan and Belgium. In this way, with no change or with even a decline in demand, output is enlarged. British exports of yarn, for example, have fallen about 36 percent from the 1909–13 average as compared with the 1930–32 average, while exports of piece goods have dropped about 68 percent.

The method of growth appears to have been the same the world over. The British attempts to keep their new inventions at home continued until 1843, when with the repeal of the protec-

tive legislation the movement began which was to establish a textile industry throughout the world. There is now scarcely a cotton or wool textile plant which does not possess machinery of British origin. Although the United States, Germany, France and Switzerland are also exporters, their aggregate exports do not equal those of Great Britain, which during the decade following the World War accounted for about 60 percent of the output of the British industry. In addition to the movement of machines there has been a movement of whole plants from the less prosperous regions of Lancashire to Jugoslavia, India, China and Australia, while in the United States one and one half million spindles have been shipped from New England and set up in the southern states. Wherever necessary these shipments, especially to the Far East, have been accompanied by highly skilled workers to instruct the natives.

The world trek has been aided further by international capitalists seeking the most lucrative investment for their surplus funds and industrialists who have taken advantage of lower costs to transplant their own productive units. British capitalists established mills in India and in China, after the Treaty of Shimonoseki in 1895; and the post-war shipments of textile machinery from England to China, India, Egypt and Jugoslavia have been financed in no small degree by money raised in London, at a time when Lancashire could not raise sufficient capital to modernize its mills with automatics. In the United States northern interests taking advantage of cheap labor, low taxes and laxer labor legislation have played a large part in the erection of textile mills in the southern states. The movement of the textile industry to the south gained momentum between 1870 and 1880 and by 1925 the south exceeded the north in spindleage, having already exceeded it in yardage. Between 1920 and 1930 the south gained 3,355,000 spindles, while the other states lost 7,591,000.

Tariffs have probably been the most important influence in the international migration of the textile industries in that they have led foreign capitalists to establish plants within tariff walls to evade import taxes. In the tariff history of the great industrial countries the textile capitalists have been the first proponents of protective tariff and have carried on the major offensive; this is true particularly of the cotton manufacturers of France and the wool and cotton manufacturers of the United States. Every country in the world now has some form of import control of textiles; even the Netherlands has succumbed to import quotas. The rate structures are complicated and are very sensitive to the degree of protection necessary in the country's relation to the advancement of any given branch of the industry. In France, for instance, it is the cheaper products rather than the specialties which are protected. Usually rates are first imposed on coarse goods, while yarn is admitted free to feed the infant weaving industry. As spinning develops, coarse yarns are included in the schedules, followed as technique improves by rates on piece goods of finer weave; fine yarns are the last to be protected, since they are generally the last to be manufactured.

The localization of the cotton textile industries before 1914 in Lancashire, New England and central and western Europe obscured the tendency toward wide diffusion; and it was scarcely realized that these industries were not dependent on special, local conditions. The raw materials are easily packed and transported, they are imperishable and always convertible and their prices are governed by a world market. Progress in mechanization, especially in ring spinning and the automatic loom, has developed machinery to the point where skill is of little value; and the local labor of the mountain whites or the Japanese girls temporarily recruited from the rural districts can be trained to compete with the spinners of Lancashire. The industry can utilize the surplus labor supply of women and children often familiar with the household art. Whereas formerly water power, followed by accessibility to coal, was a determining factor, a steam turbine operated by electricity has eliminated this dependence. Even atmospheric humidity, which was considered a matter of importance in Lancashire and New Bedford, can be produced satisfactorily by air conditioning. Provided there is a sufficient market, textile mills can easily be installed and operated throughout the world; and the primary factors in international and regional competition have become wages, running hours, labor legislation, business management and currency levels.

Until the World War the cotton and wool industries of Great Britain presented a history of unbroken expansion, except for the Civil War period, and their dominance over world markets was uncontested. The number of persons employed was double that of any other industry. Cotton products amounted to about one fourth the total exports and comprised over half of the world trade. Nevertheless, the cotton industry

was employing proportionately less of the total number of workers, and Great Britain's position in world trade was being challenged. By 1913 all of the countries of Europe had important cotton textile industries; in Japan, China and India the industry had gained a foothold; while in the Americas, in addition to the United States, there were growing industries in Canada, Mexico and South America.

The World War hastened these movements and changes and because of violent dislocation undoubtedly aggravated the severity of the readjustments. By cutting off British exports of cotton piece goods, which in 1913 amounted to 73 percent of the total world exports, it stimulated the export trade in countries with established industries, such as Japan; while in other centers it offered a type of protection which fostered the growth of domestic industries, as in Australia, Argentina, Canada, India, China and Brazil. The spirit of nationalism awakened by the war and the Treaty of Versailles has been accompanied by industrial ambitions which have led to the building of new textile mills. By the revision of boundaries textile units were broken up, a situation particularly disastrous for the industry because of the ease of replacement. France acquired from Germany 1,891,450 cotton spindles and 50,258 cotton looms in Alsace-Lorraine; these Germany promptly replaced at no great cost during the inflation period; Poland fell heir to the mills of Łódź built to supply the Russian market with coarse goods as well as to Austrian mills. Estonia, which formerly had no foreign trade, received 750,000 spindles and has been forced to export. In the break up of the Austro-Hungarian Empire, Czechoslovakia, with a population of 13,000,000, acquired 79 to 90 percent of the textile industries built to supply a population of 52,000,000. The spindles of Austria were separated from the weaving sheds of Bohemia. The cost differentials arising from disordered post-war finance served further to increase equipment and push sales, as, for instance, in the Netherlands and later in Japan.

Although the significance of comparative figures is complicated by various factors, such as differences in types of spindles and looms, hours of running, speeds and the post-war changes in boundaries, as well as by incomplete reporting, available statistics for the cotton industry indicate that there has been a general increase of 9.88 percent in world spindleage since 1913. There has been a decline of 1.5 percent for Europe including Great Britain or an increase of 11.76 percent excluding that country, a rise of 3.87 percent in the Americas with the United States included or 70.31 percent without the United States and a vast increase, amounting to 137.41 percent, for Asia. Figures for the last sixty-three years indicate a decline in annual percentage increase of spindleage until 1929, when an actual decrease set in for the first time since the industrial revolution. Although an annual decrease of world spindleage has continued since then, increases have been recorded for eleven countries (Soviet Russia, Spain, Poland, the Netherlands, Finland, Hungary, Denmark, India, Japan, China and Mexico), indicating that some displacement is taking place.

The derangement of international trade in the textile industries has been one of the immediate repercussions of post-war dispersion and increased productive capacity. Whereas before the war Great Britain, which exported approximately four fifths of its cotton piece goods output, dominated world trade with 58 percent of world exports by value of product, the nearest competitor being Germany with 10 percent, in 1930 the former's percentage had fallen to 40 percent. Although the other principal countries, with the exception of Germany and Switzerland, shared among them England's percentage losses, the lion's share went to Japan. Rising from a position of comparative unimportance twenty years ago, Japan has swept forward in the industrial world, building up its empire on cotton textile exports as Great Britain did a hundred years before. Its textile industry, subsidized by the government, is highly centralized in organization (the Japan Cotton Spinners Association controls at least 97 percent of the spindleage); its finished products are exported largely by three companies, which also purchase the raw cotton; and it pays very low wages, thus increasing its competitive power. It has searched aggressively for markets throughout the world, first in the neighboring oriental countries, then in India, Australia, the Middle East and Egypt and finally in the Balkans. The margin between British and Japanese exports of cotton piece goods was narrowed, until in 1933 Great Britain lost its lead in yardage export, a position which it will probably never regain.

With old markets shrinking as native industries develop, the quest for new markets has been keen. Whereas before the war Great Britain was the only country with a world market and the other countries confined themselves to certain areas, keen competition and rivalry are

now characteristic of any market where there is a demand for textiles, whether it be in the Balkans, on the Gold Coast of Africa or in Peru, where incidentally the huge Indian market is an impressive stake in the struggle. Since the industries of Great Britain, Japan, Belgium, Czechoslovakia, the Netherlands and Switzerland must export over half their output and those of Italy and France well over a third, these countries are making every attempt to safeguard markets over which they have any control. Colonial markets are being reserved largely for the mother countries; the policy of empire preference, adopted at the Ottawa Conference, has given more favorable terms to British textiles; while the new bargaining trade agreements of Great Britain are designed to protect England's textile exports in the countries with which it has bargaining arrangements.

Military demands during the World War added to the dislocation of foreign trade in wool and hastened the movement toward the East which was already under way. Japan is now practically self-sufficient in the production of woolen textiles and is rapidly increasing its output, as is also the Soviet Union; while in Australia, which has suffered from surplus stocks, there is a drive toward the fabrication of wool at home. The United Kingdom, France and the United States still consume the most wool, followed by Germany, Japan, Italy and Belgium. In 1926 the United Kingdom, the leading exporter of wool products, shipped more than twice as much as France and Germany, which came next in importance (*see* WOOL).

The future of the export trade will depend on the speed of industrialization in the Orient and on economic conditions. As a style fabric wool has an elastic demand, and much of the European interchange of tops, yarn and cloth is due to success in specialization. Any estimate of future demand must take into consideration the tendency toward the use of lighter clothing, omission of linings and the substitution of knitted garments, which may nevertheless be made of wool yarns. On the other hand, the spread of the clothing industry has enlarged the market for standardized materials, the luxury demands for certain fabrics have been increasing and, most significantly for the immediate future, there is a trend toward the adoption of European clothing by the peoples of the Far and Near East.

Except in the Orient silk has continued to be a luxury industry. Of the older industries it is the least mobile and the least mechanized, although the fiber lends itself easily to the machine process. Since it is too expensive for a large market, the important factors from the outset have been the cheapening of the raw material and the development of higher standards of living. The needed stimulus was furnished by the higher wage levels in the United States during the World War and the post-war decade, when the American industry alone increased its consumption of raw silk by 225 percent. The center of the silk industry has shifted from Lyons to New York. Although comparative statistical data are lacking, it is estimated that there were in 1933 between 270,000 and 300,000 power looms, at least 40 percent of these being in the United States, and over 600,000 hand looms, only a small percentage of which produce commercial products.

Although the manufacture of artificial silk was practicable before 1914, there are few plants with a pre-war history. The first rayon factory was started at Besançon, France, in 1889 and was followed by similar enterprises in the other industrial countries of Europe, in England and in the United States. Their promising development was soon checked by the World War, when many of them were commandeered for military purposes or were deprived of chemicals or labor. The dearth of textiles which followed the cessation of hostilities as well as the high prices of other fibers and the demand for luxury fabrics created an excellent setting for the growth of the new industry. The annual world rayon output increased from 52,120,000 pounds in 1920 to 660,155,000 pounds in 1933. The two countries showing the most phenomenal growth are the United States and Japan. Beginning production on a commercial scale in 1911, the United States ranked fifth in production in 1913 and by 1922 had gained first place. Since then it has continued to produce twice as much as its nearest competitor. Meanwhile Japan, which produced only .42 percent of world output in 1923, captured second place in 1933, producing 13.5 percent of the world output.

Unlike the other textiles, rayon spinning is concentrated in a few units. The industry has not spread rapidly, as capital investments in plants are large, the success of the producers depends on mass production, yarn is easy to ship and secrets are carefully guarded. About ten large concerns control approximately 70 percent of the world production. National associations have bound domestic producers into man-

ageable groups, which in turn have developed a complicated network of foreign affiliations, patent agreements and technical collaboration. In 1927 there was formed an international cartel based on an agreement between Courtalds, whose American subsidiary is the American Viscose Company, the Vereinigte Glanzstoff-Bemberg of Germany, which also has large investments in the United States, and the Snia Viscosa; later the Dutch Enka joined the combine. Other influential groups include the Tubize group, the Celanese group and the Duponts.

According to statistics available for the United States rayon has definitely become a substitute for silk and cotton in knit goods and has reduced their consumption. In woven goods it has played a dual role. As a complementary fiber it has undoubtedly stimulated the demand for certain cotton fabrics by making them more attractive, while in the case of broad loom silks it has displaced the silk in the cheaper grades. In Lyons it is reported that 75 percent of the looms are working on rayon instead of silk, while the ratio of French exports of rayon and rayon fabrics to silk and silk fabrics shifted from 9 to 115 in 1926 to 9 to 8.6 in 1931. Its general gain as compared with other fibers in the United States is evident from the statistics assembled in the adjoining table. Further progress in substitution will depend on chemical research and the price relationships among the fibers. Since the World War the prices of raw cotton, raw wool and silk have fluctuated wildly, while the price of rayon, the controlled fiber, has declined steadily, both absolutely and relatively.

The size of plants in the textile industry varies from the small mill employing fewer than a hundred persons to the huge plants producing standardized goods in Great Britain, the United States, Japan and the Soviet Union. In general small concerns are most numerous except in the case of rayon. In France and Holland the introduction of electricity is now tending further to decentralize the textile industries. Not only is the small or medium sized plant, frequently family owned, most typical, but the amalgamation movement has proceeded at a much slower pace in these industries than in others and big combinations are few in number even in Germany and the United States.

A tendency to elaborate specialization, both in the cotton and in the wool industries, has been carried to the extreme in Lancashire. Not only is every function a specialized industry, but whole towns concentrate on the production of separate counts or special fabrics. In cotton the separated functions may include raw cotton merchanting, spinning, yarn merchanting, weaving, finishing, packing and merchanting, while in the worsted industry they comprise wool buying, top making, combing, spinning, warping, weaving and finishing. Because of the importance of the character of the yarn the woolen industry generally incorporates all of the processes in one firm. In the United States it has been more usual to combine spinning and weaving, since in both wool and cotton fabrics the tendency has been to produce standardized cloths not requiring a wide variety of yarns, whereas in England the employers have testified to the demand for variety of product.

Confronted with narrowing markets and the competition of a new textile, the textile industries in capitalist countries are poorly organized to cope with the problem of surplus capacity. Numerous schemes to control production and

CONSUMPTION OF MAJOR TEXTILE YARNS IN THE UNITED STATES, 1900–32
(In 1,000,000 pounds)

YEAR	COTTON*	WOOL†	SILK	RAYON
1900	1801	420	10	
1901	2040	388	14	
1902	2093	466	16	
1903	1990	489	14	
1904	2261	458	21	
1905	2438	538	19	
1906	2487	492	19	
1907	2246	499	18	
1908	2599	419	20	
1909	2379	574	25	
1910	2356	492	25	
1911	2700	471	26	1.1
1912	2933	540	30	2.7
1913	2971	444	34	3.9
1920	2446	527	39	12.0
1921	2955	603	52	18.4
1922	3333	632	58	27.4
1923	2840	637	62	43.0
1924	3096	516	60	44.0
1925	3228	629	76	64.3
1926	3595	604	77	77.6
1927	3417	593	85	93.3
1928	3545	602	87	113.0
1929	3053	657	97	141.9
1930	2631	574	81	116.2
1931	2433	592	88	147.8

* Figures for 1920–31 excluding linters.
† Figures for 1900–09 represent fiscal years.
Source: For cotton: United States, Bureau of Foreign and Domestic Commerce, *Statistical Abstract of the United States* (1914) p. 505, and (1932) p. 658. For wool: National Association of Wool Manufacturers, *Annual Wool Review, 1917* (Boston 1918) p. 15, and United States, Department of Agriculture, *Yearbook of Agriculture* (1932) p. 811. For silk: United States, Department of Agriculture, *Yearbook of Agriculture* (1931) p. 1090, and (1932) p. 954 (net imports). For rayon: United States, Department of Agriculture, *Yearbook of Agriculture* (1931) p. 1090, and (1932) p. 954.

marketing have been tried with varying success: cooperative marketing in the Netherlands, Belgium, France, Great Britain and the United States; voluntary price fixing and limitation of output or the quota system in Czechoslovakia, Austria, Great Britain, Italy, Belgium, Poland and Switzerland. The Lancashire Cotton Corporation, which has been aided by the Bank of England, represents the most successful attempt to reduce surplus capacity through rationalization. According to its general scheme over one hundred mills have been absorbed, about a quarter of which have been scrapped and the others, with over 7,000,000 spindles, have been reconditioned. The Soviet Union, on the other hand, is continuing under its second Five-Year Plan to increase production in cotton, silk, woolen and linen textiles to meet the needs of a vast and growing domestic market, a counter movement of expansion which is characteristic of the other non-industrial countries all over the world.

ETHEL B. DIETRICH

LABOR. The textile crafts are among the oldest of human occupations and are practised by all primitive peoples. When man scratched the story of his deeds in the rocks, he was already making, dyeing and ornamenting fabrics. In all the ancient civilizations of Europe and Asia the textile craftsmen attained extraordinary skill, particularly in design and color, and contributed greatly to the development of pride in workmanship. The early Mexicans made cloth and the more primitive Indians to the north perfected the art to a marked degree. The technology was of the simplest. For ages spinning was done by means of a wooden spindle, rotated directly by hand; the spinning wheel was not developed until toward the end of the Middle Ages. There was more progress in the looms used for weaving, but this also was slow until the changes wrought by the industrial revolution.

While in the great urban centers of the ancient civilizations there were textile factories, usually employing slave labor (the Romans established such factories in Britain), the manufacture of textiles was in general a home industry, the work being performed mainly by women and children. Alongside of both factory and home industry flourished the highly skilled craftsmen who produced finer goods; these all but disappeared in western Europe after the breakdown of the Roman Empire. Up to the early Middle Ages wool and flax were used almost exclusively in the manufacture of woven goods; the raw material was raised on the lands of the villagers and farmers, and spinning and weaving were a regular part of the household routine. The growth of a flourishing merchant class and the rise of the towns between the twelfth and the fourteenth century created new conditions which ultimately removed much of the work of textile production from the home. Cotton fibers brought from the Orient offered active competition to the flax and wool which the peasant raised and painstakingly prepared for spinning on his tiny farm. The day of the rough homespun which everyone could produce was passing, especially because of the demand by the nobility and the wealthier merchants for finer textures, more beautiful colors and distinctive patterns. Cottagers who had supplemented scanty earnings by spinning linen and woolen cloth for the local market found it impossible to pursue both callings. The heavy rough hand of the tiller of the soil could not produce the fine thread the trade demanded, and workers began to devote themselves wholly to the fashioning of fine fabrics on their hand looms. The rise of a class of highly skilled craftsmen and soon afterward its division into independent manufacturers and journeymen employees, who worked in the small shops and primitive factories on a piece basis, and poor artisans, who bought raw materials from the large dealer and sold him their finished product, followed as a matter of course.

Cut-throat competition soon made some form of protective organization imperative. The guilds were the earliest answer to this need. They fixed prices, set standards of quality, determined the number and training of apprentices and in general kept a firm hand on the textile trade. They encouraged the development of skill among the craftsmen and rigorously supervised the quality of workmanship. The introduction of machinery was generally opposed. For two centuries these guilds were able to maintain their hold in all the important countries of Europe. Many of the guilds were very large; in England in 1661 the silk guild numbered some 40,000 persons, including women and children. A product of the new economic forces developing within feudal society and bound up with the rising bourgeoisie, the guilds were a powerful factor in the fight of the mediaeval towns for civic independence against the dominant nobility. The guild of the English weavers obtained the right of marketing and autonomy before the emergence of municipal

government. In Brussels an international federation of forty-two towns and cities was formed to limit the supply of workers and to exclude others from blacklisted towns. In Lancashire the wool guild, under the civic constitution, had full control of employment and of all matters connected with capital and credit. Although masters and journeymen were ostensibly united fraternally within the guilds, there soon developed organized struggles of the journeymen workers, whose interests were becoming more and more distinct from those of their masters. In Ghent in 1345, in a "strike" in which hundreds were killed, and again in Leyden in 1478 textile workers successfully fought for their demands. As the guilds, primarily because of an inability to take advantage of new technical developments, began to decline, the antagonisms between masters and journeymen assumed more acute forms.

Although many changes took place in the technology of textile manufacture and the early factory system made steady progress, textile workers up to the second half of the eighteenth century were generally independent craftsmen. Production, whether in the cottage or in the small factory, was carried on by means of simple hand machinery. Then the series of inventions which ushered in the industrial revolution completely transformed the status of the textile worker. The spinning jenny, the water frame and the mule put an end to hand spinning, although weaving for some time still remained largely a manual industry. With the introduction of the power loom, however, hand weaving began rapidly to decline and by 1816 was in complete collapse. For the worker this readjustment period was one of unspeakable suffering. Old skills suddenly became useless and women and children flocked into the mills to do the unskilled work of tending machines. These helpless workers, most of them taken from almshouses, were bound out for from seven to twenty-one years. It has been estimated that in the early days of the factory system 20 percent of the employees were women, 35 percent men and 45 percent children; less than one quarter of those employed in the British textile factories in 1839 were adult males over eighteen.

In Great Britain the new machinery aroused resistance among the workers it displaced. The introduction of the spinning jenny in 1767 was accompanied by a series of riots; in 1779 mobs of infuriated men sacked and burned the factories of Arkwright, the inventor of the water frame. Between 1811 and 1816 the famous Luddites conducted a well organized campaign of machine smashing in all parts of the country. At Blackburn in 1826 more than a thousand power looms were destroyed in three days as a protest against the factory system, under which half the town was living on public charity. In Germany the Silesian weavers rose in revolt in 1844 against the machine, and similar uprisings followed in Saxony and other districts.

As the terrible aftermath of uncontrolled exploitation became apparent, Great Britain made an effort to correct some of its worst abuses. A crusade against child labor, which was greatest and most abused in the textile factories, was the first indication of awakening social consciousness. Robert Owen demanded the legal abolition of all child labor. Sir Robert Peel, himself the employer of a thousand children, brought the question to the attention of Parliament in 1802, and the first of a series of factory acts was passed as a result of the storm of disapproval his revelations brought forth. These laws provided for a minimum of sanitation in the factories, forbade the binding out of children under nine, restricted labor to twelve hours a day and prohibited night work for minors. In 1847 the ten-hour day for young persons and women, with half time for children, was established. By these acts the working hours of three quarters of all persons employed in the British textile industry were regulated.

These developments fostered the process of workers' organization, a difficult undertaking, since Parliament, alarmed by the growth of secret societies among the textile proletariat, had enacted legislation in 1800 against all efforts to organize for higher wages and ten years later had increased the severity of these laws after the Luddite movement. But organization progressed despite legal bans. In 1808, after Parliament had refused to accept minimum wage legislation, the Manchester cotton weavers struck for an increase; in 1812 there was a general strike of the Glasgow weavers, in which 40,000 looms were stopped. Disappointed by the failure of their minimum wage campaigns, the textile workers for a brief time joined in the vanguard of the parliamentary suffrage movement, then veered once more to industrial action in 1818, when a new strike wave broke out in various parts of the country.

In Germany too the textile worker became the pioneer of labor organization, but here the growth of unionism was slower and less spontaneous. The old journeymen's associations had

fallen victim to regulations and prohibitions under an era of mercantilism. In Prussia the code of 1794 forbade journeymen to associate and to hold meetings. The Industrial Code of 1845 undermined further the feeble efforts at labor association. In Great Britain the labor union was a direct outgrowth of the journeymen's guilds; in Germany no such traditions remained and it was left to the political labor movement at a later date to take the first steps toward the creation of labor unions. It was the uprising of the Silesian workers in 1845 that led to the first attempt to organize textile labor. Four years later the first weavers' society (Weber Verein) was formed with twenty-eight branches. In 1868 a congress in Berlin created a central body for all branches in the industry and was instrumental in building up the Verband der Färber, Weber und Fabrikarbeiter "for joint action in the stoppage of work." Finally in 1874 the Deutsche Textilarbeiter-Verband was formed.

Although France lagged behind England and the old domestic system and the handicrafts prevailed until after 1825, the industrial revolution produced the same results but on a smaller scale. One of the earliest attempts at organization among the French textile workers was the Union d'Ouvriers des Tisserands, which was formed after a strike in 1821. The two great revolts of the Lyons silk weavers in the 1830's, while they had revolutionary republican implications, were essentially strikes of the modern trade union kind, with no element of opposition to the machine. In 1814 Belgian spinners organized to provide for their members in case of illness, old age or death; but the opposition of a powerful employer caused the dissolution of the organization. Throughout the nineteenth century every attempt of the Belgian textile workers to organize was suppressed under the anticombination law.

In the New World the North American colonists had attained considerable skill in textile work before the beginning of the eighteenth century; by the end of the century the real development of textile manufacture on a commercial scale had begun. After the Revolutionary War the scarcity of labor made possible the employment of women and children to an extent previously unheard of. In 1831 in twelve large cotton manufacturing states 58 percent of all employees in the cotton mills were women and 7 percent children under twelve. Rhode Island textile manufacturers employed entire families in their mills, housing them in company dwellings and providing for their needs from company stores. Massachusetts at first frowned on child labor, but it was not long before young girls were brought into the mills from all over the countryside and boarded in company houses under the supervision of matrons employed by the factory owners.

The first strike on record in the United States occurred in Pawtucket, Rhode Island, in 1824, when mill girls went out against a wage cut and for the ten-hour day. In this period women rather than men seem to have led in aggressive action, because they constituted the overwhelming majority of the workers. In many of the strikes led by these militant women processions, banners and even gunpowder played an important part. The first labor organizations of textile workers were sporadic affairs. They were usually branches of British trade unions, although some of them were affiliated with central labor bodies in the United States. Organization was seriously interfered with, since the existing conspiracy laws forbade associations organized on class lines; thus the leaders of a weavers' union in Connecticut were sued for damages by the employers and were imprisoned on a charge of conspiracy to ruin the latter's business. As was generally true of American labor at that period, the textile workers in their meetings discussed questions of suffrage, prison reform, free public schools and other problems of the day as much as their own immediate interests.

During the early part of the nineteenth century the introduction of new improved machinery displaced considerable factory labor. In 1844 James Leach, Chartist leader, published figures to prove that in 1841, 35 representative factories in Great Britain employed 1060 fewer mule spinners than in 1829, although the number of spindles in these factories had increased by almost 100,000. In 1831 the ring spindle was introduced into America and did away with the highly skilled mule spinners by making it possible to use women and young children in their place. Technological change continued until virtually all branches of the textile industry were highly mechanized. This process was accelerated after the 1870's. Today the human element is reduced to a minimum; every process is mechanized, from the handling of the raw material to the packing of the finished product. It has been estimated that the work done in a factory containing 200 steam operated looms would, if performed by hand, give employment

and support to 2000 persons and that a modern weave room containing 200 power looms operated by 25 weavers produces the equivalent of the output of a community of 60,000 craftsmen, their wives and children in the early days of home production. In the first twenty-five years of the twentieth century, the period which saw the shift to electric power, the productivity of the individual worker was increased approximately 25 percent. Mechanization is now greatest in the rayon plant, where apparatus in series and remote control have made production almost completely automatic and reduced labor to a very low minimum.

Despite the enormous increase in mechanization and labor saving devices the total number of textile workers grew because of the industry's expansion. In the United States employment reached a peak in 1923, with 1,715,293 workers, but fell to only 1,707,526 in 1929. Since the World War, however, the textile industries manufacturing cotton and woolen goods have been in a depressed condition, with a great increase in both unemployment and part time work and many large wage reductions. Rationalization and the competition of rayon were important factors, particularly in the decline of the cotton goods industry. Another important cause was the overexpansion of the industry during and after the World War, with the consequent intensification of international competition.

As a result of depressed conditions in the cotton goods industry the income of the mill workers in the United States dropped about 30 percent between 1920 and 1930. In practically every country wages fell from 10 to 20 percent below the average for other industries. Wage cuts were accompanied by an increase in hours of labor. These developments were resisted by the workers. Many strikes were waged in the United States. In France the textile federation, which had been virtually destroyed during the war, was revived. During the period of peak prices there were more strikes in textiles than in any other French industry. A series of sharp conflicts between 1924 and 1928 swept over Germany, Czechoslovakia and Austria. Even in Japan, where government suppression of trade unionism is almost axiomatic and both the cotton and the silk manufacturing industries employ female labor to a large extent, a number of widespread strikes took place. In China too, where the spinners and weavers are organized in guildlike unions, strikes rose sharply from 8 in 1918 to 201 in 1926; in India 808 out of 1739 strikes fought from 1921 to 1929 were in the textile industry.

Labor conditions are especially bad in the newly developed textile industries of formerly economically backward countries, which reproduce the worst conditions of the industrial revolution in England. Vast numbers of children are employed. Wages are extremely low. In Japan thousands of young girls are employed in cotton mills and housed in unhygienic dormitories inside the factory walls. Hours of labor are high. A study made by Dr. Ta Chen in 1931 showed that 100,000 of the 130,000 Shanghai cotton workers investigated were women and children, who worked an average of almost 11 hours per day. In India British capital has produced the beginnings of the mill village system of housing with its attendant evils. An elaborate system of fines cuts still further into the already low wage of the Indian textile worker. Despite rapid expansion unemployment has made its inroads in these newly developed textile nations.

The competition of Japan has deprived the British cotton industry of many foreign markets; Manchester since the war has been in a state of chronic depression. The American cotton goods worker found his worst competitor much nearer home. Labor difficulties coupled with the high overhead of production in the old established communities of the northern states impelled many of the mill companies, particularly those producing cotton goods, to transfer their plants to the undeveloped communities of the south, where the men and women of these agricultural regions, wholly without industrial experience, worked for rates one third lower than those in the north and in turn caused a sharp depression of wages in the entire industry. Wages are low in the industry as a whole; in 1929, at the peak of prosperity, the average yearly wage of all textile workers was only $1000.

Unionism developed later and much more slowly in the south than in the other regions of the United States. A sort of political feudalism and a highly effective system of blacklisting made it easy to suppress organizations wherever they were started by forcing union men out of the state to find work. But in the late 1920's the growing industrialization of the south furnished the basis for more permanent organization, even in the smaller towns. Usually with the aid of outside agencies independent unions and study classes on economic and civic problems were created. Progress was, however, slow. Southern

cotton mills employ white labor almost exclusively, so that the Negro is not responsible for the backwardness of labor organization.

To meet the competition of the southern mills the old textile producing centers made a serious effort to put their plants on a more efficient basis. In 1922 the United States textile industry launched a campaign for the elimination of surplus equipment and wasteful machinery, the introduction of automatic looms and ring spindles and the setting up of efficiency wage schemes. The famous Pequot plan, in which union and manufacturer cooperated to increase the productivity of the undertaking, became the by-word of modern management until a serious strike raised doubts as to its feasibility. A similar process of rationalization has been going on in other countries. This does not involve introduction of new machinery so much as intensification of labor, according to a report on rationalization presented to the Congress of the International Federation of Textile Workers' Organizations held in Berlin in 1931. The congress therefore adopted a resolution recognizing the "employment of all technical measures . . . as an inevitable accompaniment of private capitalism" but imposed on all affiliated organizations the "obligation to continue to oppose all measures by employers which, under the guise of rationalization and without improved production or working methods, tend only to excessive exploitation of the worker in order to increase profits."

The world wide depression which set in after 1929 dealt a heavy blow to an already overburdened industry. Unemployment increased by leaps and bounds. The Austrian industry reported 13,000 out of work. In Germany only 44 percent of the workers in the textile trade were employed in 1931, and in Great Britain unemployment in the ranks of the cotton mill workers rose from 12 percent in 1928 to 38 percent in 1931. Wages fell to still lower levels, although several determined attempts were made, as, for instance, in the strike of 250,000 British textile workers in 1931, to fight the longer workday and the intensification of labor growing out of the industrial crisis. Both employment and wages declined disastrously in the United States.

The growth of the rayon industry, whose competition is responsible in part for the depressed condition of the older textile industries, has not been accompanied by union organization; almost no unionization in this field exists in Italy, Germany, England, France and the United States. The major reason is the highly concentrated nature of rayon production and its control by a few monopoly enterprises. Moreover the rayon producers are united in an international cartel which controls about 85 percent of the world output. An important element contributing to the non-organization of labor is the jurisdictional dispute, which has grown to international proportions, between the factory workers, who claim those who work in the rayon industry for their own because they are employed in chemical production, and the older textile workers, who look upon them as producers of textile products.

In 1932 the International Federation of Trade Unions reported that 16 national organizations in every important country of Europe were affiliated with the International Federation of Textile Workers' Associations. These organizations claimed a total membership of 925,000 in 1928, which fell to 862,000 in 1932 as a result of the world economic crisis. The United Textile Workers of America, which is not affiliated with the International Federation of Textile Workers' Associations, reported to the 1933 convention of the American Federation of Labor a membership of 20,000 as against more than 30,000 in 1928. There are several opposition unions with a very small membership. In 1933 the membership of the International was again radically decreased when National Socialist Germany, following the example of Fascist Italy eight years before, dissolved the independent textile union with its membership of 280,000. Great Britain with about 350,000 members is the largest of the affiliated organizations; France follows with about 70,000 textile operatives in two rival unions, Belgium with 65,000 and Czechoslovakia with 55,000.

Much of the weakness of labor organization among textile workers is inherent in the industry itself. The shifting of the industry from Europe to Asia and, in the United States, from the north to the south, bringing in its wake unemployment and low wages, seriously threatens the existence of labor unions. The predominance of woman and child labor, by nature transitory and difficult to organize, and the rapid elimination of skilled labor are additional factors preventing effective union organization. Unions in Europe as well as in America have attempted to meet some of these difficulties by adopting a policy of cooperation with the industry based upon an alleged identity of interests between employer and employee in solving its fundamental problems. Such cooperation has shown a marked tendency

to make the union a personnel agency for the management rather than an instrument serving the interests of the workers, and to place the management of the union in a position where its primary concern becomes the making of profits and the insuring of uninterrupted production rather than the building of a militant and self-reliant organization of workers. In the United States the problem of textile labor union organization centers around the question of northern and southern production. If the southern field is permitted to go uncared for, a powerful non-union, trustified industry will become firmly established. The south may prove to be a more favorable field for organization than has been supposed. In the north the industry is being reorganized, old plants are being scrapped and concerns are going out of business. In the south there is a growing industry with new machinery and new methods. As the southern "hillbilly" grows accustomed to improved living standards, he may become dissatisfied with prevailing conditions and turn to organization. Finally, textile unionism will have to learn that the fight for better conditions must be waged on a large scale. Minor struggles are no longer effective against an industry combined in powerful associations and subject to the control of the banks. The worker must branch out from his narrow trade union point of view to the support of a labor movement which recognizes a solidarity of interests between all workers and the necessity of expressing this solidarity by mass action on the political as well as on the economic field.

LUDWIG LORE

See: COTTON; SILK INDUSTRY; WOOL; FLAX, HEMP AND JUTE; GARMENT INDUSTRIES; HANDICRAFT; MACHINES AND TOOLS; INDUSTRIAL REVOLUTION; FACTORY SYSTEM; TRADE UNIONS; JOURNEYMEN'S SOCIETIES; GUILDS; HOURS OF LABOR; CHILD, section on CHILD LABOR; COMPANY HOUSING; COMPANY TOWNS; STRIKES AND LOCKOUTS.

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THAER, ALBRECHT DANIEL (1752–1828), German agronomist. Thaer, a physician by profession, engaged in agriculture as a hobby. He was spurred on to scientific writing mainly by his reading of the works of English agronomists, notably Arthur Young. His *Einleitung zur Kenntniss der englischen Landwirthschaft* (3 vols., Hanover 1798–1800; 2nd ed. 1801–06) not only described the conditions in England but also presented Thaer's views on the applicability of English institutions to German conditions. After Thaer had developed his small experimental establishment into an agricultural research institute which soon attained wide recognition among his contemporaries, he was called to Prussia in 1804 and proceeded to establish the Akademische Lehranstalt des Landbaues on the estate of Möglin (Mittelmark). He became professor at the newly founded University of Berlin in 1810. His chief work, *Grundsätze der rationellen Landwirtschaft* (4 vols. Berlin 1809–12, new ed. in 1 vol. 1880; tr. by W. Shaw and C. W. Johnson, 4th ed. New York 1852), was translated into many languages and established Thaer's reputation as an agronomist outside of Germany.

Thaer considered agriculture as an art whose function was to aid the farmer in the realization of the highest possible net yield by means of proper methods of calculation and observation. For this reason he attacked not only all the legal restrictions which prevented the distribution of land among the best cultivators but also all those traditional hindrances which prevented its fullest utilization. While Thaer cannot be regarded as the inventor of the system of crop rotation, he was the first to establish its superiority to the traditional primitive three-field system. As a result of the incorporation of potatoes, turnips and leaf crops into the regular system of rotation the conditions of the fields and the maintenance of the livestock improved both qualitatively and quantitatively, and the landlord secured greater freedom in respect to the individual organization of his economy. Thaer was justly renowned as the father of agricultural science and rational agriculture. His scientific contributions together with the reforms of agrarian law which he sponsored, and which liberated the landlord from the restrictions of collective forms of landownership and land utilization, resulted in the tremendous progress of German agriculture in the first half of the nineteenth century.

AUGUST SKALWEIT

Consult: Körte, Wilhelm, *Albrecht Thaer* (Leipsic 1839); Werth, August, "Adam Müller und Albrecht Thaer" in *Jahrbücher für Nationalökonomie*, 3rd ser., vol. xxvi (1903) 99–107, and "Albrecht Thaer und Johann Heinrich von Thünen" in *Zeitschrift für die gesamte Staatswissenschaft*, vol. lxi (1905) 56–70; Goltz, Theodor von der, *Geschichte der deutschen Landwirtschaft*, 2 vols. (Stuttgart 1902–03) vol. ii, p. 3–86.

THAYER, JAMES BRADLEY (1831–1902), American jurist. Although he was one of the few really notable American legal scholars, Thayer did not enter upon his academic career at Harvard until he had practised almost twenty years in Boston. With Langdell, Gray and Ames he did much to establish the fame of the Harvard Law School, where he taught constitutional law and the law of evidence. As a constitutionalist he stood for a liberal construction of the constitution, and as a writer in this field he contributed a graceful but miniature biography of John Marshall. His seminal work, however, was his *A Preliminary Treatise on Evidence at the Common Law* (Boston 1898), which has become a recognized classic of Anglo-American legal literature.

Although the law of evidence had been long in developing, neither its history nor its basis was clearly understood. Evolved by trial judges in the heat of forensic dispute, it constituted a veritable maze of rules. It was Thayer who showed that while it was an illogical it was a "by no means irrational patchwork." Stimulated by Brunner's work, he believed that he could bring order into the confusion by tracing the development of the jury system in England. While he was not the first to suspect that the law of evidence was a product of the jury system, he was the first to demonstrate the influence of the older modes of trial. The law of evidence had grown with the transformation of the jury from a body of neighborhood witnesses into a body of impartial triers of fact. If the jury was to be controlled, much that was logically probative had to be withheld from its consideration. The law of evidence thus developed as an exclusionary system. Many of its rules really represented the application of principles of procedure or of substantive law. Moreover Thayer was no blind devotee of the exclusionary system but urged its simplification by the judiciary in the exercise of its rule making powers.

Thayer's accomplishment was both historical and dogmatic. His preliminary treatise was followed by the monumental work of Wigmore, who worked out in detail the individual rules of evidence. Thayer's achievement in tracing the history of the jury system is unchallengeable. But his rationalization of the system of evidence as a necessary corollary of the jury system still presents certain difficulties. The rules, for instance, were supposed to be applicable in equity trials and before judges sitting without juries. No purely exclusionary rules developed in continental jury practise.

WILLIAM SEAGLE

Consult: Ames, J. B., and others, in *Harvard Law Review*, vol. xv (1901–02) 599–609; Hall, James Parker, in *Great American Lawyers*, ed. by W. D. Lewis, vol. viii (Philadelphia 1909) p. 345–84; Beale, J. H., "Langdell, Gray, Thayer and Ames—Their Contribution to the Study and Teaching of Law" in *New York University Law Review*, vol. viii (1930–31) 385–95.

THAYER, WILLIAM ROSCOE (1859–1923), American historian and publicist. Thayer was the son of a Boston shipping merchant. From 1871 to 1874 he attended St. Paul's School, Concord, and passed the next two years and a half abroad studying with tutors, mainly in Italy. He entered Harvard in 1877, graduated in 1881 and embarked upon a journalistic career

In 1885 he returned to Harvard for his master's degree, taught there in 1888–89 and then withdrew to a life of study and writing, also editing the *Harvard Graduates' Magazine* from 1892 to 1915. He had developed interests in literature, music and painting and particularly in Italian history from 1848 to 1870, "an era which," as he said, "forms one of the noblest episodes in the history of any country."

In 1893 he published *The Dawn of Italian Independence* (2 vols., Boston 1893), a study dealing primarily with the period from 1815 through the revolutions of 1848 and 1849 and designed to serve as an introduction to a projected life of Cavour. After a nervous breakdown which interrupted all historical work for several years he brought out *Short History of Venice* (Boston 1905), a historical synthesis in which he eulogized the oligarchy and which contained two valuable chapters on art and civilization. He completed in 1911 *The Life and Times of Cavour* (2 vols., Boston 1911), a monumental, exhaustive, authoritative and vivid history of the period, brilliantly written, which placed the author in the forefront of American biographers and historians. Together with his other works on Italy it gave Americans a deeper and truer understanding of that country than they had hitherto possessed. The chief charge against it has been a bias against the papacy and the radicals who differed with Cavour. With the latter's political liberalism and economic laissez faire Thayer, as an independent in politics, was especially sympathetic.

He next undertook the *Life and Letters of John Hay* (2 vols., Boston 1915), a frank "personal biography and not a political history." During the World War and even before 1917 he played an influential part in winning American opinion in support of the Allied Powers. Their similar attitude to the war brought Thayer close to Theodore Roosevelt and led him to write *Theodore Roosevelt* (Boston 1919), "a personal narrative" and an "intimate biography of our greatest public man since Lincoln." He also published *The Art of Biography* (New York 1920) and a short life of George Washington (Boston 1922), whom he sought to "humanize." His miscellaneous essays on Italian subjects were collected in *Italica* (Boston 1908). Thayer conceded the necessity of thorough research but held that the historian should also be able to discern essentials, see vividly, interpret and philosophize and be an artist as well. His later works lacked the elaborate scholarship which distinguished his *Cavour*, primarily because he lost the use of an eye in 1915.

CHARLES DOWNER HAZEN

Consult: *The Letters of William Roscoe Thayer*, ed. by C. D. Hazen (Boston 1926); Wister, Owen, in *Harvard Graduates' Magazine*, vol. xxxii (1923–24) 246–56.

THEATER. Although often considered, and with some justification, as merely one form of public amusement the theater at its best is essentially an art. For in addition to offering diversion from daily preoccupation and routine it may serve the more positive function of building up in the individual spectator a new pattern of inner experience in which are purged and reintegrated the emotions and ideals of the world of reality. The origins of the theater are to be found in the religious ceremonial and cult through which primitive peoples of all time have sought to promote the welfare of the tribe by incurring the favor of benevolent deities and placating the spirits of evil. One of the primary purposes of these elaborately contrived ceremonies was to induce a state of ecstasy in which the individual should be carried out of himself and liberated from the haunting fears and uncertainties of his daily life. In the dances based upon the principle of sympathetic magic the participants reached a degree of ecstasy where they felt themselves actually transformed into the benevolent or malicious being whose characteristics and movements they sought to imitate. Imitation, mysterious identification of the imitator with the being imitated, assimilation of the individual experience into the collective experience of the group: these distinguishing features of the primitive magic dance contain in germ the essence of theatrical art.

So conceived the theater is of necessity a social process. It loses its primary meaning and justification when it pursues other objectives than that of providing the vehicle whereby the collective spirit of an organic group may, by the process of identification, undergo at least momentary transformation. To this degree the theater has remained, despite its many corruptions, the most elemental of the arts, with the possible exception of the dance, since its very manner of presentation makes it impossible to forget its basic communal foundation. The modern delusion of conceiving art as the private expression of the inner nature of the individual poet or painter or musician is ruled out by the very nature of theatrical art. For even today the real theater is brought into existence only when a

crowd of spectators is actually assembled to witness together a performance, plastic and fugitive in nature, by living human beings.

Although it has preserved many of its original features, theatrical art has undergone the same process of differentiation and specialization of function that may be traced in economic, technological and intellectual evolution in general. The distraught participants in primitive religious ceremonial were at once dramatists, actors and audience; they generated the religious ecstasy and were in turn hypnotized by their self-induced magic. At a very early stage, however, with the appearance of the high priest or the leader of the chorus, the function of inducing ecstasy was taken over by a specialized individual or group. The ability of the choral leader to accelerate and amplify the ecstasy of the group as a whole by the particular intensity and suggestiveness of his bodily movements and expressions gave him a special status in the community and made of him a prototype of the actor proper. When tribal development had reached a stage where ceremonial could no longer be improvised on the basis of spontaneous cult and the appropriate mythical formulae had to be prepared and rehearsed in advance, a second actor was found to be helpful and eventually a text on which the actors could draw. The need of a sustained pattern of tonal and verbal elements, which made itself felt at a very early stage in community ceremonial, called into being a new and more intellectual talent, distinct in quality from the mere histrionic. The individual who by preparing the text unified and formalized the separate incantations became of the first importance in the theatrical process. The dramatist appeared, although he was to remain for a long period identical with the first actor. On the other hand, the great mass of the participants gradually receded further and further into the background, content to reproduce that which the dramatist had systematized and the actor rehearsed in advance. They became the public. Actor, dramatist and public—they and they alone have remained the crucial elements in the theatrical process. Furthermore a genuine theater comes into existence only when these elements are closely integrated; when actor and dramatist serve merely to articulate the sympathies and aspirations of the people as they undergo the hypnotic experience of identification across the footlights. Every theater, in the true sense of the word, is a unity, at the core of which is the living community finding some vital part of itself reflected in the creations of dramatist and actor. It is therefore highly abstract to dissociate the theater from the drama and to conceive the former as merely a place of assemblage or a commercial institution or a laboratory for experimentation in stagecraft and scenic effects. For the theater, properly understood, is that artistic experience in which dramatist, actor and audience are fused into a momentary unity which through the magic of identification—today as at the beginning—brings release from anxiety and frustration.

Although in its origins and essential nature everywhere the same, the theater has at different periods and in various regions manifested a wide variety. The Asiatic stage is strikingly different from the European, especially as regards the role of the dramatist. In the Chinese theater song and pantomine predominate, while the interest in traditional stock types leaves little room for creative dialogue; and as a result the occasional attempts to introduce Chinese plays on to the western stage have proved uniformly unsuccessful. Japanese theatrical art has had a richer development, but even there the primary interest has always been in the actor rather than in the dramatist. In addition to the No dramas, which were designed to beguile the feudal aristocracy with elaborate music, choruses, dances and lavish draperies, there grew up the *Kabuki*, or popular theater for the masses. In the latter the masks of the No drama were laid aside so as to secure a more natural and realistic presentation, and women were used as actresses—a fact which in encouraging prostitution led to intermittent suppression of these theaters. The profession of acting was highly developed; families of actors arose who passed on the mantle from father to son over a period of centuries. The physical grace and skill of the Japanese actor, particularly with the sword and rapier, were exceeded only by the colorful eye of the Japanese for natural staging. Dramatic poetry, on the other hand, has never developed in Japan as a form of national or cultural expression; and since the present day Japanese theater is breaking up under European influences, no independent development of this kind is to be expected in the future.

In the *Joruri*, or puppet, theater the Japanese have developed a type of theatrical art which has received only incidental recognition in the western world. Throughout the Orient, however, the value of the puppet shows, particularly as a device for reaching the children and the very

simple populace, has been widely appreciated. The sacred theatrical art of the Malays of Java, the *Wajang*, employs life size marionettes, sometimes as many as two hundred different types, which are manipulated—to the accompaniment of the orchestra and the songs and intonings of the directors—behind a thin white curtain, on which the spectators see reflected the rhythmic pantomime of the shadows.

A type of art much more closely akin to the European is to be found in the history of the Indian theater, which, in the opinion of a number of scholars, has revealed unmistakable signs of Greek influence. This hypothetical influence must remain in the realm of conjecture, however, especially since the great era of the Indian theater (500–600 A.D.) came nearly eight hundred years after the dissemination of Greek culture by Alexander the Great. Nevertheless, far more than in other countries of the Orient the dramatist was a figure of importance. In Indian dramas the alternation of serious and comic scenes according to carefully defined critical rules suggests deliberate literary experimentation as well as a body of systematic aesthetic criticism; while the enthusiasm of eighteenth century European critics, such as Goethe, over Kālidāsa's *Sakuntalā* has served to call the attention of later scholars to a number of similarities between the dramaturgy of India and that of western Europe.

The western theater, however, even more than western civilization itself derives almost entirely from the Greek. From the dances and processions held, particularly in Attica, in honor of Dionysus, the Asiatic god of fertility, there developed a crude form of choral antiphony between a leader on the one hand, who impersonated the god, and on the other the worshipers of the god dressed in goatskins. Thus arose the goat song, or "tragedy." At the Dionysiac festival in Athens in 534 B.C. Thespis, leader of the chorus, stood apart from his choral following and in reply to their chanting uttered a prearranged pattern of answers. Thus there emerged the first actor, known as the protagonist. The legendary cart on which he stood symbolized, according to the tradition of the cult, the ship in which the god Dionysus had been transported from Asia to the shores of Greece.

Within the course of the generation after Thespis there developed with unparalleled rapidity a new artistic form which was to constitute the most powerful influence in the subsequent history of the European theater: the Attic drama. The city-state of Athens was becoming increasingly conscious of its power and influence. The forces of the oriental tyrants had been turned back and crippled at Salamis. The outstanding threat against Greek liberty was eliminated. A soldier who had fought at Marathon and later became an actor like Thespis sought to infuse the traditional cult of Dionysus with the spirit of the new Athenian age. In doing so Aeschylus built upon the innovation of his predecessor, but by adding a second actor made possible spoken dialogue and coordination of gesture and movement as between the two figures. The chorus, remaining as a symbol of the community cult out of which the new art form had grown, stood in the "orchestra," the center of the great amphitheater in which the Athenian citizenry assembled to view the action (*drama*) of principals and chorus. The individual actors who appeared on the "scene"—the narrow, raised platform abutting on the orchestra circle—with their raised boots (buskins) and immobile masks equipped with amplifiers to make their voices carry through the spacious open air theater, were singers rather than players in the modern sense of the word, and their performance was more like an oratorio, of Bach for example, than a straight theatrical presentation of the present day.

The dramatic effects, however, especially after Sophocles' introduction of a third actor, were of the most profound intensity. In *Prometheus Bound* and in the *Oresteia*, the only trilogy of the period to be preserved in its entirety, are to be found the richest expression of the defiance and the submissiveness, of the skepticism and the faith, which strove in turn to dominate the Greek spirit during a restless period of transition and readjustment. In *The Persians*, which dramatized the reaction of the Persian court to the news of Salamis, Aeschylus turned from the field of traditional legend and situation to the more dangerous sphere of immediate events. In the more serene generation which followed the work of Aeschylus was carried on, and in the process purged of much of its Promethean restlessness, by Sophocles, who as a boy had participated in the ceremonial dances held in celebration of Salamis. Sophocles, a member of the upper aristocracy which ruled Athens during the period of its highest development, typified more fully than either Aeschylus or Euripides the ideal of moderation and balance repeatedly echoed in Greek ethics from Solon to Aristotle. His deep piety and traditionalism gave way only occasion-

ally, as in the character of Antigone, to a realization of the implicit conflict between the individual's responsibility to the collectivity and his personal loyalties and affections.

The rapid transformation which the Greek drama underwent within a single generation and which caused it to become the expression of the dynamic Athenian citizenry came to an end with equal rapidity. Euripides, born in the year of Salamis, was a thoroughgoing skeptic and rationalist, with little of the self-confident faith or the vigor of imagination of his predecessors. The religious element, along with the chorus which symbolized the religious origins, receded further and further into the background. The psychology of individual characters was treated more convincingly and more subtly; but the rounded projection of the individual on the stage was still lacking. Euripides succeeded, as Mommsen has suggested, in "destroying the ancient stage without being able to forge the modern." His direct influence on later generations, however, has been immeasurably greater than that of his contemporaries or predecessors. The later Attic comedy derives from him and his humanitarian sentimentalism far more than from the inspired masters of the "old comedy."

When the power of Athens was at its height, when theatrical presentations constituted a major feature of religious festivals, when the powerful aristocrats assumed the financing of the dramatic spectacles as part of their routine responsibility, when Pericles provided all needy citizens with the price of admission and compensated them for the time lost in attendance—in this unparalleled age the Greek stage developed a second form of theatrical art, the comedy. All frivolous elements were rigidly excluded from the tragedy and apportioned at first to the satyr drama, which was presented at the end of the conventional trilogy and constituted as a rule a parody of the myths and legends which elsewhere were treated with reverence and awe. Alongside of the satyr drama, however, there developed gradually from another feature of the Dionysiac festival the comedy, built up around the song of the revelers (*komoidia*) returning home from the festival, bearing aloft the phallus, symbol of fertility. The animal costumes, in which the village revelers were girt, were preserved in the choruses of the great Attic comedians, which included birds, wasps, frogs and the like. Aristophanes alone of the writers of Attic comedy has survived, a master of literary and dramatic portrayal with few peers. The political, the literary and often the most trivial private issues and rivalries carry across in all their vividness and freshness the two and a half millennia which have intervened. And yet this fantastic comedy, cosmological in its range, lasted but a brief moment. The new Euripidean and Socratic tendencies against which Aristophanes was continually inveighing continued slowly to undermine the older Periclean collectivity. With the collapse of Athens in the Peloponnesian War the populace seemed to lose the vigor and the zest to follow such restless flights of fantastic contrivance. The "new comedy," which grew up in response to the changed temper of the people and which for the same reason was found more congenial to later generations in Rome and Florence and Versailles, was tame, refined, urban amusement, which in the spirit of post-Euripidean Athens brought upon the stage individuals, and particularly types, drawn from the more cosmopolitan atmosphere of fourth century Athens. The comedies of Menander, supreme master of the new technique, dispensed with the chorus and turned away from the older political and ethical issues, and are best understood as expressions of a wearied and slightly disillusioned society which sought contentment and diversion in unpretentious situations and sentiments clothed in polished, well turned dialogue. The transition from the older religious dramas was furthered also by the gradual rise of professional guilds of players who traveled throughout the Hellenistic empire and, with a shrewd economic eye on the changing tastes of the public, introduced more and more the new type of refined sentimental drama.

As already suggested theatrical art arose from the fusion of the histrionic instinct with the emotional exaltation generated by rhythmic motion. At a comparatively early stage, however, two distinct currents flowed out of the primitive ceremonial unity and for a long period remained in separate channels. The emotional religious element predominating in the tragedy and comedy proper was in time counteracted by a form of theatrical entertainment known as the mime, the origins of which may likewise be traced to primitive religious cult and ceremonial. The stuffed belly and the phallus, which were the distinctive amulets of the mimic actor as late as the Christian period, are sufficiently clear indication that he was at one time a participant in the Dionysiac celebrations of the countryside. But with the decay of the older

community ceremonial the instinct for mimicry and the delight in masks and disguises and humorous antics cast off the religious and ecstatic elements, and the mime came gradually to devote himself outright to the task of amusing his audience. As his art became a daily occupation, the special festival character of theatrical entertainment dropped out of sight. Masks were laid aside and the appearance of women in the cast stimulated still further the general trend toward naturalism, while at the same time their presence was instrumental in degrading the status of the actor. At first these mimes confined their activities to their own vicinity or to immediately adjacent neighborhoods; but in time traveling companies began to be formed and to give performances at profitable centers scattered over a wider area. With the traveling mimes the profit motive became for the first time a major factor in theatrical enterprise. For hitherto, in keeping with its basic ceremonial character, the theater had been an essentially social institution, realizing its fullest possibilities in the service of the community. The injection of the profit motive involved a serious distortion of emphasis and introduced into the evolution of the theater a potential source of corruption, which in the future was to be escaped only under especially fortunate circumstances. It is characteristic of the mimes, who in many cases developed from unpretentious bands to large scale, lavish enterprises presumptuous enough to intrude even into the field of tragedy, that the peculiarly dramatic element, the text, played throughout an altogether insignificant role. Amusement being the first consideration, chief reliance was placed on tumbling and juggling and singing. Virtually nothing remains of the texts, even in the best known collection, the *Hypotheses*, made by Philistion and his collaborators under the empire.

The prestige of the mime was tremendously enhanced when the leadership of the western world and the heritage of Greek culture passed to Rome. It has been contended with some justification that the evolution of the mimetic art in Graecia Magna was influenced by the native Italic population. For the Italians have manifested throughout their history an extraordinary instinct for mimicry and at the same time a comparatively feeble dramatic talent. During the past century, for example, Italy has given to the world a succession of outstanding actors and actresses but never a drama of first rank. It has therefore been conjectured that only in the congenial soil of Italy could the technique of the mime reach its highest development.

Lacking a deeply religious or dramatic sense and yet extraordinarily endowed with mimic ability, the Roman people turned with alacrity to the theatrical art of the mimes. This art, in so far as it was not itself of Italian origin, built upon a closely related native growth, the *fabulae atellanae*. These farces received their name from the town of Atella, which was destroyed by the Romans in their wars against Hannibal and which thereafter was used by the people as a center for dumb shows. While the book drama flourished as the sport of the cultured minority, the *atellanae*, with their boisterous, crudely satiric peasant actor, developed the tradition of the mime to a genuinely popular art. In the latter days of the republic the actor acquired prestige incomparably greater than that of any dramatist. Roscius, an actor of Italian birth who died in 62 B.C., was a friend of Sulla and at the height of his influence enjoyed a yearly income of over $50,000.

At a comparatively early date, it is true, when the Romans sought to refine the native culture by imitation of the Greek, still another and more negative manifestation of theatrical art made its appearance: the literary theater, which instead of expressing the needs of the entire community arose from the self-conscious efforts of a thin, cultured layer. Livius Andronicus, Ennius and Pacuvius, protégés of the new style aristocrat typified by the Scipios, imitated the humanitarianism and cosmopolitanism of Euripides just as Plautus and Terence sought, each in his way, to imitate the urbane wit of Menander. But these plays, which were never laid in Rome and which transplanted wholesale, with only slight adaptations here and there to local conditions, the little understood customs and practises of the Greek world, were naturally ephemeral and limited in their appeal and influence. It is true that an attempt was made, notably by Titinius around 200 B.C., to transform the *fabula palliata* of Greek comedy into a *fabula togata* built up around native Roman material, and that Naevius sought in the so-called *Praetextae* to dramatize historical themes, such as the early life of Romulus and Remus and the victory of Marcellus over the Celts; but all such attempts failed to establish a permanent tradition, lacking as they were in the creative power which could capture the imagination of subsequent generations. Of the *Praetextae*, the serious plays built up around national themes, one specimen has

come down, the *Octavia*, a highly realistic presentation of political events out of the life of Nero. Characteristically enough, however, the *Octavia*, like Seneca's bombastic imitations of the Greek tragedians, was never presented on the stage. From the literary theater of the age of the Scipios had developed, by the time of the Antonines, a rigidified closet drama, a peculiarly unnatural cultural growth. Quintus Cicero, the brother of the famous orator, while serving with Caesar in Gaul, whiled away two weeks of a weary northern winter by composing four tragedies, with which he was well pleased but which no one thought of bringing to the stage. The Roman state, in contrast to the Athenian, was radically hostile to the theater. For two hundred years it did not allow the construction of a permanent stage, and at every festival a costly wooden structure had to be constructed and shortly afterward torn down. It was not until 55 B.C. that Pompey was able to set up in Rome a stone theater. This nation of practical genius felt little need to clarify its inner problems or to stimulate its spiritual forces with theatrical art.

Under the empire theatrical entertainment became increasingly magnificent, with elaborate and bewildering changes of scene—as described, for example, by Apuleius—supplemented by dazzling water and fire effects. In this outlay of magnificence the true function of the theater was completely obscured. Instead of arising from the needs and aspirations of the people itself, the theater was used as an implement by those in power to lull the oppressed masses into a state of quiescence and indifference. When in the spectacular presentations of the empire actual criminals were forced to take the parts of fictitious criminals and stage executions became actual executions, the transition was made from the naturalism of the mime to the bloody gladiatorial contests of the circus. The nadir of theatrical art was reached—that inevitable degradation which results from the divorce of actor, dramatist and public.

The permanent influence of the later Roman theater is to be traced in the perpetuation of the mimic spirit even beyond the time when the prosperous troupes of mimes disbanded. During the thousand years which followed the break up of the Roman Empire the descendants of the imperial mimes wandered throughout Europe, entertaining the scattered feudal courts and village gatherings with their dancing, tumbling and juggling, interspersed undoubtedly with a primitive type of theatrical entertainment and pantomime. Some indication as to the number of these mimes is contained in the fact that at a festival given by the tyrant of Rimini in 1324 fifteen hundred of them participated. But whatever their number they kept alive the histrionic tradition and technique and also added new elements when with the growth of towns in the late Middle Ages they shifted the sphere of their operations from the rural festivals to the more compact activities of the rising trade guilds. The Parisian guild of court scribes known as the Basoche was the first to set up a permanent troupe with a special hall for their farces. When, as not infrequently happened, an unusually talented or successful performer in one of these guild companies decided to make a profession of acting, he not unnaturally sought to join the visiting troupes of mimes.

In the less convivial atmosphere of the cloister and the cloister school the tradition of the Roman drama was kept alive after a fashion. In the tenth century the German nun Hroswitha wrote several plays in imitation of Terence, while the closet dramas of Seneca began long before the Renaissance to serve as a model for those who fancied themselves to be rediscovering the spirit of the ancient theater. In addition to serving as adjuncts of rhetoric and grammar in the school curriculum the plays were sometimes performed by groups of clerics and students.

But the most significant contribution of mediaeval Christianity to the evolution of the theater was the new type of drama known as the miracle or mystery plays. Arising within the cathedral as an elaboration of the *Quem quaeritis?* episode of the Easter ceremonial and later expanding to include other familiar scenes in the Christian cult, the mystery gradually came, in the process of technical refinement, to be saturated with secular elements. In time it was transferred from the choir to the cathedral courtyard and afterward was taken over by the guilds, which at great expense and in a spirit of keen rivalry developed a type of semihumorous popular entertainment less reverent and therefore more congenial to the increasingly ebullient spirit of the native burghers. Eventually a number of adjoining stages were set up on the market place, and companies were formed which made the rounds, giving a series of performances which not infrequently lasted throughout the day. From the combination of these popularized mystery plays with the guild farces deriving

from the mime tradition arose a mixed form known as the morality plays, which in an openly lay spirit treated allegorically the vices and virtues of mankind.

Although these various new types of theatrical entertainment supplied, particularly in England, not a little of the foundation on which the early modern theater was to build, the emergence of a real mediaeval drama was frustrated by the profoundly antagonistic attitude of the dominant institutions. The all pervading spiritualism of mediaeval Christianity not only left little place for the plastic, sensuous elements indispensable to a vital theatrical art but, even more than in the case of Greek religion and philosophy, magnified impersonal, supernatural forces at the expense of human activity and human will. Before the varied tendencies making toward an independent theater could be canalized it was essential that the older climate of opinion should give way to a new temper and a new spirit.

The transition from the old to the new, especially in so far as it affected the evolution of the theater, was primarily the work of the humanists, who sought to restore the human personality to its proper position at the center of the universe. Although the humanistic movement in its origins was predominantly Italian, its greatest impact in the sphere of the theater took place in England. England was rapidly rising as a naval and commercial power. Under the hedonistic regime of the Tudors mediaeval piety and asceticism were giving way to the pursuit of profit and national glory. The inertia of mediaeval traditionalism was being replaced by a new social and economic dynamic inhering in the new bourgeois classes, which were beginning to view with ill concealed jealousy the privileges of the depleted nobility. The rapid progress of the enclosure movement was driving an ever increasing number of families from rural England into the metropolis. The streets of London echoed with new cries and new boasts; the wharves were filled with new types of sailing vessels, manned by explorers who had seen new lands. A new art was awaited which would express the spirit of the new community. In 1576 Richard Burbage opened across the Thames the first real theater since antiquity. So great was the success of Burbage's venture that similar theaters sprang up right and left in the same outlying district. In a city with a population of only 300,000 the monthly attendance at the various theaters was 400,000, divided between the balconies, where the fashionable world looked down on the unadorned stage, and the pit, where the boisterous groundlings stood packed together.

For the first time since the days of the Scipios the dramatist came again into his own. From the traditional technique of the morality plays the contriver of plays turned to the models of antiquity; but even where, as in Marlowe, the classical influence may be traced in long winded declamations studded with pedantic Latin words and neologisms, a new mobility of spirit and dramatic action, released from the encumbrances of Greek traditionalism and costume, soon made itself manifest. The aspirations and mounting ambitions of a people imbued with a dawning consciousness of its potential greatness found articulation in the defiant, self-confident apostrophes of Marlowe's Tamburlaine the Great, who strode the world in proud disdain, searching for glory which lay beyond the reach of the vulgar and the timorous. The theatrical innovations effected in the 1580's by such dramatists as Marlowe, Greene, Peele, Lodge, Kyd and Nash were built upon by a less learned rustic, "an upstart crow," who arrived in London when the prestige of the first generation of dramatists was at its height. Unlike the majority of these earlier and more Bohemian dramatists, Shakespeare, with all his genius for lyrical, subjective brooding, was primarily an active man of the theater: a secondary actor and minor stockholder in Burbage's troupe, conversant at first hand with the back stage art of casting and mounting a play and above all preoccupied with the new problem of providing a permanent text which could be used over and over by director and cast in later presentations of the same play. For the theater, instead of being as formerly an adjunct of an occasional civic festival, was rapidly becoming a day in and day out commercial enterprise under private management. In planning these new texts Shakespeare, working at Burbage's side and with a discerning eye on the possibilities of the individual members of the troupe, showed a preference for themes and situations which had already achieved popularity with the audiences across the Thames. Neither the manager nor his youthful amanuensis was unmindful of the enthusiastic response of an adventurous age to the numerous tragedies of blood and revenge; the endless ghost scenes deriving from Seneca; the chronicle plays based on incidents from early English and Teutonic history and glorifying the past greatness of the "sceptred isle"; the revival

of the heroes of antiquity as summarized in the recent translations of Plutarch's dramatic lives; the narratives of returned travelers describing the life and culture of the city-states of Renaissance Italy; or, in a quieter key, the ballads and plays romanticizing the types and customs of rural England. The measure of Shakespeare's superiority to the hundreds of his theatrical contemporaries who were striving to accomplish somewhat the same end lies in the fact that in exploiting these accredited situations and themes he introduced a progressively richer poetic diction and rhythm and a more and more highly developed sense of the dramatic interplay of human character, and came gradually to forge an organic dramatic unity deriving from the innermost spiritual tension of the protagonist.

When in 1612 Shakespeare felt that he had accumulated enough wealth to retire in independence to his native town of Stratford on Avon, his position among his rivals was assured. Assailed by the vested interests at the outset of his career as an upstart intruder bedecked in borrowed plumage, he had during the intervening quarter century reshaped the temper and the technique of the English stage and in the end gained the approbation of so intransigent a classical critic and craftsman as Ben Jonson. Sensing the brutal love of sensationalism surging in the restless London populace, he had responded in his youth with the crude blood streaming scenes of *Titus Andronicus*; in his maturity he continued to refurbish such stock devices as the ghost and revenge motifs but constructed around them a drama of an individual whose inner struggles epitomized the intellectual and emotional uncertainty of a profoundly transitional phase of national development; in his old age, on the point of retiring, he drew upon the prevailing interest in remote lands of an age of discovery to divulge his inner artistic credo and, with a mastery of fully matured prosody, to reveal the true nature of poetry and of the poet as magician. The role of the living theater as a reflection and at the same time molder and guide of public taste is nowhere better epitomized than in the thirty odd manuscripts of Shakespeare, which after his death were assembled and gradually assimilated into the broader stream of the world's literary heritage.

The appeal of the Elizabethan theater to the boisterous populace, on the one hand, and to the ambitious hedonistic aristocracy, on the other, rendered it doubly suspect in the eyes of the staid burghers, whose mounting claims to privilege were being canalized in the various types of revolutionary and religious movements known broadly as Puritanism. The Puritans were deeply influenced also by the ancient Hebrew antipathy to all types of plastic imagery, both in religious and in civic ceremonial. Their closing of the theater came just at the time when the vigorous strains of the early Elizabethan stage were thinning out into the romantic sentimentalism of Fletcher and Shirley and Ford. The intense anti-Puritan reaction which followed the Restoration resulted in a new type of drama which, although it drew more than has been generally supposed on late Elizabethan models, was essentially Gallic in spirit and construction and concerned primarily with providing amusement of a type that would appeal to Charles II and his courtly sycophants. The dramas of Shakespeare were reworked or adapted with an eye to making them conform to Augustan canons and taste, but in general the gallants and fops of Congreve and Farquhar and at a slightly later period the rise of the sentimental bourgeois drama as a reflection of the self-conscious, anti-aristocratic middle classes prolonged the eclipse of the Elizabethan stage. The swing back to Shakespeare, which began in predominantly literary circles, found its first sustained theatrical expression in the Shakespearean adaptations of Garrick in England and of the *Sturm und Drang* group in Germany. The vogue of Shakespeare in the romantic movement throughout Europe was perpetuated into the modern era of the commercialized theater by a succession of more idealistic actor managers, which may be traced from the Keans and the Kembles to Henry Irving and Ellen Terry, to E. H. Sothern and Julia Marlowe. During a period when the highest creative talent has been poured into poetry and the novel, Elizabethan revivals have served as the chief staple of those searching aesthetic and intellectual values in the theater. It was not until the later nineteenth century, with the general European reaction, led by Ibsen and Brieux, against middle class ideals and practises, that the theater in England, through the plays of men like Shaw and Galsworthy, assumed once again a role of social and intellectual leadership.

The fact that the Renaissance in Italy, which proved such a powerfully creative force in the fields of painting, poetry and science, contributed comparatively little to the development of the theater may be accounted for in part by the essentially non-dramatic character of the

Italians, as already noted in connection with the Roman theater, and in part by the paralyzing effect of classical models, which by the very factor of national tradition were more operative in Italy than elsewhere. Another contributing cause was the monopolization of the theater by the wealthy tyrants and aristocrats of the various city-states of Italy. Magnificently staged plays were given in the courts of the d'Este in Ferrara or of the Malespini in Rimini, but the populace was rigidly excluded. Poliziano's *Orfeo*, presented in 1471, and Trissino's *Sofonisba*, forty years later, were essentially exercises in imitation of Hellenistic models, designed primarily for the amusement of the learned classes; even the comedies of Ariosto, Aretino and Machiavelli, for all their introduction of contemporary local color, were far beyond the reach of the populace. Popes and princes could commission Raphael to paint stage scenery or Leonardo to take charge of a theater, but the theatrical art of the courts remained at best inbred. It produced no drama of enduring intellectual or spiritual value.

The contribution of the Italian Renaissance to the broader evolution of the theater was confined to the architectural and scenic spheres. The style of the Teatro Olympico, built by Palladio in Vicenza in 1580 with a permanent large scale architectural background, was brought to an end by the theater of Sebastiano Serlio, which introduced a deep stage. When the back of the stage became adjustable and could be changed and the side walls were converted into movable wings, when proscenium, ramp, lighting and intricate machinery made their appearance, scenic art and stage design took the form which they were to maintain for the next few centuries. Italian architects and engineers, as, for example, the illustrious Bibbiena family, carried the new technique to the capitals of Europe.

Theatrical art in its broadest sense is likewise indebted to Italy for the new operatic form, the origins of which are attributable in part to the efforts of certain learned groups to restore the technique of the Attic drama, with its chorus and musical accompaniment, and more directly to the craze for pastorals which seized the nature loving Italian aristocracy in the sixteenth century and pressed into its services the genius of even a Tasso and a Guarini. The elements of ostentation and luxury characterizing the pastoral have been carried over into the opera. Throughout its history the latter has remained the favorite amusement of the court and of the rich bourgeoisie. Because of the lavish scale of presentation and the vast personnel required for a well balanced production, the opera has seldom proved self-supporting and has therefore of necessity been subservient to the taste and whims of wealthy patrons, public and private.

But however greatly the opera has satisfied large sections of the music loving Italian population, it was not likely that this essentially exclusive and aristocratic form of theatrical art could eliminate the need for popular entertainment catering to the deep seated histrionic instinct of the nation. It is therefore characteristically Roman that at the end of the sixteenth century, alongside of the lavish, aristocratic theater, there grew up the popular *Commedia dell' arte*. Troupes of professional actors traveling from town to town and gradually penetrating into foreign capitals made up their own text more or less as they went along. The same six types of characters always appeared in virtually identical situations, and reliance was placed chiefly on the spontaneity and native wit of the actor. This subordination of the dramatic to the histrionic has remained a peculiarly Italian characteristic. When at the end of the eighteenth century the classically minded Goldoni and the romantic Gozzi sought to supplant the impromptu type of comedy with a more formal drama they achieved only a temporary success. Neither they nor the more solemn tragedians like Maffei or Alfieri have contributed nearly so much to the evolution of the theater as have the great Italian actors and actresses—from Ristori, to Salvini, to Rossi, to Duse. By comparison with the histrionic skill of such actors the pompous pretentiousness of d'Annunzio or the chilly introspection of Pirandello pales into insignificance.

In the evolution of the Spanish theater the role of the dramatist was much more influential than in Italy—a fact which may be attributable in part to the youthful vigor of the nation. It was not until the end of the fifteenth century, in the course of the wars against the Moors, that a self-conscious national unity was forged in the Iberian Peninsula. Classical pedantry and veneration for antiquity were much less pronounced than in Italy. The inborn theatrical sense of the nation, which as early as 1470 had brought forth the fantastic drama *La Celestina*, was therefore able to develop unhampered by artificial rules and to remain in immediate touch with the people. The distorting influence of the aristo-

cratic courts had also disappeared when the spirit of the Renaissance released the pent up love of the theater. Small, altogether unpretentious troupes wandered throughout the country, with their entire equipment packed on a pair of mules, and gave their shows, with practically no scenery, in the *corrales* or in the courtyards which were set aside for them in the larger towns. The leaders of these wandering players were called *autores*, and one such "author," Rueda, who achieved no little distinction as a writer in the literary sense, became the pioneer of a dramatic literature which spread rapidly throughout Spain. Cervantes wrote numerous brilliant interludes which constituted an indispensable unit in the extended program of a Spanish performance. Lope de Vega, the greatest popular genius of the Spanish stage, produced during his adventurous lifetime two thousand dramatic compositions of various types. Although the thirty odd plays of Shakespeare have won for him a lasting acclaim out of all proportion to that of Lope de Vega, the influence of the Spanish author on the theater and on the great masses of the people and his prestige were immeasurably greater and more unique during his own lifetime.

A further indication of the vigor of the earlier Spanish theater is the persistence of the mediaeval mysteries into the age of the Renaissance. Known henceforth as *autos* and presented only during the Lenten period, they were composed in large numbers by Lope de Vega and his prolific successors. The great era of Spanish drama lasted until almost the end of the seventeenth century. The dramatic work of Rojas, of Tirso di Molina, the creator of Don Juan, and of Moreto, the brilliant comic poet, although contributing to the richness of the Spanish theater, has been almost completely overshadowed by the dramas of Calderón de la Barca, which constitute the most highly perfected expression of Spanish ideals. Although less prolific than Lope de Vega, Calderón was a far more finished craftsman and his skill in extracting the dramatic values of the Catholic faith, of the monarchy and of the feudal sense of honor is unmatched in the field of theatrical art. His rigid veneration of traditional ideals, which has tended to detract somewhat from his appeal to later generations, is occasionally relieved by a sense of the vitality of the people, as presented half humorously, half tragically in *El alcalde de Zalamea*, or by a rich play of fantasy and imagination, as in *La vida es sueño*.

With the decline of Spanish power under pressure from the rising colonial powers of the north Atlantic the Spanish theater lost most of its vitality; with a few exceptions, such as the Calderón renaissance in certain quarters of the German romantic movement, the broader European influence of this once teeming theater was comparatively negligible. In the eighteenth century the Spanish theater submitted to the yoke of French classicism, and the romantic movement of protest was unable to root itself in the people. The love of the theater is still alive in the Spanish people, but dramatists capable of drawing strength from the masses have appeared as infrequently as have Spanish actors of international appeal and reputation.

Although the French had been particularly active during the later mediaeval period in promoting both the mystery plays and the amateur guild performances, they were comparatively late in developing a modern theater. It was not until Richelieu and Louis XIV liquidated the long period of civil and religious dissension that attention was directed to the problem of developing a theatrical technique and literature commensurate with the position which France as a nation was rapidly assuming. The French dramatists drew heavily upon the classical tradition and incidentally, during the early stages, upon the Italian and the Spanish; but, actively encouraged by Richelieu, himself a theatrical amateur, they were not unmindful of the *étatiste* ideals shared by the Bourbon kings and their ministers. Napoleon, impressed by the spirit of lofty patriotism and of disinterested loyalty characterizing the heroes of Corneille, declared that such a dramatist was worthy of a princedom. In contrast to Corneille, Racine dramatized the more sentimental side of early Bourbon France, releasing a literary current which was to be amplified in the eighteenth century English novels and was to reenter the French theater in the diluted form of the bourgeois *comédie larmoyante* of Diderot. The prestige which the French drama has continued ever since to enjoy throughout Europe is attributable in the main, however, to the comedies of the traveling actor Jean Baptiste Poquelin, venerated and imitated in England, Germany and Italy as Molière. The comedy of Molière represents the full flowering of the Menandrian tradition, which had made itself felt in the Rome of the Scipios and in the Florence of Machiavelli and Aretino. But in spite of the fact that many of the familiar types are paraded once again, the

shrewdness of Molière's dissection and the frequent intensity of his moral and social indignation break asunder the conventional framework of moralistic comedy, revealing the sense of high tragedy and despair implicit in not a few of his situations and characters.

Molière's troupe of strolling players, located for a time at the Petit Bourbon palace in Paris, was consolidated by royal decree with the older theatrical company playing at the Hôtel Bourgogne; the new organization, known as the Théâtre Français, played in the Palais-Bourbon until 1689, when it moved into permanent quarters of its own. The protection of the central authority was a consideration of prime importance. The fact that Molière could dare to indulge his bitter sarcasm at the expense of the privileged estates—the clergy in *Tartuffe* and the nobility in *George Dandin*—is to be explained only by his status as actor to the king. Since the time of Molière every French government has without exception lent its influence and its support to the state theater; in this way the French stage has been able to enjoy a unique degree of prestige and influence. The unbroken tradition of acting and of histrionic training has brought to perfection the classic French style, with its sonorous declamation and its undercurrent of emotional pathos. While such a training undoubtedly runs the risk of degenerating into standardized mediocrity, it has on the other hand helped to develop some of the most highly endowed representatives of the histrionic art. Rachel and later Bernhardt came out of this school and the master of tragedy Mounet-Sully and Coquelin, who as Cyrano revealed in its highest form the French genius for comedy. This world famous institution, operated by its members somewhat as a joint stock enterprise on a charter signed by Napoleon in burning Moscow, has been a decisive factor in elevating the morale and in improving the social status of the acting profession. The great Talma was the friend and to a considerable degree the teacher of Napoleon. In 1810 the members of the Théâtre Français society took the initiative in forming an association of actors to institute an insurance fund for all members of the profession in France.

The theatrical life of the French capital—outside of the capital it still bulks small—was not, however, confined to the Théâtre Français. In contrast to London, which until well into the nineteenth century had only two officially chartered theaters, Paris at the time of the revolution had more than thirty. And the influence of these smaller theaters dedicated in the main to outright amusement has been, at least externally, no less than that of the more august institution. It is true that the golden age of the seventeenth century has never repeated itself; but in almost every generation new formulae have been contrived for projecting the issues and temper of the day on to the boards. From the epigoni of Molière, Destouches and Marivaux, the descent may be traced through the bourgeois, sentimental theater of Diderot, the colorful but comparatively ephemeral romantic drama of Hugo and the all embracing virtuosity of Scribe to the skilfully dramatized social tracts of the internationally exploited Dumas *fils*, Augier and Sardou.

It is Beaumarchais, however, who seems to typify most concisely the essential genius of the French theater. The appearance of his *Mariage de Figaro* in 1784 has been repeatedly singled out as the first petrel heralding the coming storm, the first full voiced outcry of the third estate against aristocratic arrogance. And yet at the same time the adventures of this sharp tongued barber and valet served as model for thousands of farces which sought to engage the public with a slightly varied sequence of intrigues and which gradually found their way from the Paris boulevards to the other capitals of the world. This double influence epitomizes in a sense the world wide appeal of the French theater: an appeal due, on the one hand, to a unique power of penetrating social and political criticism and, on the other, to a sense of rapidly unfolding farce built up with a minimum of moral concern around the less spiritual elements of man. And at least in the state supported and state sponsored Théâtre Français this traditional vitality of the French stage as the expression of a rich community spirit has received also an appropriate form of organization.

The belated development of the German theater is to be attributed in large part to the external circumstances of German history. During the late Middle Ages mystery plays spread rapidly in Germany as in other countries and during the Renaissance the guild plays of the celebrated Meistersinger, notably Hans Sachs of Nuremberg, reached a comparatively high level of theatrical art. But the elements were not at hand for an independent self-sufficient theatrical development. The first contact of the Germans with a professionally organized theater was through the traveling companies of English

comedians, who during the early seventeenth century gave crude presentations of Elizabethan plays. Little resulted, however, from this contact except a few lifeless imitations, such as those of Jakob Ayrer or Duke Heinrich Julius of Brunswick; and with the outbreak of the devastating Thirty Years' War the art of the theater was completely submerged, along with the cultural and social life of Germany in general. The only persistent type of popular theatrical entertainment was provided by untutored groups of wandering German players and by the marionette companies, which had sprung up once again. With the exception of the pseudo-mystery plays cultivated, notably in Vienna, by the Jesuits as a phase of their Counter-Reformation offensive and the Italianesque operas and ballets flourishing in the courts of the regional princes, there was virtually no stage art until toward the end of the century, when a comedy troupe known by the name of its leader, Frederike Karoline Neuberin, was organized with the backing of Gottsched. Dedicated to a reform of the German stage, the new company in its first prologue burned in effigy the figure of the boorish Hans Wurst, the stock character of the illiterate traveling companies.

The work of the Neuberin group was instrumental in drawing the attention of wider circles to the necessity of a theatrical renaissance, a German theater which should develop in accordance with the native genius of the German people instead of depending upon the classical models of Versailles. This nascent sense of cultural nationalism, which was so pronounced at a later stage in the poetry, philosophy and music of the German romantics, seemed to revolve during this earlier period around the role of the theater as the new instrument of spiritual integration. Especially from the middle of the eighteenth century there followed a succession of impassioned appeals for a national theater in which the poet and thinker should serve mankind as the priest of a new humanitarian order.

The moving spirit of this new movement was Lessing, who in his youth had been sponsored by the Neuberin group in Leipsic. In 1767, at the request of a small circle of friends in Hamburg who were seeking to set up a German national theater, Lessing wrote the *Hamburgische Dramaturgie*, in which he attacked the imitation of the French as recommended by Gottsched; and in drawing attention to the superior richness of the Greek and above all of the Shakespearean drama he helped to popularize the concept of a nationally grounded popular theater. At the same time in his *Minna von Barnhelm* he gave to the nation a comedy which by reason of its rich human values has continued to be presented even to the present day. His *Emilia Galotti* and his *Miss Sara Sampson* are examples of the new type of bourgeois drama—typified by *The Merchant of London* and the *Père de famille*—which had grown up as a response to the demand of the rising middle class to see a reflection of its own virtues and ideals rather than those of the obsolescent feudal classes. Similarly his *Nathan der Weise* is an expression of the new spirit of the Enlightenment, with its broad humanitarianism, religious toleration and cosmopolitanism.

In the generation of dramatists which followed the lead of Lessing the balanced rationalism of the Enlightenment was vigorously sacrificed to the fiery cult of irrational genius and emotion, as they were thought to be displayed in the imaginative flights of Shakespeare. But it is not likely that either Klinger, who christened the new movement with his drama *Sturm und Drang*, or any of the other members of this brilliant, undisciplined group of dramatists would be remembered were it not for the fact that Goethe in his youth was closely associated with them and in his *Götz von Berlichingen*, based on an ancient feudal chronicle, gave vent to the conventional delight of the *Sturm und Drang* dramatists in the erratic, tempestuous feats and chivalric sentiments of mediaeval knighthood. In the course of his development as a dramatist Goethe, searching for a more disciplined form, turned gradually away from the Shakespearean tradition to the classical tragedy of Greece; while in the final section of *Faust* may be detected echoes of the mediaeval mystery plays. The richness of form and content characterizing all of Goethe's dramatic writing has exerted a persistent influence on the art of the German stage.

The work of Schiller, however, has been of far greater immediate influence on the development of the theater both in Germany and among the French romantics. In his earliest drama, *Die Räuber*, echoes of the *Sturm und Drang* are still noticeable, although they are subordinated to a new note of humanitarian morality and indignation against tyranny and social injustice—a note which reappears in *Fiesko* and even more intensively in *Kabale und Liebe*. Schiller was much closer to the French, especially Racine, than to Shakespeare; it was the work of Schiller—akin to Racine and yet proceeding beyond it—which

pointed the way to the French romantics of the 1820's in their attempts to break the hold of the seventeenth century classics. In trying to recapture the temper of the Greek tragedy of fate Schiller, like the French and like Goethe, consistently introduced a note of individual moral responsibility quite out of key with the essential spirit of the collectivist religion out of which the older drama had emerged. Schiller exerted his most enduring influence, however, in such a play as *Wilhelm Tell*, the setting of which enabled him to identify his youthful passion for freedom with the aspirations and strivings of an entire people. The vigor of his moral slogans and the dramatic intensity of his well contrived scenes continued for a long period to make Schiller the darling of the middle class public, not only in Germany but abroad.

None of Schiller's successors has approximated his influence; not even Heinrich von Kleist, the ill adjusted Prussian patriot who dreamed for a time of arousing his countrymen against the Napoleonic invader but in the end preferred suicide to the turmoil and perplexities of life. His attempt to evolve a new dramatic form which would fuse into an organic unity the essences of Greek and of Shakespearean drama had a considerable influence on dramatic technique in Germany but made little impression abroad. The Austrian Grillparzer, sluggish in nature and addicted to the sentimental; the north German Hebbel, with his fund of vigorous fantasy; Georg Büchner, who died in early youth and whose genius was not recognized until two generations after his death—these dramatists, despite their individual merits and despite their prevailing ideal of a national theater, were unable to forge a body of dramatic classics such as was forged in the early modern period in England and Spain and France.

The Germans of the classical period not only experimented continuously in dramatic form, but they tried repeatedly to set up the working organization of a national theater. The history of these attempts, which have continued to the present day, is a monotonous story of frustration. When Lessing's *Minna von Barnhelm* was first offered to the public in Hamburg, it was discovered that the only way to keep the play running was to intrigue a larger public by introducing a troupe of rope dancers between acts. In spite of this strategy the enterprise soon came to an end, and Lessing spoke bitterly of the futility of trying to set up a national theater before there was a nation. Goethe, after trying for twenty-six years to develop the stage of Weimar into a genuine art theater, gave up in disgust when the court society insisted on turning the house over to a performance by a trained dog. In Vienna, where Joseph II had issued a proclamation making the court theater a national theater, the obtuseness and the intrigues of the court bureaucrats continued to retard a healthy artistic development, nullifying the efforts of such reformers as the dramatist Schreyvogel and the director Heinrich Laube. In the generation after Goethe the poet Immermann set up a model theater in the prosperous city of Düsseldorf, but after three years he had to give it up because he could not raise the eight thousand thalers he needed. So it went until the advent of Richard Wagner, who strove diligently to make Bayreuth the home of the long dreamed of national theater —and who fortunately did not live to see it degenerate into a minor tourist center.

Perhaps the primary cause of these repeated failures is to be found in the essentially artificial character of these organizations. They represent the inevitable outcome of an attempt on the part of dramatists, directors and actors to impose a theater from above, unmindful of the fact that the theater acquires life only in so far as it is the expression of the people, who seek in the theatrical performance a reflection of something within themselves. Without this exchange across the footlights the essential illusion of the theater is a matter of the purest chance. The love of mimicry, so strong in the Latin races, is less pronounced among the Germans. Moreover the cultural life of Germany at that time was decentralized; each of the princes of the various German *Länder* had his own court theater; the prestige of a cultural capital was lacking. Thus even under the most favorable circumstances theatrical art remained a hothouse plant, and at worst it was the toy of a semicultivated, opinionated local boor. The general disillusionment was all the greater in light of the high hopes that had once been held concerning the role of the theater as a civilizing force.

For the masses of the people there were in the leading cities a few second rate theaters, known as *Volkstheater*, which purveyed a stale kind of amusement in the form of revamped successes of an earlier day. It was in Vienna, the outstanding theatrical center of the German world, that the popular theater began to be developed during the latter half of the nineteenth century by such talented directors as Raimund, Nestroy, Anzengruber and around the turn of the cen-

tury, by the histrionic genius Girardi. But even there the hold of the commercial theater, with its cheap grade of entertainment, came to stifle any vital theatrical activity. In spite of the réclame it received the art theater movement, which had sprung up in France and Germany under the leadership of small cooperative enterprises dedicated to the pursuit of aesthetic ideals rather than commercial profit, gradually found itself hanging in mid air, unable to build a sound financial substructure. With the increasing tendency of the acting profession to form a separate unit in itself, private commercial management, motivated exclusively by the profit incentive, came to dominate theatrical enterprise; and the question whether the private entrepreneur was not corrupting the deeper social character and popular foundation of the theater became a more and more serious one.

From this point of view the most significant development in the recent history of the German theater was the founding of the Volksbühne in Berlin in 1890. This undertaking, at the outset altogether unpretentious, was primarily an attempt to instigate a reform of the theater from below rather than from above, particularly by providing entertainment for workers, who were kept away from the regular commercial theater by the expensiveness of the seats. An association was formed and each member contracted in advance for a definite number of seats. Since the producer was thus freed from all risk, a marked reduction in the price of tickets was possible. In place of haphazard buying of tickets for a single performance or series of performances there was substituted a permanent association of individuals who shared a common desire for theatrical entertainment, and for whom the actor and dramatist could work with a new sense of security. The Berlin Volksbühne—organized by Bruno Wille and forwarded by Georg Springer and Heinrich Neft—rapidly became, in spite of authoritarian opposition and many internal rivalries, a powerful organization whose membership ran into the thousands. It presented plays with its own cast and finally in 1914 erected its own theater, the most impressive of modern Berlin. It was not until after the World War, however, when the commercial theater showed signs of buckling under, that the Volksbühne movement found countless imitators throughout Germany. At its height the Verband der Deutschen Volksbühnen included three hundred units, with more than half a million members. A number of highly artistic *Wanderbühnen* traveled about, giving several performances each year before local associations, even in the very smallest towns. Other theatrical associations sharing many of the characteristics of the Volksbühne were the chief support of many city and state theaters. The folk theater movement spread to Scandinavia, the Danube countries, the Netherlands and England, and an Internationaler Bund der Volksbühnen was formed. With the advent to power of the German National Socialists in 1933 the *Volksbühne* organizations in Germany were disbanded because of their connections with the outlawed Social Democratic party, and except in the case of the Berlin Volksbühne the name itself was suppressed. The same fate befell the Bühnenvolksbund, an analogous type of theatrical group which had ties with Catholic associations and the Center party. These older groups of theater workers have been replaced by a unified, nationalistic organization known as the Deutsche Bühne. In its unusually intensive program to bring the theater into line with the Nazi movement as a whole the government has organized a Theater der Jugend in Berlin and in addition a Theater des Volks, which by means of a system of traveling companies gives free performances for the workers not only in Berlin but throughout the country. The numerous Jews formerly connected with the theater have been systematically barred from further activity in any capacity.

After the reforms of Peter the Great and his vigorous attempts at westernization German, French and Italian influences began to make themselves strongly felt in the Russian theater. It soon became apparent, however, that there still resided in the people a deeply ingrained faculty for mimicry, a fact most clearly indicated in the appearance of the serf theaters, organized and directed by the feudal lords with companies composed of their retainers. Nevertheless, the Russian theater, despite the growth of a native dramatic literature, remained by and large, even on the imperial stages in St. Petersburg and Moscow, essentially imitative, drawing heavily upon western European models. It was not until the development of the Moscow Art Theater under Stanislavsky, as the culmination of the naturalistic movement in theatrical art begun by Zola and Antoine in Paris and developed by little theater groups in Berlin, that Russia may be said to have made any real contribution of its own to the development of theatrical art. It is significant that at the period when the naturalistic technique of Stanislavsky

was enjoying its greatest prestige, a counter swing in the direction of fantastic and expressionistic effects was made in the widely acclaimed ballet of Diaghilev and the scenic art of Bakst.

The revolt against naturalism, which had been a pronounced tendency of the new school of scenic art in the post-war theater—notably in the school of Gordon Craig and his American disciples—was carried to its extreme form by the theatrical leaders of Soviet Russia. Tairoff in the Moscow Little Theater proceeded along the most abstract cubist lines, sacrificing everything to pure sculpturesque effects; in his Theater of the Revolution Meyerhold played against bare stage walls, with his actors scattered here and there over fantastic gymnastic apparatus; others turned the theater into a glorified circus, with calisthenics, acrobatics and clowning. In the midst of the greatest diversity the common element seemed to be the desire to create something as different as possible from the traditional bourgeois theater. All of these strivings as well as the theatrical festivals of the soviets and the revues which dramatize the news of the day for the benefit of the illiterate testify to the deeply ingrained mimic instinct and talent of the Russian people. But it must be confessed that the attempt to set up a new, non-bourgeois theater has not as yet succeeded. For in spite of the richness and variety of this theatrical experimentation one crucial element is lacking: the creative dramatist capable of reshaping and integrating into an artistic unity the temper of the new society. Since the revolution the drama of Russians, while it has added not a little to the literature of the class struggle and proletarian program (*see* LITERATURE), has contributed less than had been hoped for in the way of a new art form.

The American theater has occupied a rather unique position. During its early history the British influence predominated. Although as early as the revolutionary period plays began to be written by American dramatists on native and often patriotic themes and although there was an ephemeral vogue under Dunlap, the American manager of the First Park Theater in New York, for the dramas of the Austrian Kotzebue, the great majority of the managers and actors in the seaboard centers were first generation Englishmen and their presentations did little more than reflect the current tastes of London. The new type of English bourgeois drama, typified by the Colmans, Cumberland and Mrs. Inchbald, alternated with the comedies of Goldsmith and Sheridan and the plays of Shakespeare, which since the days of Garrick had enjoyed a sharp recrudescence of favor at the hands of such romantic Shakespearean actors as Edmund Kean and John Philip Kemble. The arrival of English stage favorites, such as Thomas A. Cooper, was an event of the first importance in the theatrical life of the new country. Even in the scattered theaters which from 1800 to 1850 catered, often in the crudest and most improvised settings, to the frontier population through the Ohio and the Mississippi valley English actors shared with Americans the trying problems of managership; and many English stars after completing their seaboard engagements were persuaded to give their regular London repertory before untutored backwoods audiences.

As early as the 1820's, however—and especially after the phenomenal rise of Edwin Forrest, an American actor who won his first successes in the frontier theaters of the west, and of Charlotte Cushman and Julia Dean, American actresses who won international acclaim—native actors appeared in increasing numbers, and by the time of Edwin Booth and Joseph Jefferson and Ada Rehan they enjoyed a following in London almost as enthusiastic as that enjoyed by European stars in the expanding theaters of the United States. The growing cultural internationalism which became one of the distinctive characteristics of the nineteenth century is well typified in the growing exchange of theatrical wares and reputations between the United States, on the one hand, and the increasingly interdependent theatrical centers in England, France and Italy, on the other.

The transformation of the American theater in the course of the nineteenth century is even more significant as reflecting and accelerating the basic economic change which was taking place in theatrical enterprise during the period. Economic considerations have naturally been operative at all stages of theatrical history. The expense involved in presenting a well rounded stage play could not be ignored, even in an era of the highest cultural disinterestedness. When the Athenian aristocracy, the mediaeval guilds or the French monarchy shouldered this responsibility the problem was not serious. But when the man of the theater, intent on indulging his enthusiasm for the stage, was forced to rely on his own economic initiative, the response of the audience could be ignored only at the risk

of closing the theater. Until far into the nineteenth century the search after economic independence, as the prerequisite of experimentation and innovation in the artistry of theatrical presentation, offered discouraging complications to men of the theater—from the days of the American dramatist Dunlap to those of the untiring director-manager Augustin Daly.

The tribulations and repeated frustration of such devoted men of the theater as Daly and the Wallacks and Steele MacKaye heralded the end of an era of individual enterprise, conducted by men who had grown up inside the theater. At about the same time that the regime of economic laissez faire in general was eventuating in the recrudescence of corporate activity and monopolies, theatrical enterprise, particularly in the United States, began to show monopolistic tendencies; and for the two decades following the formation of the Theatrical Syndicate in 1895 by a group of six theater owners in New York and Philadelphia the activities of the older type theatrical entrepreneur, as typified by David Belasco and James O'Neill, were momentarily paralyzed. Composed of shrewd, ruthless capitalists with an eye for real estate and for the routing of theatrical companies but in the main —with the partial exception of Charles Frohman, the most enlightened of the group—indifferent to the traditional standards and spirit of theatrical art, the syndicate subordinated every element in the theater to its nation wide pursuit of profit. Standardized products were shipped out wholesale from Broadway headquarters not only throughout the length and breadth of the United States but to the more remote quarters of the English speaking world as well. Frohman through his London and New York offices drew into his hands the reins of the English speaking stage and at the time of his death in 1915 had built up an organization operating on an international scale and employing as many as 10,000 persons at an annual salary expenditure of $35,000,000.

With the removal of Frohman rival groups, notably the Shuberts, equally gifted as realtors and merchandisers, broke the hold of the original trust, while at the same time perpetuating on a less ruthless scale much of its openly commercial method and spirit. Plays continued to be selected and cast with an eye on the far flung national and international market; the vivid personalities which Frohman had spent millions in developing and exploiting lived on and assisted at the birth of countless new "stars" on whose drawing power the producer-speculator made still further investments; the ultimate power continued to reside in the hands of men whose theatrical lore could anticipate or at least rapidly adjust itself to changes in popular taste as reflected in the latest box office statistics.

The usurpation of power by the manager-producer generated inevitably a counter offensive among the actors, who adapted to the unusual conditions of the theater the technique of collective bargaining as it has been developed in the course of the trade union movement in other industries. A professional union of actors, which had been foreshadowed in the mutual benefit associations of French actors in the early nineteenth century, was first systematically organized in Germany in 1871; similar unions later spread throughout Europe and after the World War to the United States. The attempt to establish contacts between the actors' organizations in the different countries and to formulate a more widely effective and less halting program of defense against managerial arbitrariness and callousness has resulted in an international union with headquarters at Vienna.

A more deeply significant movement of protest against domination by the commercially motivated manager-producer was the little theater movement. Although its origins may be traced to the experimental theater set up in 1887 by Antoine in Paris—and imitated by Theodor Wolff and Maximilian Harden in Germany, by the Moscow Art Theater in 1890 and by Max Reinhardt's Kammerspielhaus in 1905—it did not become a widely influential force in the United States until during the war and post-war periods. Revolting against the standardized commercial play and scenery shipped from Broadway—the quality of which had become progressively lower with the inroads of the motion picture and the consequent cut in the profits of road companies—small groups of theatrical enthusiasts organized community ventures akin to the older cooperative stock companies which had flourished before the days of the trust. In some cases the group contented itself with presenting well known masterpieces of English, Irish and German dramatists; and the chief attention was frequently centered on problems of staging, lighting and scenic effects. In many others, however, a special attempt was made to encourage dramatic writing which would portray local customs and types and bring to an end the long reign of the international type of commercial drama, constructed according to the

abstract canons of the "well made play" and carefully stripped of those purely local elements which would not appeal to a world audience.

The attempt of these local cooperative theaters to reintegrate the work of the dramatist, the actor and the scenic artist and to reintroduce a spirit of intimacy between the audience and the players was carried out most successfully by the Provincetown Players, the group which first presented the plays of Eugene O'Neill, and by the Theatre Guild of New York, which not only has succeeded in weathering a period of increasingly severe theatrical depression but has aided materially in developing an American school of scenic artists and dramatists unsurpassed in the present day theater. The mounting tribulations and inactivity of the commercial producer, beset on the one hand by the loss of his favorite stars to Hollywood and by the general economic crisis on the other, have served to emphasize even more strongly the deep significance, for the future, of the local theatrical groups, which in subordinating their individual efforts to the realization of a common community purpose are in a sense reminiscent, despite the thousands of years that have intervened, of the primitive collectivity out of whose ceremonial developed the irrepressible art of the theater.

JULIUS BAB

See: LITERATURE; RELIGION; CULTURE; ART; DANCE; FESTIVALS; AMUSEMENTS, PUBLIC; MOTION PICTURES; LEISURE; AMATEUR; COMMERCIALISM; CRITICISM, SOCIAL; RENAISSANCE; CLASSICISM; PURITANISM; ROMANTICISM; NATIONALISM; MIDDLE CLASS; PROLETARIAT.

Consult: Nicoll, Allardyce, *The Development of the Theatre; a Study of Theatrical Art from the Beginnings to the Present Day* (London 1927); Cheney, Sheldon, *The Theatre; Three Thousand Years of Drama, Acting and Stagecraft* (New York 1929); Mantzius, Karl, *Skuespilkunstens Historie*, 6 vols. (Copenhagen 1897–1916), tr. by Louise von Cossel as *A History of Theatrical Art in Ancient and Modern Times* (London 1903–21); Bab, Julius, *Das Theater im Lichte der Soziologie*, Zeitfragen aus dem Gebiete der Soziologie, 4th ser., vol. i (Leipsic 1931), and *Der Mensch auf der Bühne*, 3 vols. (Berlin 1920–24); Preuss, K. T., "Der Unterbau des Dramas" in Kulturwissenschaftliche Bibliothek Warburg, Hamburg, *Vorträge, 1927–28* (Berlin 1930) p. 1–88; Ridgeway, William, *The Origin of Tragedy* (Cambridge, Eng. 1910); Geffeken, J., "Der Begriff des Tragischen in der Antike" in Kulturwissenschaftliche Bibliothek Warburg, Hamburg, *Vorträge, 1927–28* (Berlin 1930) p. 89–166; Cornford, F. M., *The Origin of Attic Comedy* (London 1914); Haigh, A. E., *The Attic Theater* (3rd ed. by A. W. Picard-Cambridge, Oxford 1907); Sheppard, J. T., "Attic Drama in the Fifth Century," and Angus, C. F., "Athens" in *Cambridge Ancient History*, vol. v (Cambridge, Eng. 1927) ch. v, and vol. vii (1928) p. 224–29; Croiset, M., *Eschyle* (Paris 1928), and *Aristophane et les partis à Athènes* (Paris 1906); Nestle, W., *Euripides der Dichter der griechischen Aufklärung* (Stuttgart 1901); Masqueray, P., *Euripide et ses idées* (Paris 1908); Murray, Gilbert, *Aristophanes; a Study* (Oxford 1933); Frank, Tenney, *Life and Literature in the Roman Republic*, University of California, Sather Classical Lectures, vol. vii (Berkeley, Cal. 1930) chs. i–iv; Michaut, G., *Histoire de la comédie romaine*, 2 vols. (Paris 1912–20); Vossler, Karl, "Die Antike und die Bühnendichtung der Romanen" in Kulturwissenschaftliche Bibliothek Warburg, Hamburg, *Vorträge, 1927–28* (Berlin 1930) p. 219–56; Nicoll, Allardyce, *Masks, Mimes and Miracles* (London 1931); Chambers, E. K., *The Mediaeval Stage*, 2 vols. (Oxford 1903); Cohen, Gustave, *Le théâtre en France au moyen âge*, 2 vols. (Paris 1928–31); Kennard, Joseph Spencer, *The Italian Theatre*, 2 vols. (New York 1932); Faguet, Émile, *Propos de théâtre*, 5 vols. (Paris 1903–10); Creizenach, Wilhelm, *Geschichte des neueren Dramas*, 5 vols. (Halle 1893–1916), vol. iv, bks. i–viii tr. by Cécile Hugon as *The English Drama in the Age of Shakespeare* (London 1916); Lucas, F. L., *Seneca and Elizabethan Tragedy* (Cambridge, Eng. 1922); Meyer, Edward S., *Machiavelli and the Elizabethan Drama* (Weimar 1897); Schelling, F. E., *Foreign Influences in Elizabethan Plays* (New York 1923); Chambers, E. K., *The Elizabethan Stage*, 4 vols. (Oxford 1923); Bradley, A. C., *Shakesperean Tragedy* (London 1904); Brandes, Georg, *William Shakespeare*, 3 vols. (Copenhagen 1895–96), tr. by William Archer and others, 2 vols. (London 1898); Lindabury, Richard V., *A Study of Patriotism in the Elizabethan Drama*, Princeton Studies in English, no. 5 (Princeton 1931); Marriott, J. A. R., *English History in Shakespeare* (London 1918); Gildersleeve, Virginia C., *Government Regulation of the Elizabethan Drama*, Columbia University, Studies in English, 2nd ser., vol. iv, no. 1 (New York 1908); Thompson, E. N. S., *The Controversy between the Puritans and the Stage*, Yale Studies in English, vol. xx (New York 1903); Croce, Benedetto, *Ariosto, Shakespeare e Corneille* (Bari 1920), tr. by Douglas Ainslie (London 1920) pts. ii–iii; Barras, M., *The Stage Controversy in France from Corneille to Rousseau* (New York 1933); Lévy, Robert, *Le mécénat et l'organisation du crédit intellectuel* (Paris 1924) chs. iii–iv; Kohler, Pierre, *Autour de Molière; l'esprit classique et la comédie* (Paris 1925); Gaiffe, Félix, *Le rire et la scène française* (Paris 1931); Schevill, Rudolf, *The Dramatic Art of Lope de Vega*, University of California, Publications in Modern Philology, no. 6 (Berkeley, Cal. 1918); Vossler, Karl, *Lope de Vega und sein Zeitalter* (Munich 1932); *Das deutsche Drama*, ed. by Robert F. Arnold (Munich 1925); Holl, Karl, *Geschichte des deutschen Lustspiels* (Leipsic 1923); Ellehauge, Martin, *English Restoration Drama; Its Relation to Past English and Past and Contemporary French Drama* (Copenhagen 1933); Lynch, Kathleen M., *The Social Mode of Restoration Comedy*, University of Michigan, Publications, Language and Literature, vol. iii (New York 1926); Bateson, F. W., *English Comic Drama, 1700–1750* (Oxford 1929); Bernbaum, Ernest, *The Drama of Sensibility*, Harvard Studies in English, vol. iii (Boston 1915); Nicoll, Allardyce, *A History of Early Eighteenth Century Drama, 1700–1750* (Cambridge, Eng. 1925), *A History of Late Eighteenth Century Drama, 1750–1800*

(Cambridge, Eng. 1927), and *A History of Early Nineteenth Century Drama, 1800–1850*, 2 vols. (Cambridge, Eng. 1930); Peirce, Walter T., *The Bourgeois from Molière to Beaumarchais* (Columbus, Ohio 1907); Lanson, Gustave, *Nivelle de La Chaussée et la comédie larmoyante* (2nd ed. Paris 1903); Roustan, Marius, *Les philosophes et la société française au XVIIIe siècle* (Paris 1911), tr. by Frederic Whyte as *The Pioneers of the French Revolution* (London 1926); Eloesser, A., *Das bürgerliche Drama* (Berlin 1898); Walzel, O., "Das bürgerliche Drama" in his *Vom Geistesleben alter und neuer Zeit* (Leipsic 1922) p. 142–231, and *Das Prometheussymbol von Shaftesbury zu Goethe*, Wortkunst, n.s., no. 7 (Munich 1932) p. 9–32; Kettner, Gustav, *Lessings Dramen im Lichte ihrer und unserer Zeit* (Berlin 1904); Unger, R., "Von Nathan zu Faust. Zur Geschichte des deutschen Ideendrama" in his *Aufsätze zur Literatur- und Geistesgeschichte* (Berlin 1929) p. 67–103; Stockmeyer, Clara, *Soziale Probleme im Drama des Sturmes und Dranges* (Frankfort 1922); Gundelfinger, Friedrich, *Shakespeare und der deutsche Geist* (8th ed. Berlin 1927); Korff, H. A., *Geist der Goethezeit*, 2 vols. (Leipsic 1923–30); Brombacher, K., *Der deutsche Bürger im Literaturspiegel von Lessing bis Sternheim* (Munich 1920); Witkowski, G., *Das deutsche Drama des neunzehnten Jahrhunderts in seiner Entwicklung dargestellt* (4th ed. Leipsic 1913); Walzel, Oskar, *Friedrich Hebbel* (3rd ed. Leipsic 1927); Eggli, Edmond, *Schiller et le romantisme français*, 2 vols. (Paris 1927); Bellen, Eise Carel van, *Les origines du mélodrame* (Utrecht 1927); Lacey, Alexander, *Pixérécourt and the French Romantic Drama* (Toronto 1928); Allard, Louis, *La comédie de moeurs en France au dix-neuvième siècle*, Harvard Studies in Romance Languages, vol. v (Cambridge, Mass. 1923); Guex, Jules, *Le théâtre et la société française de 1815 à 1848* (Paris 1900); Des Granges, Charles Marc, *La comédie et les moeurs sous la Restauration et la monarchie de juillet (1815–1848)* (Paris 1904); Noël, Carlos M., *Les idées sociales dans le théâtre de A. Dumas fils* (Paris 1912); Gaillard de Champris, Henri, *Émile Augier et la comédie sociale* (Paris 1910); Martino, P., *Le naturalisme français (1870–1895)* (Paris 1923) ch. x; Lukcsá, G. von, "Zur soziologie des modernen Dramas" in *Archiv für Sozialwissenschaft und Sozialpolitik*, vol. xxxviii (1914) 303–45, 662–706; Gunther, M., *Die soziologischen Grundlagen des naturalistischen Dramas der jüngsten deutschen Vergangenheit* (Leipsic 1912); Bab, Julius, *Das Theater der Gegenwart*, Illustrierte theatergeschichtliche Monographien, vol. i (Leipsic 1928); Miller, A. I., *The Independent Theatre in Europe, 1887 to the Present* (New York 1931); Lourié, Ossip, *La philosophie sociale dans le théâtre d'Ibsen* (Paris 1900); Ellehauge, M., *The Position of Bernard Shaw in European Drama and Philosophy* (Copenhagen 1931); Scheifley, W. H., *Brieux and Contemporary French Society* (New York 1917); Carter, Huntly, *The New Spirit in the European Theatre 1914–1924* (London 1925), and *The New Spirit in the Russian Theatre 1917–28* (London 1929); Gregor, Joseph, and Fülöp-Miller, René, *Das russische Theater, sein Wesen und seine Geschichte, mit besonderer Berücksichtigung der Revolutionsperiode* (Zurich 1928), tr. by Paul England (Philadelphia 1930); Kaun, Alexander, *Maxim Gorky and His Russia* (New York 1931); Quinn, Arthur Hobson, *A History of the American Drama from the Beginning to the Civil War* (New York 1923), and *A History of the American Drama from the Civil War to the Present Day*, 2 vols. (New York 1927); Coad, Oral S., and Mims, Edwin, Jr., *The American Stage*, Pageant of America series, vol. xiv (New Haven 1929); Bernheim, Alfred L., and others, *The Business of the Theatre* (New York 1932).

THEOCRACY. *See* RELIGIOUS INSTITUTIONS, CHRISTIAN; PRIESTHOOD.

THEODOSIUS I (347–95), Roman emperor. Theodosius, born in Spain, was the last westerner to occupy the throne of the Eastern Empire and the last emperor to rule over the entire west. He was confronted with two difficult problems, both of which he failed to solve. The first was the establishment of religious unity within the empire, which was being torn asunder by dissenting religious groups. Theodosius' idea was to create religious unity based upon the creed established at the Council of Nicaea in 325 and accordingly to eliminate all other Christian doctrines as well as paganism. He issued decrees in which he recognized only the "Catholic church"; that is, the church subscribing to the Nicene creed. He forbade "heretics" to hold assemblies and considerably curtailed their civil rights, especially as regards bequests, inheritance and the like. The Second Oecumenical Council convoked at Constantinople in 381 condemned the quasi-Arian heresy of Macedonius, who declared that the Holy Spirit was created. Pagan rituals were forbidden and the famous Serapeum in Egypt was destroyed. All these drastic measures deeply affected social and economic conditions in the empire, closely connected as they were with different religious doctrines, including paganism.

Theodosius was beset on the other hand by the problem of the Goths. After the battle near Adrianople in 378 under Theodosius' predecessor, Valens, when the Roman army was completely defeated by the Goths and Valens himself was killed, Theodosius realized that he could not master the Goths by force. Having decided to pursue a peaceful policy toward them he attempted to imbue the Goths with certain elements of Roman culture and to draw them into the ranks of the Roman army and administrative structure. Theodosius failed to realize that such a free growth of Germanism might menace the empire's existence. An anti-German movement took root, but he died before the reaction against Germanic preponderance broke out.

A. A. VASILIEV

Consult: Güldenpenning, A., and Ifland, J., *Der Kai-*

ser Theodosius der Grosse (Halle 1878); Rauschen, Gerhard, *Jahrbücher der christlichen Kirche unter dem Kaiser Theodosius dem Grossen* (Freiburg i. Br. 1897); Chernyavsky, N., *Imperator Theodosy Veliky i ego tsarstvovanie v tserkovno-istoricheskom otnoshenii* (Emperor Theodosius the Great and his religious policy) (Sergievsky Posad 1913); Stein, Ernst, *Geschichte des spätrömischen Reiches*, vol. i– (Vienna 1928–) ch. v.

THEODOSIUS II, the Younger (401–450), Byzantine emperor from 408. Theodosius was not a gifted statesman nor was he particularly interested in matters of government; but he succeeded in gathering around him a group of very able and energetic men who contributed much to the significance of his reign in the internal life of the empire. Troubles in the church resulted in the convocation in 431 of the Third Oecumenical Council at Ephesus, which condemned the Nestorian doctrine but failed to end religious controversy. In 425 Theodosius founded or perhaps reorganized a university in Constantinople, where the most eminent scholars taught in Greek and Latin; they were paid from the imperial Exchequer and could advance to very high rank. This new Christian school became a dangerous rival of the famous philosophic pagan school at Athens. Under Theodosius the oldest surviving Byzantine code of law (*Codex theodosianus*) was promulgated. It contains decrees of the Christian emperors from Constantine the Great to Theodosius II. The code is a sort of summary of what the Christian religion had accomplished in the field of law up to that time; it became an important foundation for the code of Justinian and exerted great influence upon the legislation of the Germanic kingdoms in the west established in the fifth century and perhaps, through the *Breviary of Alaric*, upon the first Bulgarian kingdom. The walls built around Constantinople under Theodosius made the capital impregnable for many centuries and contributed much to the prosperity of the city.

A. A. VASILIEV

Consult: Güldenpenning, Albert, *Geschichte des oströmischen Reiches unter den Kaisern Arcadius und Theodosius II* (Halle 1885); Kulakovsky, Y. A. A., *Istoriya Vizantii* (History of Byzantium), 3 vols. (Kiev 1910–15; vol. i, 2nd ed. 1913) vol. i, p. 227–324; Bury, J. B., *History of the Later Roman Empire*, 2 vols. (London 1923) vol. i, p. 212–35; Vasiliev, A. A., *A History of the Byzantine Empire*, University of Wisconsin, Studies in the Social Sciences and History, nos. xiii–xiv, 2 vols. (Madison 1928–29) vol. i, p. 120–30; Vasiliev, A. A., *Histoire de l'Empire byzantin*, 2 vols. (Paris 1932) vol. i, p. 122–32.

THEOLOGY. *See* RELIGION; DOGMA.

THIBAUT, ANTON FRIEDRICH JUSTUS (1772–1840), German jurist. Thibaut studied at Göttingen, at Königsberg, where he absorbed the philosophy of Kant, and at Kiel, where he entered upon his academic career; subsequently he taught Roman law with unfailing success at Jena and at Heidelberg. His eminence as a jurist—he was equally famous as an organizer of musical life in Germany—may be ascribed to the harmonious unity of his mind, which combined the most valuable elements of the century of the Enlightenment with those of the period of romanticism. He was not only interested actively in the scientific and systematic study of judicial administration and reform but had also a deep insight into the historical development and philosophical principles of law. As a scientific positivist he constantly opposed the one-sided rationalism of the natural law jurists as well as the surrender to empiricism of the historical school.

Thibaut's most important work is his *System des Pandektenrechts* (2 vols. Jena 1803, 9th ed. by A. A. von Buchholz, 1846; tr. into English, 1 vol., London 1855), the first scientific system of the German common law, or pandects, and prototype of all succeeding textbooks. Many studies on modern Roman law were published in his *Versuche über einzelne Theile der Theorie des Rechts* (2 vols. Jena 1798–1801, 2nd ed. 1817) and in his *Civilistische Abhandlungen* (Heidelberg 1814, 2nd ed. 1827). His more philosophical *Theorie der logischen Auslegung des römischen Rechts* (Altona 1799, 2nd ed. 1807) is one of the best legal methodologies. While these works are now rarely mentioned, another of his studies, *Über die Notwendigkeit eines allgemeinen bürgerlichen Rechts für Deutschland* (Heidelberg 1814, new ed. 1840), is still famous, although it is merely a pamphlet. In it Thibaut made an eloquent plea for the codification of the German civil law, giving a description, which has remained classic, of the miserable condition of legal disharmony which prevailed because of the existence of the numerous German states and territories and appealing to the patriotic emotions evoked by the overthrow of French domination. Thibaut's position was, however, directly opposed to the reactionary politics of his time, when any struggle for Germany's political or legal unity was considered revolutionary, and to the romantic absorption of the German spirit, which called not for active reform but for historical contemplation. The pamphlet was immediately followed by Savigny's celebrated

reply, *Vom Beruf unserer Zeit für Gesetzgebung und Rechtswissenschaft* (Heidelberg 1815), which won a complete victory, although Thibaut's general ideas and practical proposals were far sounder than those of his great adversary. The continuance of the controversy served only to embitter the strife between the historical and positivistic schools. Germany had to wait more than eighty years for the vindication of Thibaut's ideas, which occurred with the promulgation of the *Bürgerliches Gesetzbuch* at the end of the century.

HERMANN KANTOROWICZ

Consult: Stintzing, R. von, and Landsberg, E., *Geschichte der deutschen Rechtswissenschaft*, 3 vols. (Munich 1880–1910) vol. iii, pt. ii, p. 69–88; Stern, Jacques, Preface to his edition of Thibaut, A. F. J., and Savigny, F. K. von, *Zum 100 jährigen Gedächtnis des Kampfes um ein einheitliches bürgerliches Recht für Deutschland* (Berlin 1914).

THIERRY, JACQUES-NICOLAS-AUGUSTIN (1795–1856), French historian. In order to find substantiation for the liberal political theories of which he was an ardent champion in the early days of the Restoration government Thierry turned to social history and a study of the struggles of "the people" against oppression. Beginning in 1820 he contributed to the *Courrier français* a series of articles dealing with the emergence of "the popular classes" during the period of the rise of towns and the establishment of chartered municipal government in the twelfth century. Later in the course of recasting these contributions for separate publication Thierry was led, as a result of his increasing bourgeois partisanship, to interpret this early "communal revolution" as the first beginning of the "bourgeois revolution" which was destined to find new expression in contemporary France. In spite of the romantic exaggeration implicit in such a thesis the *Lettres sur l'histoire de France*, which appeared in 1827 (8th ed. Paris 1846), has a genuine historiographical significance by reason of its emphasis on the hitherto neglected role of the people and the middle classes.

On the basis of this early work Thierry in 1833 was entrusted with the direction of an ambitious research project (*Monuments inédits de l'histoire du tiers état*), which at the beginning set itself the objective of bringing together into a single corpus all documents relating to the life of the French municipalities from the fall of the Roman Empire to the end of the Middle Ages. Great sheaves of material were collected by collaborators working together in the archives and libraries of France. Thierry himself supervised the publication of two large volumes (1850 and 1854) dealing with Amiens and Ponthieu; and his preface to these volumes, entitled "Essai sur l'histoire de la formation et des progrès du tiers état" (published separately in 1853; tr. by F. B. Wells, 2 vols., London 1855), marks a great step forward in modern historiography. Two additional volumes of documents were published after his death. Although the researches embodied in the four volumes may properly be considered one of the most fruitful innovations of the historical movement in the post-Reformation period, the original objective had to be abandoned because methods of scholarship had advanced much faster than the initiators of the project had anticipated.

Like all the romantic historians Thierry sought to place the reader in what he called "the atmosphere of the period"; an aim which he realized with a greater degree of integrity and scrupulousness than many of his contemporaries. His famous *Récits des temps mérovingiens*, begun in 1833 and later published in book form (2 vols., Paris 1840; tr. as *Historical Essays*, Philadelphia 1845), reflects his desire to allow in so far as possible the representatives of that age to speak for themselves without benefit of author. In addition to popularizing the romantic formulae of "local color" and "the people," Thierry was responsible also, notably in his early work *Histoire de la conquête de l'Angleterre par les Normands* (3 vols. Paris 1825, 7th ed. 4 vols. 1846; tr. by W. Hazlitt, 2 vols., London 1847), for developing the concept of the "fusion of races" as a factor in the evolution of the unified modern states of Europe which had arisen out of the ethnic upheavals of the Middle Ages.

LOUIS HALPHEN

Works: *Oeuvres* (new ed. Paris 1885).

Consult: Augustin-Thierry, A., *Augustin Thierry (1795–1856) d'après sa correspondance et ses papiers de famille* (Paris 1922); Jullian, C., "Augustin Thierry et le mouvement historique sous la Restauration" in *Revue de synthèse historique*, vol. xiii (1906) 129–42, and introduction to *Extraits des historiens français du XIXe siècle*, ed by C. Jullian (2nd ed. Paris 1898); Fueter, E., *Geschichte der neueren Historiographie*, Handbuch der mittelalterlichen und neueren Geschichte, vol. i (Munich 1911) p. 448–51; Gooch, G. P., *History and Historians in the Nineteenth Century* (London 1913) p. 169–73; Halphen, L., *L'histoire en France depuis cent ans* (Paris 1914) p. 20–23, 51–56.

THIERS, LOUIS ADOLPHE (1797–1877), French statesman and historian. Thiers was born in Marseille and admitted to the bar at

Aix. He went to Paris in 1821 and at once plunged into journalism and the writing of history. The first two volumes of his history of the French Revolution appeared in 1823, arousing much interest in literary circles. With his friend Mignet he was one of the first to insist upon the use of original sources, especially public documents; and his work marks a distinct departure in this respect, despite the fact that his use of them was often prejudiced. His contemporaries also criticized as too fatalistic his emphasis upon causal relations. In the first volume Thiers boasted of his sympathy for the Convention and of his being the first to touch upon financial and social history. As he progressed, however, he became more conservative, and his later work on the consulate and the empire became more and more a panegyric of Napoleon.

Of far greater significance was Thiers' role as a statesman. He was devoted to the cause of the liberal bourgeoisie and was a stanch opponent of both the reactionary Bourbons and the radical republicans. As editor of the *National* in 1830 he not only led the revolt of the journalists but with Talleyrand, Laffitte and others brought about the selection of Louis Philippe as king. He was therefore closely identified with the July Monarchy from the start, holding several ministerial posts, including the premiership (1836). In 1840 he became prime minister a second time and during a relatively short period in office secured the return of Napoleon's body from St. Helena, began the fortifications of Paris, blundered seriously in backing Mehemet Ali against the sultan and tried to extricate himself by threatening war and the seizure of the Rhine. His fall cut short his chauvinistic talk, and for eight years he was in opposition to the policies of Guizot and the king. After the Revolution of 1848 he supported the Provisional Government and, as a member of the Constitutional Convention, opposed the radical leaders of the left as he did Louis Napoleon's usurpation of power in 1851. Despite his arrest and exile after the coup d'état he returned in 1852 but kept aloof from politics during the decade of the autocratic empire, giving all his attention to history.

In 1863 he was elected to the legislative assembly, where he championed the "necessary liberties" and denounced the emperor's foreign policies. He opposed the declaration of war against Prussia in 1870, urging inadequate reasons and lack of preparedness. During the war he visited different European capitals in a vain attempt to stimulate intervention. Tragically vindicated by the disastrous defeat of the Franco-German War, Thiers became the logical leader of the national reconstruction. Twenty-six departments elected him to the National Assembly, and he was at once chosen head of the executive power. In that capacity he guided France through one of the most critical periods of its history. He suppressed the Commune, carried through the difficult peace negotiations, in which he succeeded in retaining Belfort, reorganized the army, restored local government, paid the war indemnity and "liberated the territory." He was forced by the royalist majority to resign in May, 1873, because he would not support the restoration of the monarchy, but returned to the political arena for a brief period in 1877 with a vigorous manifesto in defense of the republic.

WILLIAM E. LINGELBACH

Works: *Histoire de la Révolution française de 1789 jusqu'au 18 brumaire*, 10 vols. (Paris 1823–27), tr. by F. Shoberl, 5 vols. (London 1838); *Histoire du consulat et de l'empire, faisant suite à l'histoire de la Révolution française*, 20 vols. (Paris 1845–62); *Discours parlementaires de M. Thiers*, ed. by Antoine Calmon, 16 vols. (Paris 1879–89).

Consult: Allison, John M. S., *Thiers and the French Monarchy* (Boston 1926); Eggenschwyler, K., *A. Thiers' Leben und Wirken* (Berne 1878); Fonvielle, Wilfred de, *M. Thiers, historien de la Révolution française* (Brussels 1871); Franck, Francis, *Vie de M. Thiers* (Paris 1877); Mazade, Charles de, *M. Thiers, cinquante années d'histoire contemporaine* (Paris 1884); Rémusat, P. de, *Adolphe Thiers* (Paris 1889), tr. by M. B. Anderson (Chicago 1889); Simon, Jules, *Thiers, Guizot, et Rémusat* (Paris 1885).

THIRD INTERNATIONAL. *See* COMMUNIST PARTIES.

THÖL, JOHANN HEINRICH (1807–84), German jurist. Thöl, who was professor at Göttingen and Rostock, was the first to put the treatment of commercial law in Germany upon a scientific basis, and his authority was recognized in the contemporary codification of German commercial law. He not only prepared a draft of a law of bills of exchange for Mecklenburg but was a member of the conference which created the law of bills of exchange for the whole of Germany. He also served as a member of the commission which created the German commercial code.

Thöl made a scientific system of commercial law by applying to it the juristic method then prevailing. This method was based upon rigid principles taken almost entirely from the Roman

law, to which Thöl adhered unconditionally. These principles after being subjected by him to logical analyses were then employed for the derivation of further legal consequences without consideration of the reason and purpose of the formulated rules. Thöl defended his system, which was embodied in his chief treatise, *Das Handelsrecht* (3 vols., Göttingen 1841–80; vol. i, 6th ed. 1879, vol. ii, 4th ed. 1878), in two controversial works, *Einleitung in das deutsche Privatrecht* (Göttingen 1851), directed at the historical school, and *Volksrecht, Juristenrecht, Genossenschaften, Stände, gemeines Recht* (Rostock 1846), attacking Beseler's glorification of popular legal characteristics.

Despite the dominance of the historical school, which at that time also flourished in Göttingen, Thöl did not pursue the historical development of the commercial law. Replying to his great opponent Levin Goldschmidt in his *Handelsrechtliche Erörterungen* (Göttingen 1882) he rightly insisted upon the necessity of limiting his extensive subject. Goldschmidt rather unjustly accused Thöl of pursuing a "method of dogmatic isolation." Thöl recognized the essential elements of the theory of the bill of exchange now dominant. He regarded as fundamental the divorce of the bill of exchange from the transaction which underlay it, and perceived that the indebtedness represented by the instrument did not rest upon contract.

ERNST JACOBI

Consult: Stintzing, R. von, and Landsberg, E., *Geschichte der deutschen Rechtswissenschaft*, 3 vols. (Munich 1880–1910) vol. iii, pt. ii, p. 625–34.

THOMAS, ALBERT ARISTIDE (1878–1932), French statesman, socialist leader and historian. Thomas was born at Champigny of a humble artisan family and was educated at the Lycée Michelet and the École Normale Supérieure, where he was influenced by contacts with Charles Andler, François Simiand, Hubert Bourgin and above all Lucien Herr. He traveled in Russia, the Mediterranean Orient and Germany. Thomas early gave evidence of two major interests: the study of history and the problems of the working classes. His concern with the latter led him to seek in history for precedents and causes of socialism, syndicalism and cooperation, three forms of action and thought which were always associated in his mind. His most important scholarly works were the volume on the Second Empire for Jaurès' *Histoire socialiste* (vol. x, Paris 1907), a study of German syndicalism (Paris 1903) and the *Histoire anecdotique du travail* (Paris 1913, 2nd ed. 1926).

After teaching for a while at the Collège Sévigné he joined Jaurès on the editorial staff of the *Humanité* in 1904. He was elected municipal councilor of Champigny and later mayor. In 1910 he was elected to the Chamber of Deputies, where he immediately became a leader of the left. With Jaurès he introduced socialist legislation, such as the law of 1911 providing for workmen's and peasants' pensions and the law of 1912 establishing miners' pensions.

Thomas' extraordinary talent for organization was revealed during and after the World War. In September, 1914, he was entrusted with the organization of the railroads, in May, 1915, he became undersecretary of state for munitions and at the close of 1916 he was made minister of munitions. After the fall of the czarist government he was sent to Russia, where he worked with the Kerensky government and supervised production at the Putilov works in the attempt to maintain effective collaboration of the new republic with the Entente.

After the formation of the International Labor Office Thomas served as its director from November, 1919. He continued until his death to work with prodigious energy for its organization and the extension of its influence and for the elaboration of international labor law. It was chiefly through his efforts that the International Labor Office at Geneva became the center for the study and discussion of the problems of labor and for the integration of these studies in reports and texts made available to all nations. Thomas himself prepared encyclopaedic annual reports, traveled extensively and earned for himself the title of labor diplomatist.

GEORGES BOURGIN

Consult: International Labour Office, *In Memory of Albert Thomas* (Geneva 1932), and *Albert Thomas 1878–1932* (Annemasse 1932).

THOMASIUS, CHRISTIAN (1655–1728), German jurist and political philosopher. Thomasius, the son of a university professor, was born in Leipsic and studied law and philosophy there and at Frankfort on the Oder. He was deeply impressed by the works of Grotius and Pufendorf, and as a young docent he followed their teaching. His first revolutionary act was to announce a course of lectures in the German language; he attacked the unworldly and unpractical character of the Latin instruction at the universities. His fiery temperament and his

critical approach early involved him in conflicts with the orthodox theologians and his conservative colleagues. As a result of their persecution he was forced to leave Leipsic in 1690; he then went to Halle, where he taught at the newly founded university until his death. Here through cycles of encyclopaedic lectures he carried into effect his improved method of instruction and wrote his famous dissertations against belief in sorcery, punishment of heresy and the use of torture. He thereby became one of the modern heralds of a more humane legal procedure. In the field of jurisprudence he continued independently of Pufendorf the doctrine of natural law. His chief aim was to discriminate carefully between morality and law, claiming that only the latter possessed compulsory character. He classified all social duties into three groups: *justum*, *honestum* and *decorum*. By *decorum* he meant all duties of manners: he is respectable who behaves toward others as he desires them to act toward himself. *Honestum* is the essence of all moral duties; he who acts toward others as they would act toward themselves lives a moral life. Thomasius drew a sharp distinction, however, between the *justum* and the main body of natural law: he who refrains from doing to others what they do not do to him is a just man. Adherence to these three principles insures the individual a happy social existence. The philosophy of Thomasius may thus be characterized as a hedonistic rationalism. Through the establishment of popular scientific journals Thomasius spread these ideas throughout Germany and to a lesser extent throughout Europe. In the religious field he also exerted a revitalizing influence in turning the unworldly Pietism of his friend A. H. Francke into a more practical and rational form of Christianity. Joyous, active and versatile, strong and full of life, Thomasius was a typical representative of the baroque period, free of all mediaeval conceptions. He was the most significant representative of the individualistic, bourgeois rationalism of the eighteenth century, the creator of the view of life of the enlightened German bourgeoisie and thus the leader of the German movement of Enlightenment.

ERIK WOLF

Chief works: *Institutiones jurisprudentiae divinae* (Halle 1688, 6th ed. 1717); *Kleine deutsche Schriften*, ed. by J. O. Opel (Halle a. d. S. 1894); *Fundamenta juris naturae et gentium* (Halle 1705, 4th ed. 1718). A complete list of Thomasius' works is found in "Christian Thomasius: Person und Werk in Schrift, Buch und Bild," ed. by Max Fleischmann in *Thüringisch-sächsische Zeitschrift für Geschichte und Kunst*, vol. xvii (1928) 167–98.

Consult: Luden, Heinrich, *Christian Thomasius* (Berlin 1805); Nicoladoni, A., *Christian Thomasius* (Berlin 1888); Wolf, Erik, *Grotius, Pufendorf, Thomasius*, Heidelberger Abhandlungen zur Philosophie und ihrer Geschichte, no. xi (Tübingen 1927) ch. iii; Stintzing, R. von, and Landsberg, E., *Geschichte der deutschen Rechtswissenschaft*, 3 vols. (Munich 1880–1910), especially vol. iii, pt. i, ch. iii; *Christian Thomasius, Leben und Lebenswerk*, ed. by Max Fleischmann, Beiträge zur Geschichte der Universität Halle-Wittenberg, no. ii (Halle 1931); Biedermann, K. F., *Deutschland im achtzehnten Jahrhundert*, 2 vols. (Leipsic 1854–80) vol. ii, pt. i, ch. vii; White, A. D., *Seven Great Statesmen* (New York 1910) p. 111–61.

THOMPSON, WILLIAM (1783–1833), Irish socialist and economist. Thompson was an Irish landowner who became a disciple first of Bentham and later of Robert Owen. His principal work, *An Inquiry into the Principles of the Distribution of Wealth Most Conducive to Human Happiness* (London 1824; new ed. by William Pare, 1850), illustrates the development of his thought from utilitarianism to Owenite socialism. In *Labor Rewarded* (London 1827) Thompson, setting out from the dogma that labor is the sole creator of value, developed the case for Owenite socialism on this basis in contrast to Thomas Hodgskin's semi-anarchist advocacy of non-capitalist individual production. *Practical Directions for the Speedy and Economical Establishment of Communities* (London 1830) was published when the rapid and large scale growth of Owenite cooperation and trade unionism was just beginning. Thompson was also a keen feminist, and his *An Appeal of One-Half the Human Race* (London 1825) is a powerful plea for sex equality. He was an active member of the London Cooperative Society and a frequent contributor to the *Co-operative Magazine* of 1830.

The *Principles of the Distribution of Wealth* is by far his most important book. In it he argues, against Bentham, that the removal of the toll levied on the worker by the property owner will not decrease but greatly increase the incentive to labor by adding to the laborer's reward. The wealth of a community, he contends, must be judged not by its total amount, but by its distribution so as to achieve the maximum of happiness; and this can be secured only by the adoption of the cooperative, or socialist, principle. Like the other anticapitalist economists of the early nineteenth century, Thompson regards capital as unproductive, in the sense that it can only transfer but cannot create value. The la-

borer must emancipate himself from capitalist exploitation by forming trade unions and cooperative societies, which will serve both as part protection against exploitation and as training grounds for corporate self-government, enabling him to advance to the further stage of replacing capitalism by self-governing communities collectively owning all the resources of production. Thompson like Hodgskin is thus an important forerunner of Marx in formulating the theory of surplus value and capitalist exploitation; and his book is easily the best of the early socialist writings in this field.

G. D. H. COLE

Consult: Beer, M., *History of British Socialism*, 2 vols. (London 1919–20) vol. i, p. 218–28; Foxwell, H. S., Introduction to translation of Menger, A., *Das Recht auf den vollen Arbeitsertrag in geschichtlicher Darstellung* (Stuttgart 1886), tr. by M. E. Tanner (London 1899) p. v–cxvi; Pare, William, Preface to his edition of *Principles of the Distribution of Wealth*, p. vii–xviii; Seligman, E. R. A., *Owen and the Christian Socialists* (Boston 1886); Lowenthal, E., *The Ricardian Socialists*, Columbia University, Studies in History, Economics and Public Law, no. 114 (New York 1911) ch. ii.

THONISSEN, JEAN JOSEPH (1816–91), Belgian jurist and statesman. Thonissen received the degree of doctor of law from the University of Liége in 1838 and took a postgraduate course at Paris. Subsequently he practised law in Hasselt and held various government positions. The publication of his *La constitution belge annotée* (Hasselt 1846, 3rd ed. Brussels 1879) and of the first volume of *Complément de code pénal* (3 vols., Hasselt 1846–52) led in 1848 to his appointment as professor of criminal law at the Catholic University of Louvain.

Thonissen became one of the most authoritative representatives in Belgium of the classical school of penal law, upholding the traditional conception of crime and punishment. Capital punishment he opposed not as illegitimate but as unnecessary, and the polemic launched by his *De la prétendue nécessité de la peine de mort* (Louvain 1862, 3rd ed. 1864) resulted in the virtual if not legal abolition of the death penalty in Belgium. Thonissen was the author of a number of juridical studies, many of which were published in the *Mémoires* of the Académie Royale de Belgique. His outstanding achievements were his studies in legal history, in which he set out to trace the evolution of penal law from antiquity to modern times. In this field he published *Études sur l'histoire du droit criminel des peuples anciens* (2 vols., Brussels 1869), *Le droit pénal de la république athénienne* (Brussels 1875) and *L'organisation judiciaire, le droit pénal et la procédure pénale de la loi salique* (Brussels 1882). These labors were interrupted, however, in 1884 when he resigned his chair at the university to become minister of the interior and of education in Beernaert's cabinet, a post which he held until 1887.

From 1863 Thonissen was a member of the Chamber of Representatives and was affiliated with the conservative Catholic party. During his political career he played a prominent part in the elaboration of many important laws, including the law on preventive detention, the law on competence in civil and commercial affairs, the law on liberation and conditional condemnation and the law of 1878, modifying the preliminary section of the Code of Penal Procedure. From 1874 to 1876 he was reporter of the new Code of Civil Procedure. In 1877 a commission was set up to prepare the reform of the Code of Penal Procedure and Thonissen was appointed its reporter. He submitted twenty-five extremely interesting reports on its debates, which were published as *Travaux préparatoires du Code de procédure pénale* (2 vols., Brussels 1885).

Thonissen was interested also in political and economic theory. *Le socialisme depuis l'antiquité, jusqu'à la constitution française du 14 janvier 1852* (2 vols., Louvain 1852), which combined two earlier works and was inspired by the events of 1848, revealed his antipathy to the theories of the socialists. It purported to be a history of socialistic ideas and movements, pointing out fallacies in doctrine and concluding that attempts to realize a communistic system brought devastation and anarchy. To offset socialist influence Thonissen demanded a program of social amelioration to be realized by the promotion of thrift, cooperation and professional training. Religious and moral education, he held, should be stressed in order that a revival of Christian morality and charity might be effected.

FERNAND COLLIN

Consult: Lamy, T. J., "Notice sur la vie et les travaux de Jean-Joseph Thonissen" in Académie Royale des Sciences, des Lettres et des Beaux-Arts de Belgique, *Annuaire*, vol. lviii (1892) 377–477; Terlinden, Charles, in Académie Royale des Sciences, des Lettres et des Beaux-Arts de Belgique, *Biographie nationale*, vol. xxv (1930–32) 113–19.

THOREAU, HENRY DAVID (1817–62), American philosopher. Thoreau when just out of Harvard came under the powerful sway of Emerson's mind and did his formative thinking as a

member of the Concord group of transcendentalists. Eventually, however, he liberated himself from Emerson's influence, and at no time was he taken in by the excesses of transcendentalism. Thoreau's criticism of American society sprang from the rebellion of the pioneer spirit against the crudity and materialism of the pioneer in an industrial age. He denounced the factory system because it meant the exploitation of others; he rejected the cult of success and the Puritan creed of persistent work because it meant the exploitation of oneself. His economics anticipated Ruskin's by defining the cost of a thing as the amount of life that has to be exchanged for it; his aesthetics anticipated William Morris' by declaring that no beauty can exist in commodities that does not flow from a creativeness in the lives of those who fashion them. He recounts in *Walden* (Boston 1854) his two-year experiment in living in a hut in the woods according to his own economy of wants and satisfactions. Finding that the economic system was making unreasonable demands on him, he entered upon a conscientious withdrawal of efficiency. Similarly he sabotaged the government by refusing to pay taxes, and he spent a night in the village jail as an exultant political prisoner. His essay "Resistance to Civil Government" (in *Aesthetic Papers*, ed. by E. P. Peabody, Boston 1849, ch. x; new ed. as *On the Duty of Civil Disobedience*, New Haven 1928), a sharp statement of the duty of resistance to governmental authority when it is unjustly exercised, has become the foundation of the Indian civil disobedience movement. Thoreau's three speeches on John Brown (1859–60) extol the insurrectionary attempt at Harper's Ferry and denounce the shortsighted coercion of the government that martyred him. As a social critic Thoreau was uncompromising: his thought was tighter than Emerson's, less optimistic, less given to the resolution of opposites. But his individualism may easily be overemphasized, just as his absorption with nature has been overemphasized. Both must be seen as part of a rebellion against the oversocialized New England town and against the factory system which saw nature only as so much raw material to be subdued to the uses of profit. He was not so limited as to believe that the individual could by his own action stem the heedless onrush of American life, but as a transcendentalist he believed that a sharp moral protest is ultimately irresistible. While he regarded individual development as the only aim of society and the individual's moral sense as the only test and ultimately the only safeguard of institutions, he did not envisage the individual as the necessary cadre of society. "To act collectively is according to the spirit of our institutions," he wrote in *Walden*, and he continued with a plea for the extension of the social services of the community. Nor did he reject altogether the machine as an instrument of production: his emphasis was rather on its cultural consequences in his own day. It was one of his characteristic paradoxes that the man who could solemnly call his fellow townsmen together to read them a protest against the imprisonment of John Brown or the return of a fugitive slave could also profess an unconcern with most of the burning political issues of the day and insist that his business was not to change the world but to solve the problem of living in it.

MAX LERNER

Works: *The Writings of Henry David Thoreau*, ed. by F. B. Sanborn and B. Torrey, 20 vols. (Boston 1906).

Consult: Allen, F. H., *A Bibliography of Henry David Thoreau* (Boston 1908); Sanborn, F. B., *The Life of Henry David Thoreau* (Boston 1917); Salt, H. S., *Life of Henry David Thoreau* (London 1896); Bazalgette, Léon, *Henry Thoreau, sauvage* (3rd ed. Paris 1924), tr. by Van Wyck Brooks (New York 1924); Atkinson, J. B., *Henry Thoreau, the Cosmic Yankee* (New York 1927); Van Doren, Mark, *Henry David Thoreau; a Critical Study* (Boston 1916); Foerster, Norman, *Nature in American Literature* (New York 1923) ch. iv; Keiser, Albert, *The Indian in American Literature* (New York 1933) ch. xv; Moore, J. B., "Thoreau Rejects Emerson" in *American Literature*, vol. iv (1932) 241–56; Mumford, Lewis, *The Golden Day* (New York 1926) p. 107–20; Canby, H. S., *Classic Americans* (New York 1931) ch. v; Christy, A. E., *The Orient in American Transcendentalism*, Columbia University, Studies in Comparative Literature (New York 1932) pt. iii; Parrington, V. L., *Main Currents in American Thought*, vol. ii (New York 1927) p. 400–13.

THOU, JACQUES AUGUSTE DE (Thuanus) (1553–1617), French historian and statesman. Under Henry III, de Thou became successively master of requests, chief justice and councilor of state and under Henry IV was particularly active in the sphere of ecclesiastical politics. His voluminous *Historiae sui temporis* (5 vols., Geneva 1604–09) was conceived as a universal history of his time, beginning with the year 1543; unfinished at his death, it was continued and annotated by N. Rigault and P. Dupuy (new ed. 5 vols., Geneva 1620; best known French translation by Abbé Prévost and others, 16 vols., London 1734; English translation by B. Wilson, 2 vols., London 1729). Rigault and Dupuy were possibly also the editors of the *Commentarium de vita sua* (tr. into French from Latin ms. by I. G. Le Petit, Rotterdam 1711;

republished in Michaud, J. F., and Ponjoulat, J. J. F., *Nouvelle collection des mémoires pour servir à l'histoire de France*, 1st ser., vol. xi, Paris 1836).

De Thou's history is important chiefly for the sections relating to France and has provided the foundation for the history of the religious wars of that country. Based upon a painstaking study of all the French and Italian historians, upon the reports of eye witnesses and upon the regular correspondence maintained by de Thou with authors in divers foreign countries, it reveals enormous erudition and few factual errors. The author's humanistic background is apparent in the oratorical style and in the manner in which he sometimes transmutes his documents into harangues worthy of the ancient forums. His great tolerance and remarkable impartiality in the treatment of religious questions won him the praise of d'Aubigné and the reputation of being pro-Huguenot; in reality his point of view was that of the *politiques*—of the royalists of the *parlements*—whose opportunistic principles he helped to establish as a member of the commission which prepared the Edict of Nantes and supervised its execution. Also obvious in the work is de Thou's adherence to extreme Gallicanism. As a statesman historian he may be compared with Guicciardini and Machiavelli, although his lack of a unifying philosophy and his assumption of divine determinism in history rendered him distinctly inferior to his Italian contemporaries. His work was highly esteemed by Bossuet.

HENRI HAUSER

Consult: Collinson, John, *The Life of Thuanus* (London 1807); Harrisse, Henry, *Le président de Thou et ses descendants* (Paris 1905); Fueter, E., *Geschichte der neueren Historiographie*, Handbuch der mittelalterlichen und neueren Geschichte, vol. i (Munich 1911).

THRANE, MARCUS MOELLER (1817–90), Norwegian-American labor leader. Thrane was the founder of the organized labor movement in Norway. An unemployed schoolmaster, he became a radical journalist in 1848 and in December of that year set out to form working men's associations, at first in the cities of Drammen and Christiania and subsequently in other cities and in country districts. In the course of a year and a half he was able to organize a national union with over 270 associations and more than 20,000 members, embracing poor peasants as well as factory workers and journeymen. Through travels in Germany and France and through wide reading Thrane had acquired a knowledge of European socialism; in his speeches he drew freely upon the works of Weitling and Cabet, and from Louis Blanc he took over the idea of industrial cooperatives under state auspices and with state aid. But the program he formulated for his organization did not limit itself to cooperation; it was intimately bound up with the social and political situation and needs of the Norwegian workers. The chief demands were universal suffrage and legislation in favor of independence for poor peasants. The program was discussed and pressed forward by national congresses called by Thrane in 1850 and 1851. But this daring enterprise, up to that date unexampled in the history of the country, induced the government to turn against the movement. Thrane and about two hundred of his closest associates were arrested and indicted for revolutionary propaganda and after four years of custody were at last convicted, Thrane being sentenced to another four years of imprisonment. During that time the movement dwindled away, and in 1863 Thrane emigrated to the United States. Most of the time he lived in Chicago, where he took an active part in establishing sections of the First International; from 1869 to 1884 he edited and published socialist magazines in Dano-Norwegian.

HALVDAN KOHT

Consult: Överland, O. A., *Thraniterbevaegelsen* (Christiania 1903); Koht, H., "Die 48er Arbeiterbewegung in Norwegen" in *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung*, vol. ii (1912) 237–74, and *Marcus Thrane* (Christiania 1917).

THRIFT. Although it originally connotes saving, the term thrift has a tendency both in technical economic and in popular discussions to become identified with economic rationality in general, with the "wise" and "efficient" use and disposal of all resources, time, labor and material things as well as money. In harmony, however, with its original connotation the emphasis tends to be put on the long as against the short run point of view. The thrifty person is he who resists the temptation to satisfy momentary whims, but husbands his resources for the satisfaction of his "true" needs and desires.

But the ultimate ends of concrete economic activities are never given on economic terms alone. Hence it is not surprising that there should be a variety of different interpretations of what thrift really means. For at the basis of every doctrine of what is economical and rational

must lie some view of the chief end of man. Two main tendencies may be distinguished. All doctrines of thrift go beyond the immediate interests of an "eat, drink, and be merry, for tomorrow we die" philosophy and most go beyond a rational distribution of the resources of an individual over his probable expectancy of life. But there is a whole class of doctrines which preach thrift as a means of attaining and maintaining, generally for a family over a period of generations, a standard of consumption that is fixed mainly in terms of non-economic considerations. Thrift being thought of as a means, there is inherent in this type of thought a limit to its practise—when the end is attained there is no further need for the means. In the modern world this type is perhaps best exemplified by the thrift of the French lower middle class; a significant index is retirement and cessation of earning when enough has been laid by.

The second type is characterized by the absence of such a limit. It elevates thrift into an end in itself, a virtue, good for its own sake. It then becomes an ethical obligation to devote one's whole power to the largest possible accumulation without any clear conception of what the means are to be used for. The pure type is relatively rare but none the less important. There is almost always some rationalization of why inordinate thrift should be practised, if only the assumption that the more wealth one has the better off one is. Perhaps the most important connecting link in the concrete shading off of the two attitudes is the role of wealth as a mark of social prestige, not merely in the Veblenian sense of conspicuous consumption but also through mere possession and accumulation: above all the objective not only of individual but of family social advancement over a series of generations. "Getting ahead in the world" is perhaps the most ubiquitous motive given for the practise of thrift.

A further classification of doctrines of thrift cutting across the others should be made. The primary connotation of the term lays its emphasis on the allocation of given resources. Just as the "means" concept of thrift noted above tends to be associated with a general traditionalism in standards of consumption, this type is associated with traditionalism in the means of earning a living and, more generally, of the productive processes as a whole. The principal problem of allocation of course is that of time, but the term thrift is often used to cover the avoidance of waste in general.

On the other hand, by something of a twist in the meaning the emphasis may be placed not on the thrifty use of given resources but rather on the continual increase of one's resources—on enterprise and initiative in earning and production. This interpretation occurs particularly when it appears desirable to retain the pleasant overtones of the term thrift and at the same time to avoid the connotation of niggardliness often connected with it. It is clear that this type along with the valuation of thrift as an end in itself is generally associated with a breaking through of traditionalism, often in both production and consumption. It is in fact an attitude very likely to appear with a weakening of the sentiment for unlimited thrift.

Historically attitudes toward thrift have varied greatly in different cultures and on the part of different classes within them. Hostility to thrift in almost any form tends to spring from two main sources: the *carpe diem* attitude and an attitude of indifference either to the good things of this world as such or to the thrifty ways of acquiring or safeguarding them. The attitude of *carpe diem* tends to become widespread above all in the well to do classes in relatively opulent and highly individualized and secularized periods. The Hellenistic age in Greece, the late republic and early empire in Rome, Renaissance Italy and eighteenth century France are examples. On a smaller scale and with less duration the same thing tends to happen in the reaction following a period of tense crisis, as in the "cocktail" era of the decade after the World War.

Of the attitude of indifference one of the main types is that arising from religious motives. The "take no thought for the morrow" of the Christian Gospels is primarily an expression of the sense of the utter unimportance of worldly things in comparison with the religious life. In more extreme forms this indifference may develop into active hostility with an ascetic prohibition of all worldly possessions, as in monasticism. The other type of indifference which does not affect worldly goods as such but thrift as a means to them is to be found above all in the attitude of aristocracies, which have almost universally looked down upon peaceful economic production and saving as beneath their dignity. The main exception in this group is that of commercial aristocracies. Above all a military aristocracy, which has booty as a source of acquisition, cannot but disdain the meanness of thrift. But even apart from resources obtained through war an aristocracy will almost always have a source of

income from the labor and thrift of others.

By far the most common form of thrift historically has been the means type, and it has very generally been associated with traditionalism in both production and consumption. It exemplifies the kind of economic rationalism Aristotle had in mind in his discussions of the "management of a household." It is not incompatible even with aristocratic ways of life so long as it is limited to the thrifty management of the estates of nobles or the properties of monarchs as well as of the small tradesman, the artisan or the peasant. The principle is very generally the same.

The valuation of unlimited thrift as a virtue for its own sake is far less common and has appeared on a large scale only in the modern western bourgeois class. It is one of the most important aspects of the peculiar cultural constellation which has produced modern industrialism. Before its crystallization into a system of more or less automatic social pressures it is difficult to account for it except as a product of the religious motivations of ascetic Protestantism, especially Calvinism. For from purely religious motives these movements enjoined a rational participation in the affairs of this world, including disinterested devotion to economic production as a calling, combined with great frugality in consumption as the only means of avoiding the cardinal sin of self-indulgence.

The influences affecting thrift may be divided into two great classes: those operating on people's motives relatively independently of external conditions, and the conditions themselves, relatively independently of specific motives. Pure rational calculation of advantage and hence the rate of interest as a factor can account for a certain amount of thrift—the tendency to adapt uneven income over a lifetime to the uneven needs of the individual. But the great bulk of thrift must be explained differently. Everything which transcends the lifetime and personal interests of a single individual must be motivated by ultimate values. The most potent force here is religion but, as has been pointed out, its influence is by no means simple. The only attitude which no major religion sanctions is the *carpe diem* type of thriftlessness. But aside from that, according to the specific character of the religious attitude involved, everything else is possible. Within the Christian tradition alone there is the indifference of the Gospels; the ascetic hostility of monasticism and the mendicant orders; the traditional means thrift of lay Catholicism, which is still typical of countries like France with a predominantly Catholic background; and, finally, the "worldly ascetic" sanction of unlimited accumulation in some branches of Protestantism.

We may call attention to three important conditions for the development of thrift. One is the extent to which the individual is identified with groups in which his own interest is merged with that of the larger whole, above all the family. In general a strongly integrated family organization will be favorable to thrift of the traditional means type. The Chinese, for instance, practise an extraordinary frugality. Breakdown of family solidarity and individualization, on the other hand, will tend to be unfavorable to thrift, unless other positive influences, like the Protestant worldly asceticism, are present to counteract it.

A second important influence is what may be called the "security of careers," the extent to which the individual may look forward with reasonable certainty to a settled course of the development of his life and may expect in the relatively distant future to enjoy the fruits of present thrift for himself and his family. Not only is this a matter of settled conditions but also of the existence of tangible uses for savings which are close to the interests and sentiments of the individual. The conditions of the modern industrial laboring class are highly unfavorable to thrift in this respect as compared to those of an owner-peasant class, a skilled independent artisan class or an independent small business class. Those of the early phases of economic individualism which had the combination of relatively settled conditions, wide diffusion and personal control and operation of productive property and a relatively open opportunity for substantial but gradual rise in social status were much more favorable than the later phases of large scale industry, a propertyless laboring class and concentration of industrial control.

Thirdly, in so far as the prestige of wealth is a powerful social force, it makes a great difference to thrift if the standard is primarily one of scale of consumption, the aspect which Veblen brought out, or one of the possession and control of wealth, as farms and factories. The latter type may favor thrift while the other favors extravagance. Recently there has been a shift from the latter to the former, which is largely explained by the increasing intangibility of the sources of income.

The classical economists of the early nineteenth century laid enormous emphasis on indi-

vidual thrift as the corner stone of the stability of laissez faire capitalism. In their invectives against the demoralizing poor law they failed to see that the very conditions which had made possible the freedom and mobility they prized so highly were also largely responsible for the thriftlessness they deplored. The gospel of thrift as preached by them and their successors was not sufficient to counteract the influence of these conditions. In fact the very vehemence with which the gospel has been preached may be regarded as an index of the failure of thrift to be a natural result of the social situation of recent times.

The modern economic order has created two important substitutes for individual thrift as a source of capital accumulation. One is the accumulation of corporate surpluses and their direct reinvestment in industry. The other is the operation of the banking mechanism to extend credit to business enterprise and through the resulting inflation, as it were, to tax the rest of the community. But it is highly questionable how far these mechanisms can take the place of individual thrift.

Individualistic ascetic Protestantism was one of the prime agencies in destroying the framework of solidarities which largely lay behind the practise of thrift of the means type. It supplied for a time a far more powerful motive of accumulation but one which rested on a highly precarious basis. Widespread secularization has already rendered it largely ineffective, while there seems to be little sign of a revival of the family and small property conditions which might restore the previous situation.

TALCOTT PARSONS

See: SAVING; ACCUMULATION; HOARDING; ACQUISITION; ABSTINENCE; FORTUNES, PRIVATE.

Consult: Johnson, Alvin, "Influences Affecting the Development of Thrift" in *Political Science Quarterly*, vol. xxii (1907) 224–44; Smiles, Samuel, *Thrift* (London 1875); American Academy of Political and Social Science, "The New American Thrift" in *Annals*, vol. lxxxvii (1920); Straus, S. W., *History of the Thrift Movement in America* (Philadelphia 1920); MacGregor, T. D., *The Book of Thrift* (New York 1915); Weber, Max, *Die protestantische Ethik und der Geist des Kapitalismus* (2nd ed. Tübingen 1922), tr. by T. Parsons (London 1930); Troeltsch, Ernst, *Die Soziallehren der christlichen Kirchen und Gruppen* (3rd ed. Tübingen 1923), tr. by Olive Wyon, 2 vols. (London 1931); Tawney, R. H., *Religion and the Rise of Capitalism* (London 1926); Veblen, Thorstein, *The Theory of the Leisure Class* (new ed. New York 1918); Sombart, Werner, *Der moderne Kapitalismus*, 3 vols. (new ed. Munich 1921–27). For a selected bibliography, see: Russell Sage Foundation, Library, *Thrift and Savings* (New York 1919).

THUCYDIDES (*c.* 460–*c.* 399 B.C.), Athenian historian. Thucydides' work marks an original and significant development in classical historiography. Herodotus, building upon foundations laid by Ionian logographers (story tellers), had established history as an independent branch of literature—an "inquiry" which, while it reflected the insatiable curiosity of the Greek enlightenment, still revealed close affiliations with poetry and theology. With Thucydides history lost the character of a prose poem, becoming the diligent and meticulous search for truth according to a rigorous formula. This involved, on the one hand, a fresh ideal of chronological exactitude and the critical investigation of fact, on the other, an explicit repudiation of the mythical as a valid hypothesis for interpretation. History thus ceased to be diffuse and episodic, and in default of natural explanations it no longer invoked metaphysical conceptions, such as nemesis or cyclical evolution. On the basis of relevant material facts the historian undertook a cautious reconstruction of the genesis and growth of Hellenic polity which culminated in Athenian imperialism as the background for a vivid and penetrating account of the Peloponnesian War.

In thus creating "scientific" historiography Thucydides reflected in general the influence of his birth and upbringing in Periclean Athens, the "school of Hellas." Specifically his inspiration depended upon Hippocratic positivism. This movement, which like Democritean science rejected transcendental causes, nevertheless asserted the priority of life to the atom, thus escaping the physical and ethical materialism of the atomists and suggesting a dynamic rather than a mechanical account of behavior in terms of organism and environment. From this standpoint Thucydides offered a prognosis of the conflict between Athens and Sparta and of the consequent disintegration of Greek society, characteristic of which is a constant use of the complementary *ergon* and *logos*, material fact and its reflection in thought. This permitted an illuminating psychological analysis of individuals and groups as they responded to various typical situations, especially in the conventional dialogues which (although excluded by modern standards of objectivity) facilitated interpretation. Particular events thus acquired universal significance, yielding those inductions upon

which depended the value of Thucydides' work as a "possession forever"; and history, no longer mere entertainment, revealed those general principles which appeared to govern human affairs. To this study authority was added by the circumstances of Thucydides' life: his kinship with the empire builders Miltiades and Cimon, his experience as eye witness and victim of the plague at Athens, his service as general and, above all, his twenty years' exile. This provided Thucydides with the opportunity of association with the members of the Peloponnesian League as well as leisure for study and composition.

C. N. COCHRANE

Works: Modern editions of the *Historiae* are by H. S. Jones, 2 vols. (Oxford 1902), and by C. Hude, 2 vols. (Oxford 1901); English translations by B. Jowett, 2 vols. (2nd ed. Oxford 1900), and by Richard Crawley, Everyman's Library (London 1910).

Consult: Gomperz, Theodor, *Griechische Denker*, 3 vols. (Leipsic 1896–1902), tr. by L. Magnus and G. G. Bury, 4 vols. (London 1901–12) vol. i, p. 502–19; Croiset, A. and M., *Histoire de la littérature grecque*, 5 vols. (Paris 1887–1928) vol. iv, ch. ii; Bury, J. B., *Ancient Greek Historians* (London 1909) ch. iii; Cornford, F. M., *Thucydides Mythistoricus* (London 1907); Grundy, G. B., *Thucydides, and the History of His Age* (London 1911); Cochrane, C. N., *Thucydides and the Science of History* (Oxford 1929).

THÜNEN, JOHANN HEINRICH VON (1783–1850), German economist. Thünen's fund of theoretical and practical knowledge in the field of agriculture was superior to that of any other economist of his time. An experienced farmer, he established a model of agrarian economy on his estate in Mecklenburg; an independent thinker, he steeped himself in contemporary scientific lore by studying under Albrecht Thaer and by absorbing the works of Adam Smith. His major publication, *Der isolierte Staat in Beziehung auf Landwirtschaft und Nationalökonomie* (3 vols., Hamburg and Rostock 1826–63; 3rd ed. by H. Schumacher, Berlin 1875), which at first attracted little attention, is today recognized as a fundamental and pioneering economic study concerning the location of agriculture.

Thünen sets out by assuming that a great city lies in the center of a fertile plain unwatered either by a navigable river or by a canal; the soil is uniformly good and arable; far from the city the plain ends in an impenetrable wilderness. Under such conditions the prices of the products at the point of consumption and the transportation costs from the point of production determine the territorial distribution of agricultural production, so that, as the distance from the market increases, the farmer will produce commodities which relative to their value involve ever lower transportation cost and will in general resort to increasingly extensive methods of production. Thus each consumption center will be encircled in a series of concentric belts in the following pattern: truck and dairy farming, forest economy, orchards, grains under crop rotation, three-field economy and, finally, cattle raising and hunting. Upon the same assumption ground rent can be viewed as a differential rent, resulting from the advantages of location. Thünen was aware, however, that differential rent also results from differences in soil quality. Nor did he overlook the existence of absolute rent, which he traced partly to the intensification of land cultivation with simultaneous decrease of wages and partly to the fact that capital put into well planned improvements yields an annual return in addition to the interest charges. Thünen was also the first to perceive and analyze the phenomenon of "negative rent," which arises whenever the yield derived from a plot of land does not cover the interest charges on the capital invested in the land and which because of its fixed form cannot readily be withdrawn and diverted to more remunerative channels.

Thünen's theory of location of agriculture not only has general theoretical validity but is capable of verification in reference to past as well as present development. Historically the development sketched in the isolated state corresponds to actual agricultural development within particular countries. In modern times the general acceleration of transportation methods and the sharp decrease in transportation charges, on the one hand, and the growth of large centers of consumption, on the other, have given a most complex cast to the simple picture of Thünen's concentric belts. But regardless of whether the grain belt closely encircles a metropolis or includes all Europe or extends as far as America from European industrial centers, the connection pointed out by Thünen between distance from the market, transportation charges and the locus of production must remain valid so long as agriculture continues to produce for the market instead of for its own use.

In the second part of his work Thünen studies the problem of natural wages and their relation to the rate of interest and to rent. The solution he offers in the formula $\sqrt{a.p}$, wherein a represents the value of the commodities necessary

for the maintenance of the worker and p the value of his product, was shown as erroneous by Knapp, Brentano, Knies and others. Nevertheless, Thünen must be credited with having recognized at an early date that "the source of the evil is in the separation of the worker from his product" and that the way of defending or glorifying existing wages gives no solution of the social or even of the economic problem. At variance with the optimism of the classical school, he held that social measures, such as profit sharing, must be utilized to transform existing conditions into those which he regarded as "natural," or just.

EDGAR SALIN

Consult: Schumacher, H., *Johann Heinrich von Thünen: ein Forscherleben* (2nd ed. Rostock 1883), with full bibliography of von Thünen's works; Helferich, J. A. R. von, "Johann Heinrich von Thünen und sein Gesetz über die Theilung des Produkts unter die Arbeiter und Kapitalisten" in *Zeitschrift für die gesamte Staatswissenschaft*, vol. viii (1852) 393–433; Knapp, G. F., *Zur Prüfung der Untersuchungen Thünens über Lohn und Zinsfuss im isolirten Staate* (Brunswick 1865); Brentano, Lujo, *Über J. H. von Thünens naturgemässen Lohn und Zinsfuss im isolirten Staate* (Göttingen 1867); Moore, H. L., "Von Thünen's Theory of Natural Wages" in *Quarterly Journal of Economics*, vol. ix (1894–95) 291–304 and 388–408; Knies, Karl, *Geld und Credit*, 2 vols. (Berlin 1873–79) vol. ii, pt. ii, p. 125–31; Ehrenberg, Richard, "Thünens erste wirtschaftswissenschaftliche Studien" in *Archiv für exakte Wirtschaftsforschung*, vol. i (1905–06) 97–132; Salin, E., "Der isolierte Staat, 1826–1926" in *Zeitschrift für die gesamte Staatswissenschaft*, vol. lxxxi (1926) 410–31; Taylor, S., *Profit-Sharing between Capital and Labour* (London 1884) p. 88–91; Clark, J. B., *The Distribution of Wealth* (New York 1899) p. 321–24.

TIELE, CORNELIS PETRUS (1830–1902), Dutch historian of religions. Tiele was educated at the Remonstrants' Seminary at Amsterdam and became a pastor and later professor in the same institution, which was moved to Leyden in 1873. In 1877 a chair in the history of religion, later including also the philosophy of religion, was established for him at the University of Leyden, where he passed the remainder of his life. Among his contemporaries Tiele acquired an international reputation as the foremost authority on comparative religion. He probably exerted more influence in England, where he lectured several times, than has any other foreign student of this subject.

With Max Müller and Albert Reville, both personal friends of his, Tiele was the founder of the modern school of the history of religions. Before his time practically all students of comparative religion approached the subject with a pronounced a priori philosophical bias and without any conception of the organic and hence historical nature of religion. Except in the case of the Old Testament, where others preceded him, Tiele was the first to apply the evolutionary method to the study of the ancient oriental religious sources. He emphasized also the fundamental importance of basing all research in comparative religion on the original sources. It is true that he was himself a linguistic autodidact, and although he had mastered the most important ancient languages, including Sanskrit, Avestan and Assyrian, he lacked the necessary training to handle sources with the skill shown, for instance, by Eduard Meyer. On the other hand, he distinguished himself by sound judgment and moderation. A certain philosophical weakness prevented him from making innovations in the philosophy of religion; nor was he in full sympathy with the new anthropological school of Tylor and Robertson Smith, although he utilized results of their researches.

W. F. ALBRIGHT

Important works: *De godsdienst van Zarathustra* (Haarlem 1864); *Vergelijkende geschiedenis der egyptische en mesopotamische godsdiensten* (Amsterdam 1869–72), tr. by J. Ballingal (London 1882); *Geschiedenis van den godsdienst tot aan de heerschappij der wereldgodsdiensten* (Amsterdam 1876), tr. by J. E. Carpenter (7th ed. London 1905); *Babylonisch-assyrische Geschichte* (Gotha 1886–88); *Geschiedenis van den godsdienst in de oudheid tot op Alexander den Groote* (Amsterdam 1893–1902); *Elements of the Science of Religion*, 2 vols. (Edinburgh 1897–99), published simultaneously in Dutch and English.

Consult: Chantepie de la Saussaye, P. D., in Koninklijke Akademie van Wetenschappen, Amsterdam, *Jaarboek* (1902) 125–54; Ridder, J. H. de, in *Mannen en vrouwen van beteekenis in onze dagen*, vol. xxxi (Haarlem 1900) p. 358–64; Jordan, L. H., in *Biblical World*, vol. xxi (1903) 32–37, 124–28; Jastrow, Morris, Jr., in *Independent*, vol. liv (1902) 510–12.

TILAK, BAL GANGADHAR (1856–1920), Indian nationalist, educator and journalist. A Chitpavan Brahman, Tilak graduated from Deccan College in 1876 and subsequently studied law. He took a leading part in founding national secondary schools under Indian direction and helped to establish Fergusson College, where he taught jurisprudence until 1890. In 1880 he had begun publication of two weeklies, *Kesari* in Marathi and *Mahratta* in English. Ten years later he became editor in chief and owner of these organs, which served as his instruments in arousing India to a fierce and semireligious nationalism and in fostering and protecting

orthodox Hindu customs against western influences.

In 1890 Tilak entered the arena of all Indian politics, opposing the Age of Consent Bill, which sought to restrict child marriages. By 1905, the first period of Indian unrest, he had emerged as the great leader of the new nationalism, which revolted against the westernized liberal movement of the second half of the nineteenth century to which the founders of the Indian National Congress had adhered. Tilak brought to the youth of India, previously educated in the tenets of social reform and western enlightenment, a new and more militant gospel. India's first task, he held, was to secure national freedom and to renew the people's faith in their own great past. From the admiration of alien ways they must turn to a deeper understanding of their own history, ancient wisdom and traditions; for only from these could reform, if it was necessary, evolve as a gradual process in organic growth. Isolated social reforms Tilak regarded as superficial panaceas. Under his guidance the younger generation enthusiastically and romantically turned to India's past for inspiration. This revaluation of standards led to a rapprochement of the educated intelligentsia with the orthodox masses, whom Tilak succeeded in drawing into the orbit of the nationalist movement and in whom he tried to instil a spirit of independence and resistance. He glorified and attempted to revive the martial past by instituting Sivaji festivals and gymnastic clubs. Himself an intellectual rather than an emotional type, Tilak reached the masses by his exemplary personal life, by his orthodoxy and by the popular symbolism of the Sivaji cult. Released in 1914 after six years' imprisonment, he organized the home rule group, whose principles triumphed in the national congress of 1916. Not only was he the father of popular Indian nationalism but he also taught the movement the technique of agitation. In a certain sense Gandhi continued what Tilak had begun.

Tilak was a notable scholar. *The Orion; or, Researches into the Antiquity of the Vedas* (Bombay 1893) and *The Arctic Home in the Vedas* (Poona 1903) present his theory of the origin of the Indian Aryans.

HANS KOHN

Works: *Bal Gangadhar Tilak; His Writings and Speeches* (Madras 1922), with an appreciation by Babu Aurobindo Ghose.

Consult: Athalye, D. V., *The Life of Lokamanya Tilak* (Poona 1921); Kohn, Hans, *Geschichte der nationalen Bewegung im Orient* (Berlin 1928), tr. by M. M. Green (London 1929) p. 372–84, 396–98; Garratt, G. T., *An Indian Commentary* (rev. ed. London 1930) p. 126–39; Chirol, Valentine, *Indian Unrest* (London 1910) p. 40–57; Radhakristinan, S., in *Eminent Orientalists* (Madras 1922) p. 327–34.

TIME SERIES. A time series is a number of quantitative measurements arranged in chronological sequence. Such series may be distinguished by the object of measurement, by the time unit employed in the sequence and by the way in which the period covered is delimited.

Since time is a most general frame of reference, measurements of all types may be presented as time series, with specific designation of space and period covered. But it is the basic aim of science to establish such relations among measurable phenomena as would hold over a wide area of time and space. The first step in this direction lies in experimental control of the measurable phenomena which makes it unnecessary for observations to be identified by historical dates. Thus, for example, when gaseous pressure is measured, the fact that the measurement is taken on February 13, 14, 15, . . . successively ceases to be of importance, provided that the experiment has been so controlled as to make it possible to ascertain the timing of the factors conditioning the observations. In the resulting measurements the chronological sequence is preserved; and thus the array of figures still constitutes a time series. But instead of a historical, or uncontrolled, time series it becomes a controlled one, the sequence being in time units elapsed from the moment when the conditioning factors began to operate. In the next step of scientific analysis the chronological sequence itself is likely to be eliminated. With increasing control over factors conditioning his observations the scientist is able to express the variations in the measurements as a function of some independent variable (of which time may be one). Thereby a series which originally described an event confined to specific time and place is transformed into an instance of a broadly valid relation binding two or more variables.

In the natural sciences, thanks to possibilities of experimental control, this translation of the raw material of experience into generally valid relations has gone much further than in the social sciences. With regard to the establishment of widely valid relations among factors time series play the same role in both groups of scientific disciplines. But the possibilities of ex-

perimental control of social phenomena are extremely limited. It is therefore much more difficult to pass from a historical to a controlled sequence. And while time series analysis is essentially a body of methods of interpreting a historical series as a congeries of changes, each due primarily to a specific group of factors—so that it is presented as a controlled sequence—the resulting generalizations are never so inclusive as to free the investigator from reference to limited historical periods and spatial areas or to relieve him of the obligation of describing fully the basic raw materials, i.e. the historical time series. Moreover there is marked human interest in time sequences relating to social phenomena. Man has a much keener interest in the history of his own kind than in that of other parts of the universe with which he does not identify himself. Historical time series have therefore remained and are likely to remain of greater immediate importance in the social than in the natural sciences. And so long as the social phenomena elude experimental control, analysis of historical time series with a view to establishing general relations will offer problems and necessitate tools significantly different from those relevant to sciences which can control the observed phenomena.

Of the vast number of time series available to the social scientist a considerable portion represent the by-product of administrative activity rather than measurements undertaken to gauge a precisely defined phenomenon; and many others may be deficient because of the vast extent of the area covered and lack of control over the phenomena observed. Consequently the first task in analyzing any time series, especially one covering a long historical period, is to ascertain what precisely has been measured. Faced with a row of figures labeled "pig iron production in the United States, 1890–1925," an analyst would do well to ascertain what exactly was meant by "production"; how complete was the coverage of the series as compared with the country wide total; how much of a bias there may have been in the reporting; and how great were the qualitative changes in pig iron. With these questions answered, the series may be evaluated as a description of the institutional category which it purports to measure. But the significance of the measurement from the point of view of analytical categories still remains ambiguous. This ambiguity can be dispelled only after the series has been interpreted as the product of a certain segregable group of factors, i.e. when it has been presented as a controlled sequence.

The numerous tools of statistical analysis used in interpreting historical time series fall into two large groups: one dealing with the spatial aspects of the series, the other dealing with their temporal aspects. Both groups of methods may be used separately or jointly in the transformation of the historical series preparatory to its final translation into a functional relation, invariant over wide stretches of time and space.

Spatial analysis of time series is needed in so far as the area of reference of the historical records may not correspond to the functionally defined object of measurement. For instance, in order to establish the generalization sought for, the investigator may have to deal not with pig iron production but with the output of all producers' goods; or he may find it necessary to segregate merchant pig iron production. Two statistical problems may thus be involved: the combination of several time series into a more inclusive aggregate by the use of index numbers (*q.v.*); and the analysis of a single series into constituent parts, each associated with different independent variables, by means of correlation (*q.v.*).

The treatment of historical series in their temporal aspect may best be understood in the light of three assumptions: first, that each historical time series reflects, throughout the period covered, the combined effects of a number of factors; second, that these factors may be segregated into significantly different groups, identifiable on the basis of available knowledge and distinguishable by the pattern of changes which they produce; third, that while the various groups of forces which account for the different patterns of temporal changes are interrelated, the decomposition of historical series into these patterns is important for the study of the various groups of forces and their interrelations and is preparatory to the establishment of generally valid relations in the sphere of social phenomena. The first assumption is self-evident. The second and third will be expounded below in terms of time series analysis current in the social sciences.

The obvious grouping of temporal changes is one which distinguishes lasting from transient changes. This distinction appears in the most rudimentary attempts at time series analysis. When the object of interest is the "broad picture" of a protracted period, say a century, the natural tendency is to convert an annual series

into a decennial series and then to simplify the picture still further by rounding out the decennial averages. These crude transformations of the time and quantity units will cancel any changes confined within a period of ten years and remove a small part even of the decennial changes.

A more precise formulation of these two groups of movements in time would distinguish cumulative, irreversible changes on the one hand and cancelable, reversible changes on the other. The cumulative, irreversible changes are designated secular movements or trends. The cancelable, reversible changes are represented by cyclical movements of various types, distinguished by the period and regularity of the swing: cyclical fluctuations of two to fifteen years in length; seasonal variations of an annual period; and what may be called cycles of highly irregular and on the whole brief duration, the residual changes. The main problem of analysis in connection with these various types of temporal change is so to define them as to ground them firmly in the already existing knowledge of social phenomena; and to discover a mathematical expression for them which would provide a basis for the statistical procedure of describing the particular group of changes present in any given historical time series.

There is a certain group of social forces which produce changes cumulating over a long period. The growth of a nation's population, the increase in its fixed capital, the accumulation of its skill in technical arts, all these are expressions of forces whose effects cumulate over a period exceeding one or two generations. The changes thus produced are irreversible in direction; or, in mathematical language, they are movements whose first differences do not change in sign. Such a description of this basic attribute is, however, too restrictive. In the course of a very long period of time the factors accounting for secular movements are bound to produce a change in the direction of the cumulation: population and wealth cannot grow indefinitely. The statistical investigator may therefore relax the definition and apply the irreversibility of secular movements to the first differences rather than to the original line (thus making the second differences constant in sign). A further loosening of the definition, with a consequent increase in the number of turning points in the line of secular movements, does not appear advisable. For a short period this will tend to confuse secular and cyclical changes; and for a long period the presence of many turning points will raise the general question as to the homogeneity of the secular forces at play.

Taken by itself the criterion of irreversibility does not provide a firm basis for the quantitative description of secular movements. It does not enable the analyst to distinguish short breaks in the influence of secular factors, which might appear as undulations that still leave the second differences constant in sign, from cyclical changes. Therefore the criterion of smoothness is added. Smoothness may be attained by minimizing the sum of the squares of the differences, the restrictiveness of this condition being the greater the lower the order of the differences considered. The prevalent practise of measuring smoothness by the sum of the squares of third differences renders the second degree potential series an ideal limit; a higher order of differences would permit the line of secular movements to undulate rather markedly. In this form, however, the condition of smoothness is too rigid; in practise departures from the rule become necessary. Thus the sum of the squares of the third differences is minimized, but only as one of the criteria of the choice of the line. Also a break in the smoothness of the line may be allowed if the investigator recognizes the existence of significantly different periods with substantial changes from one to the other in the congeries of secular factors. Finally, there may be a definite reluctance on the part of the investigator to present the description of secular movements as continuous beyond each segregable cyclical period; in that case the trend is described by a zigzag line.

Although cumulative changes are defined for purposes of statistical description by rigid mathematical attributes, a choice still remains among a number of available descriptive procedures. The choice is facilitated by the assumption of further qualifications which refer either to the nature of the changes produced by secular factors or to the character of the cyclical swings of various duration. As a result two broad groups of methods of describing secular movements may be distinguished: the restrictive methods, based on assumptions concerning secular movements themselves—mathematical curve fitting, first differences, the use of one time series as the line of secular trend of another series; and the inclusive methods, based upon assumptions concerning cyclical oscillations—all empirical types of moving averages. The only other method

frequently employed, that of free hand description, rests upon vague assumptions concerning some characteristics of both secular and cyclical elements.

Obviously the inclusive and the restrictive approaches to secular change will result in different descriptions, of which that based upon the restrictive definition may be regarded as a component of the congeries of movements covered by the wider definition. If the use of the two types of definitions is prompted by formal considerations only, the components resulting from restrictive definitions will represent merely approximations toward a more complete description. But if this procedure is suggested by a distinction between forces determining the various parts of the total secular change, the segregation of the two constituents of secular movements becomes important. Thus in a recent study on *Secular Movements in Production and Prices* (by Simon Kuznets, Boston 1930) an attempt was made to show that primary secular changes, whose description was based on restrictive assumptions concerning the nature of production trends, in various industries and various countries during the nineteenth and twentieth centuries had distinct features in common; and that secondary secular movements, i.e. that part of the total secular movement which was not described in the primary secular changes, were largely associated with secondary secular movements in prices.

In the case of cyclical fluctuations appreciably over one year in duration there is little difficulty in suggesting forces to which they may be attributed. Fluctuations in rainfall and crop yields, the unequal distribution of wealth and income with resultant oversaving and underconsumption, the complex relations between producers' and consumers' goods, the general element of uncertainty in the economic system and the resulting tendency on the part of the business community to alternations of pessimism and optimism, the peculiarity of the monetary and banking mechanism, each and all may be suggested as factors at play. None of these theories, however, yields a definition precise enough for purposes of quantitative description. They take the cyclical phenomenon for granted, its definition, if there is one, being implicit in the explanation itself. Such an implicit definition is never exact, even in hypotheses which trace cycles in social phenomena to periodic fluctuations in natural phenomena; for the connection between the resulting and the generating cycles is never so simple as to enable the investigator to endow the former with the rigid attributes of the latter.

The attributes of cyclical fluctuations as defined in time series analysis are as follows: reversible character of the movements; rough recurrence, within the broad limits of two to fifteen years, of the reversal in movement; rough equivalence, in respect of magnitude of the change, of the rising and declining phases of the movement. The first attribute is the basic distinction discussed above between secular movements and all types of cyclical oscillation. The second serves to distinguish cyclical fluctuations proper from seasonal variations and secular movements (in so far as a reversal in movement may occur in the latter). The last attribute, which relates to groups of several cycles rather than to each cyclical swing, serves to prevent a confusion of single phases of cyclical swings with short, irregular changes. Because the attributes cannot be defined more precisely, the segregation of cyclical fluctuations from irregular oscillations is not yet assured. If, for instance, it could be assumed that there is a strict recurrence of reversal in movement every four or five years, this attribute in itself would be sufficient to distinguish cyclical from irregular oscillations. At present the separation of cyclical and irregular changes can be made only by adding to the three specifically cyclical attributes a fourth—smoothness—which in this instance serves the same purpose as in the description of secular movements.

Here too the various descriptive procedures fall into two groups, according to whether they use a restrictive or an inclusive definition. In general restrictive definitions are employed not to describe exhaustively the specific cyclical swings in their historical occurrence but rather to decompose them into elements of possible importance from the analytical viewpoint. The additional qualifications of a restrictive definition are usually the strict periodicity of recurrence and the strict equivalence of phases of rise and decline. As a result cyclical fluctuations are represented, with the help of Fourier and periodogram analysis, as periodic symmetrical swings. Since historical time series do not exhibit a rigid recurrence of the cyclical swings, the latter can rarely be described by a single periodic series; they have to be presented as a compound of several periodic swings varying in period and in phase. Another type of restrictive definition is that involved in W. C. Mitchell's method of

studying the behavior of historical series within the dates of rise and fall shown by a country's business system in general.

An inclusive description of cyclical fluctuations cannot be achieved easily without recourse to empirical smoothing. This is usually applied to the deviations of the historical series from the line of secular movements and has for its purpose the elimination of seasonal variations (unless these have already been eliminated through a separate description) and of shorter, irregular disturbances. Such empirical smoothing can employ no hard and fast criteria, unless these are provided by the demarcation of specific cyclical swings in the original series and the selection of a moving average whose weight diagram assures a smooth line closely fitting the cycles as marked off. This procedure, however, does not dispense with arbitrary elements, which are involved in ascertaining the specific cycles in the original series. Moreover the demarcation of specific cycles makes possible the use of another method of isolating cyclical from irregular changes, that of averaging the various attributes of the cyclical fluctuations (duration, amplitude, relationship of phases) and thereby canceling the irregular changes; but in following this procedure the investigator runs into the difficulty of attempting to abstract at the same time from the irregularities of the cyclical element itself.

It is curious that the technique of time series analysis, as it developed in the past, laid little emphasis on the precise description of cyclical fluctuations as distinct from the irregular elements. This is due partly to the fact that the definition of cyclical fluctuations is formally much less precise than that of the other elements; and partly to the reluctance so to delimit the description of cyclical fluctuations as to eliminate any element of change, unless it is definitely proved that this element is distinctly different from the cyclical fluctuations. Thus in the past secular and seasonal changes were described precisely in order that they might be eliminated from the original time series, leaving the measurable quesita, that is, the cyclical swings, corrected only to the extent justified by the recognition of the separate groups of factors in operation. The present tendency, however, is toward a more direct study of cyclical fluctuations and their separation from the irregular disturbances of short duration. Moreover there is a definite prospect that cyclical fluctuations themselves may be broken down into several types. One obvious conclusion of a precise description of cyclical swings is that their period and amplitude are distinct for different types of phenomena. In social phenomena at large a distinction between major cycles of over seven years and minor cycles averaging about four years seems to suggest itself. A grouping of cycle types associated with different types of secular movements is also indicated, especially in the field of prices. The extension of periodogram analysis, at present hampered by lack of reliable historical time series covering long periods, is likely to result in a segregation of characteristic cycle types for different historical epochs. Another development of considerable promise is the hypothesis that cyclical fluctuations are the product of cumulation of random changes in time. The practical application of this hypothesis might lead to the interpretation of various types of cyclical fluctuations as reflecting cumulative processes of varying periods and patterns of cumulation.

Seasonal variations are fluctuations recurrent within each calendar year. This is their distinguishing feature, although refinement of statistical procedure has suggested a relaxation of the rigidity of this attribute. Thus with the establishment of moving seasonal variations gradual shifts in pattern and amplitude of these annually recurrent cycles have been allowed; and as short term shifts in seasonal amplitude (departure of the seasonal swing from the annual average) are recognized, the element of recurrence may be confined to the pattern only (the relative standing at calendar units in the seasonal swing).

That seasonal variations can scarcely be defined as strictly recurrent swings follows also from a consideration of the factors making for seasonality in social phenomena. The essential generating factor, the succession of weather and growth (in plants and animals) seasons, is not strictly repetitive from year to year and may manifest some movements during the period under analysis. More important is the fact that seasonal variations in social phenomena reflect the adaptation of social processes to both natural and conventional seasonal factors; and the mechanism of this adaptation may undergo rapid, if gradual, transformation because of the changing technical proficiency of the social system. Another source of possible changes in seasonality occurs in the case of historical time series whose constituent parts respond differ-

ently to the influence of seasonal factors (for example, a series of total volume of transportation or of foreign trade); in such series the shift in the relative magnitudes of the components will result in changes of both the pattern and the amplitude of the seasonal swing.

The first task of the investigator, faced at the outset with a presumptive lack of constancy in seasonal swings, is to attempt an approximate isolation of the seasonal element in order to ascertain whether or not it is variable and perhaps to compute a constant seasonal index for each comparatively short period. This preliminary treatment, which consists in removing the non-seasonal element to the greatest possible extent, is usually accomplished by one of two methods. First is the substitution of relative first differences (link relatives) for the original series; this procedure eliminates a considerable part of the secular movement and some part of cyclical fluctuations, especially if the latter are marked by plateaus, but it also removes some part of the seasonal element and may tend to accentuate the short time residual disturbances. A second method is the transformation of the original series into arithmetic or logarithmic deviations from a moving average in which the weights of each of successive twelve months are equal. The average used may be a simple twelve-month moving average, the combination of two twelve-month averages taken a month apart or any other combination satisfying the above condition. This procedure eliminates almost all of the secular movement and a great part of the cyclical fluctuations and leaves intact the seasonal element and the irregular, brief changes.

The second stage in the measurement of seasonal variations is the search for the central values. Here the number of methods is determined by the variety of available averaging procedures: in the case of constant seasonal swings the choice lies between the arithmetic mean, geometric mean, median, modified median and the like; in the case of moving seasonal variations the secular movements in seasonality are described either by a mathematical function or by an empirical smooth line. The grounds for choosing a specific procedure, aside from practical considerations of time and liability to mechanical errors, are the same as those obtaining in the averaging of variables or in the description of secular movements.

In so far as the non-seasonal elements are not completely eliminated in the preliminary stage and in the averaging, a third stage becomes necessary: the correction of the results obtained in the second stage for the remaining non-seasonal elements, usually the secular element. This is often accomplished by proceeding on the assumption that the secular element remaining in the seasonal averages can be represented by a straight line on a logarithmic or arithmetic scale.

A consideration of factors making for seasonality in social phenomena leads to the conclusion that there may be year to year variations in the seasonal element, which will be most marked in seasonal amplitude. For the extent to which social processes are allowed to reflect seasonal factors may vary with the cost of adaptation or resistance. A producer facing a seasonal demand for his output may prefer to run his plant at an even rate and store his products to supply the demand in the peak season, or he may choose to vary his production schedule and avoid accumulation of stock. The factors determining such decisions tend to move with the business cycle; the cyclical fluctuation in business conditions will therefore tend to produce changes in seasonal amplitude and to some extent in seasonal pattern of those series in which the adaptation is controllable by the human agent. These year to year variations can be measured by comparison of the seasonal change in each single year with the constant seasonal index characterizing the period as a whole; change in seasonal amplitude is measured by the coefficient of regression and change in seasonal pattern by the coefficient of correlation.

This brief summary of the numerous procedures for describing seasonal variations is significant also as an epitome of the methods that might have been used in the study of what are now called cyclical fluctuations, if they could be defined by an attribute of recurrence within a rigidly fixed time unit.

The residual changes in time series are, as their very name indicates, the most ambiguously defined element. They reflect any inadequacies which have found their way into the description of the positively defined constituents of a time series (secular movements, cyclical fluctuations and seasonal variations); and they comprise those irregular fluctuations which no definition could classify under the three types of movements listed above.

It is in regard to this second element of the residual changes that an interesting question arises. Obviously neither secular, cyclical nor seasonal changes can be interpreted as random

variations spread out in time, for significant correlation exists between the successive values in each of these three types of change. But is the analogy of dice throws or random drawings from an urn applicable to those short, irregular oscillations in time series which remain after a most complete description and elimination of the changes that are classifiable as secular, cyclical and seasonal?

In the absence of any knowledge as to the nature of forces which make for these "pure," irregular oscillations this analogy might have been plausible; although even then it would be treated as only one of many models or analogies potentially helpful in interpreting these irregular changes. But in series dealing with economic behavior some tentative knowledge of the forces at play is often available. Strikes, changes in the law, elections, technical and fashion innovations, all may be identified as responsible for some specific, irregular disturbances. There is little justification for discarding such knowledge by burying these specific irregular changes in the anonymity of a frequency distribution. Moreover in some economic phenomena, especially speculation, there is the suggestion of a negative correlation between the successive items of the residual changes, the departure upward tending to provoke a definite opposite reaction as the human agents come to realize the highly transient character of the change. Whatever the theoretical objections, practical considerations render it dangerous to treat residual changes as random in character and to apply to them statistical devices originating in the analysis of random universes. It is difficult to attain an exhaustive description and elimination of secular, cyclical and seasonal changes; and since the knowledge of significantly different components of time series changes rapidly, there is seldom the assurance that residual changes do not contain some non-random pattern of temporal change. Residual changes are best considered as an ambiguous combination of the remaining particles of secular, cyclical and seasonal elements with some "purely" irregular fluctuations; although the forces determining the latter cannot be identified, in economic series these fluctuations appear significantly different from elements entering into random frequency distributions.

Time series analysis is essential as a tool in the establishment of generally valid relations between controllable factors and in practical attempts to overcome difficulties raised by intractability of nature. These aims are served in a direct and significant fashion if the segregation of the various types of temporal change is associated with the separation of the various groups of factors.

In so far as description of secular movements, cyclical fluctuations and seasonal variations implies an isolation of significantly different groups of factors at play, the procedure may be compared with that of a scientific experiment in which a group of factors is segregated with resulting control over the measurements. There can be little doubt that such experimental isolation of various groups of factors occurs in time series analysis. This does not mean that the control so exercised is as efficient as that in the natural science experiment or that the prospects of arriving at generally valid relations are encouraging. Such relations of universal validity may never be established, but the aim should be kept in mind in order to emphasize the inconclusive character of the procedures involved in time series analysis. The latter is important only for the bricks which it makes available for the more inclusive structure of the generalized knowledge of social phenomena. A single line of secular movements, a single index of seasonal variations, a description of cyclical fluctuations in one time series, these are of no general significance. Nor does the computation of many trend lines, seasonal indices and cyclical curves permit the formulation of generally valid relationships unless the purely statistical generalization has been buttressed by knowledge of social phenomena derived from other sources and hence expressed in a form in which the factors conditioning the relation are clearly delimited.

In view of these considerations some of the tendencies discernible in present day time series analysis must be regarded as unsound. Increasing refinement of statistical technique and accumulation of data available for application of this technique foster the inclination to segregate types of change not clearly reducible to any otherwise identifiable groups of forces and to accept the mere decomposition of time series into arbitrarily defined constituent parts as highly illuminating. Related to this tendency and reenforcing it is the unwarranted imputation of inferential possibilities to statistical concepts borrowed from frequency distribution theory, particularly in interpreting trend lines fitted by the method of least squares and in testing the goodness of description by probable error meas-

ures in general. Such inferences rooted in probability theory are rarely warranted when applied to measures involved in time series analysis; the probability technique is applicable only after time series analysis is completed. A third tendency, which must likewise meet with disapproval, is that of concentrating on one group of changes and treating the others as disturbing factors to be described, eliminated and forgotten. It is a matter of common sense observation that the forces determining secular movements, segregable though they may be from those influencing cyclical fluctuations, condition the latter; the same is true of the relation between cyclical fluctuations and seasonal variations. A proper analysis of time series should take cognizance of the correlation that may exist between the specific characteristics of each of the changes as they manifest themselves in the historical time series.

Time series analysis is of great practical value in a society sensitive to changes and attempting to eliminate some of them or to counteract their most undesirable effects. A measure of duration and amplitude of the various types of movements is a necessary prerequisite to any planned endeavor to iron out some of the disturbances which these movements represent. For unemployment insurance, for public works, for the regulation of the banking and credit system, for the control of foreign trade, the measurement of stresses and strains provided by intelligent analysis of significant time series forms the only basis of practical planning and action. Here too the value of the analysis will be correspondingly greater, the less the analyst confines himself to the formal, quantitative results of his description; the more closely his analysis is bound up with a complete recognition of the institutional framework of which the historical time series is a reflection; and the more intensively it utilizes the available knowledge of general relations of social factors.

SIMON KUZNETS

See: STATISTICS; BUSINESS CYCLES; CURVE FITTING; CORRELATION; INDEX NUMBERS.

Consult: Mitchell, Wesley C., *Business Cycles; the Problem and Its Setting*, National Bureau of Economic Research, Publications, no. 10 (New York 1927) p. 199–354; Persons, Warren M., "Correlation of Time Series" in *Handbook of Mathematical Statistics*, ed. by H. L. Rietz (Boston 1924) ch. x, and *Forecasting Business Cycles* (New York 1931) ch. xvi; Anderson, Oskar, *Zur Problematik der empirisch-statistischen Konjunkturforschung*, Frankfurter Gesellschaft für Konjunkturforschung, Veröffentlichungen, no. 1 (Bonn 1929); Commons, J. R., McCracken, H. L., and Zeuch, W. E., "Secular Trends and Business Cycles; a Classification of Theories" in *Review of Economic Statistics*, vol. iv (1922) 244–63; Kuznets, Simon S., *Wesen und Bedeutung des Trends*, Frankfurter Gesellschaft für Konjunkturforschung, Veröffentlichungen, no. 7 (Bonn 1930), and *Secular Movements in Production and Prices* (Boston 1930); Burns, Arthur F., *Production Trends in the United States since 1870*, National Bureau of Economic Research, Publications, no. 23 (New York 1934); Lorenz, Paul, *Der Trend*, Vierteljahrshefte für Konjunkturforschung, Sonderheft 21 (Berlin 1931); Jordan, Charles, "Approximation and Graduation According to the Principle of Least Squares by Orthogonal Polynomials" in *Annals of Mathematical Statistics*, vol. iii (1932) 257–357; Moore, Henry L., *Economic Cycles; Their Law and Cause* (New York 1914) chs. ii–iii; Crum, W. L., "Periodogram Analysis" in *Handbook of Mathematical Statistics*, ed. by H. L. Rietz (Boston 1924) ch. xi; Macaulay, F. R., *The Smoothing of Time Series*, National Bureau of Economic Research, Publications, no. 19 (New York 1931); Kuznets, Simon S., "Random Events and Cyclical Oscillations" in American Statistical Association, *Journal*, vol. xxiv (1929) 258–75; Bowley, A. L., and Smith, K. C., *Seasonal Variations in Finance, Prices and Industry*, London and Cambridge Economic Service, Special Memorandum, no. 7 (London 1924); Donner, Otto, *Die Saisonschwankungen als Problem der Konjunkturforschung*, Vierteljahrshefte für Konjunkturforschung, Sonderheft 6 (Berlin 1928); Kuznets, Simon S., *Seasonal Variations in Industry and Trade*, National Bureau of Economic Research, Publications, no. 22 (New York 1933); Persons, Warren M., "An Index of General Business Conditions" in *Review of Economic Statistics*, vol. i (1919) 109–212; Anderson, Oskar, *Die Korrelationsrechnung in der Konjunkturforschung*, Frankfurter Gesellschaft für Konjunkturforschung, Veröffentlichungen, no. 4 (Bonn 1929).

TINDAL, MATTHEW (*c.* 1653–1733), English deist. Tindal, who was educated at Oxford and was a lawyer by profession, first attracted wide attention by his *Rights of the Christian Church* (London 1706, 3rd ed. 1707), a trenchant argument against the power of the clergy. The book provoked so much resentment in the High Church party that it was publicly burned, along with his *Defence* (London 1709), as a postlude to the Sacheverell case. Tindal's most important work, *Christianity as Old as the Creation* (published anonymously London 1730, 4th ed. 1733), the second volume of which was destroyed in manuscript by the bishop of London, marks the high point of the deistic attack on revelation and is generally regarded as the most convincing presentation of the deistic view that religion consists wholly in morality. Since God is a "Being infinitely happy," He "can require nothing of us, but what makes for our happiness." God's laws therefore are immutable, and

a revelation can merely duplicate the religion of nature, the precepts of which are written "on the hearts of men." This view naturally led Tindal to a critical treatment of the Bible as containing much that was inconsistent with true morality. He pointed out the absurdity of trying to reconcile the Old and the New Testament, attacked Biblical ignorance of natural science, questioned the evidential value of miracles, asked why the Jews should be God's "favorites" and inveighed against priestly accretions to the original, simple religion of nature. The "Bible" of deism provoked more than one hundred replies, including Conybeare's *Defence* (1732), William Law's *Case of Reason* (1731) and Butler's *Analogy of Religion* (1736). The great result of the controversy was to lead deism into skepticism. Tindal's chief work appeared in German and French during the century and was an important influence on the continent. Tindal furthermore published a number of vigorous pamphlets, including several in defense of freedom of the press as well as of the Whig anticlerical party.

HOWARD ROBINSON

Consult: Stephen, Leslie, *History of English Thought in the Eighteenth Century*, 2 vols. (3rd ed. London 1902) vol. i, p. 134–63; M'Giffert, A. C., *Protestant Thought before Kant* (New York 1911) p. 213–15; Robertson, J. M., *A Short History of Freethought*, 2 vols. (3rd ed. London 1915), vol. ii, p. 152, 158–59, 174–75; Torrey, N. L., *Voltaire and the English Deists* (New Haven 1930), especially ch. v.

TIRPITZ, ALFRED VON (1849–1930), German grand admiral and statesman. Tirpitz may be considered as representative of imperialistic Germany in its struggle for world power. As secretary of state for the navy from 1897 to 1916 he laid the foundations of the strong German fleet of the times before the World War. In this he was backed by Kaiser Wilhelm II, whose general foreign policy he influenced; Tirpitz succeeded also in winning over the Reichstag to a vigorous naval policy. Most important, he was one of the first in German conservative circles to recognize the significance of public opinion and to mobilize it for his support. The German navy association, or Flottenverein, which was founded to circulate propaganda for a bigger navy, furnished to some extent the inspiration for the mass movements of the Right groups in post-war Germany.

Tirpitz' naval program concentrated on the formation of a battle fleet. This, he believed, could guarantee peace because England, Germany's rival, would not risk a conflict with German sea power. At the beginning of the war, in accordance with his policy of battleship construction, he sought an immediate naval battle; but he did not achieve his aims. The submarine warfare originally entered upon against his will was abandoned, likewise in contravention of his wishes. This mode of naval warfare, which Germany was not equipped to carry out successfully, resulted only in slight gains and stirred up vigorous objections on the part of the neutral powers. Tirpitz' withdrawal from office followed in 1916.

In 1917 Tirpitz became head of the German *Vaterlandspartei* (Patriotic front), which agitated for a policy of annexations and in particular demanded German dominion over the Belgian coast. After the war he was a member of parliament on the German Nationalist party ticket and played an influential political role behind the scenes. Hindenburg's willingness to stand for the presidency was in great part due to the influence of Tirpitz. A man with an exceptional talent for organization, Tirpitz possessed a gift for politics which was rare among the German pre-war military caste. His clever parliamentary negotiations and his books testify to his special ability in the art of persuasion.

SIGMUND NEUMANN

Works: *Politische Dokumente*, 2 vols. (Stuttgart and Hamburg 1925–26).

Consult: Tirpitz, A. von, *Erinnerungen* (Leipsic 1919), tr. as *My Memoirs*, 2 vols. (London 1919); Kehr, E., *Schlachtflottenbau und Parteipolitik*, Historische Studien, vol. cxcvii (Berlin 1930); Fay, Sidney B., *The Origins of the World War*, 2 vols. (2nd ed. New York 1930); Hallmann, Hans, *Der Weg zum deutschen Schlachtflottenbau* (Stuttgart 1933).

TISZA, ISTVÁN (1861–1918), Hungarian statesman. Stephen Tisza was the son of Kálmán Tisza. Although he was raised to the peerage by the king he remained like his father a typical exponent of the gentry. Twice prime minister and once president of the Lower House, he continued in all essential points the system of his father. But the safeguarding of the Dual Constitution and the strong development of the army came to be resented not only by the disinherited majority but by a growing group of the privileged Magyar classes themselves, who clamored violently for the independence of the Hungarian army and economic life. An increasing industrial proletariat supported by a group of intellectuals was demanding universal suffrage. Further, the agrarian problem with the enor-

mous emigration it involved was alarming the better elements of the population. At the same time Tisza with other spokesmen of the agrarian aristocrats set out to push the country into a customs war with Serbia, which became one of the chief causes of the World War. Finally, resistance of the national minorities became more conscious, and their younger intellectuals succeeded in establishing direct contact with Archduke Franz Ferdinand, who feared the policy of the Magyar oligarchy as a menace to the monarchy's survival. The pseudo-parliamentary system did not work because the opposition's more active elements began to use obstructionist tactics against Vienna's military claims. For Tisza there was no escape from this situation, for the forces of national chauvinism could be balanced only by the peasants, the proletariat, the radical intellectuals and the national minorities, and these were exactly the groups which he dreaded even more than the nationalists. Under these circumstances Tisza crushed the opposition by disregarding parliamentary rules (November, 1904), an action which led to tumultuous resistance, so great that he lost his majority, and Vienna was again compelled to experiment with open absolutism. After a short compromise between Vienna and the national opposition Tisza regained power, again suppressed opposition by armed force (June, 1912) and remained dictator of Hungary. The World War made his position even stronger; after a short period of hesitation he supported it passionately, and he seemed to be the only "strong man" of the ramshackle empire. When the war situation became worse, the new emperor Karl realized that Tisza's oligarchic policy made impossible the remolding of the monarchy into a federation of its nationalities. He asked Tisza to introduce a universal suffrage law; but Tisza resigned, since the chief purpose of his entire policy was to maintain the rule of the nobility and the exclusive Magyar character of the country. As a colonel he went to the front; simultaneously he did all he could to hinder the new government's efforts to introduce universal suffrage. In September, 1918, the emperor sent him as *homo regius* to solve the South Slav question. Instead of peaceful negotiations, six weeks before the final collapse of the monarchy, Tisza "lashed his horseman's whip against the memorandum [of the Jugoslavs], which he termed a stupidity." When on October 17 he announced in parliament, "We have lost the war," he gave the first signal for the dissolution of the monarchy. Popular passion was so aroused against him that on October 31, the first day of the revolution, he was killed by riotous soldiers.

OSCAR JÁSZI

Works: *Összes munkái* (Collected works), vols. i–vii (Budapest 1923–33). His *Magyar agrár-politika* has been translated into German as *Ungarische Agrarpolitik* (Leipsic 1897).

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TISZA, KÁLMÁN (1830–1902), Hungarian statesman. In the first period of his political career Tisza was an ardent advocate of Hungarian independence. He rejected the Dual Constitution created by Déak, and in 1868 he committed his party to the realization of a separate Magyar army, an independent diplomacy and a distinct financial system. His agitation made the position of the Déak party difficult. Later, however, he realized that against the overwhelming power of the dynasty there was no chance for success; and in 1875 he openly abandoned his principles and entered with his followers into the party of Déak, forming a union called the Liberal party. In the same year he became prime minister, founding a political system which remained virtually dominant in Hungary until the end of the monarchy. The liberal traditions of the Déak-Eötvös era were pushed more and more into the background, and the so-called Liberal party assumed a distinctly conservative and even reactionary aspect. Tisza's party could be called liberal only with regard to its policy toward Jews, who constituted the commercial and financial personnel of the system. When the antisemitic current ran high in 1882, Tisza's government suppressed the movement. Otherwise his system meant the satisfaction of four fundamental interests. The first consisted of maintenance of the Dual Constitution in accordance with the desires of the emperor and

leading Viennese circles. The second involved the safeguarding of the latifundist predominance, since under the rule of this "liberalism" as many entailed estates were created as under two centuries of feudalism. In the third place Tisza set out to protect the wealthier middle nobility, known as the "gentry," to whose Calvinist group he himself belonged. As the majority of the gentry were unable to adapt themselves to the new competitive economic system, many became bankrupt, refusing to enter industrial or commercial activities. The influential public positions were regarded as monopolies of the gentry. In the fourth place he established the national unity of the country by a policy of Magyarization and exclusion of national minorities from participation in power. The Tisza system put the liberal nationality law of Déak-Eötvös out of practise and fostered a spirit of Magyar jingoism. As the overwhelming majority of the inhabitants were its victims, the system could be maintained only by the most rigid party machine. In fact no opposition could ever compete with the governmental party at elections, because the Tisza system controlled the great majority of the constituencies through an antiquated electoral law, by administrative pressure, if necessary by open corruption and by the use of the army. The supporters of the system enjoyed all influential positions and public favors. As it excluded the cooperation of the nationalities it assumed in the international field a growingly anti-Slav tendency. Thus Hungary became a stanch supporter of the Austro-Hungarian-German Alliance. Yet Magyar nationalism itself became dissatisfied with the Dual Constitution, and after 1880 the fight for an independent Hungarian army and for an economic system became more vehement. Wearied by these struggles in the year 1890 Tisza resigned the presidency of the council and retired into private life.

OSCAR JÁSZI

Consult: Kákay, A. I., *Tisza Kálmán, politikai élet-és jellemrajz* (Kálmán's political life and character) (3rd ed. Budapest 1878); Visi, Imre, *Tisza Kálmán* (Pozsony 1885); Busbach, Péter, *Az utolsó öt év* (The last five years) (Budapest 1895); Grátz, Gustav, *Tisza Kálmán* (Budapest 1902); Szekfü, Gyula, *Három nemzedék* (Three generations) (3rd ed. Budapest 1934); Pethö, S., *Világostól Trianonig* (An explanation of Trianon) (Budapest 1926); Redlich, J., *Emperor Francis Joseph of Austria* (London 1929); Eisenmann, Louis, *Le compromis austro-hongrois de 1867* (Paris 1904); Asztalos, M., and Pethö, S., *A Magyar nemzet története* (History of the Hungarian nation) (Budapest 1933).

TITCHENER, EDWARD BRADFORD (1867–1927), American psychologist. Titchener, who was considered by many as leader in the United States of the German mentalistic school of psychology, was an Oxford graduate and throughout his life a British subject. He studied the new experimental psychology at Leipsic under Wundt and came immediately afterward (1892) to Cornell University in America, where he spent the remainder of his life, devoting himself to the establishment of psychology as an experimental science and to the development of a systematic view of psychology as a science of conscious phenomena.

Titchener's championship of experimentalism in psychology led him to write the four volumes of his erudite *Experimental Psychology* (2 vols., New York 1901–05) as laboratory manuals. These books rendered feasible the offering of psychological laboratory courses in American universities and thus helped to establish the status of psychology as a science.

Titchener never regarded himself as a member of a recognized school of psychology; nevertheless, by his opposition to the dominant trends in American psychology and by his ability and seniority he became the leader of the conservative American minority, which held to the belief that consciousness is the sole or principal subject matter of psychology. Thus Titchener's unnamed school opposed the functionalism of James and Dewey with a "structuralism," the behaviorism of Watson with an "introspectionism," and animal psychology, psychoanalysis, the mental tests and applied psychology with disdain.

Originally (from 1896 to 1915) Titchener's doctrine of consciousness was that all mental phenomena are reducible to three kinds of sensory, elementary mental processes: sensation, image and feeling. Thus his systematic contributions consist chiefly in his establishment of feeling as an independent mental process, his reduction of attention to the sensory attribute of clearness and his combating of the new doctrine of imageless thought in favor of a sensory theory of thinking. Later he shifted his emphasis in descriptive analysis from the mental processes to their attributes, and still later he came to regard these attributes as general dimensions of consciousness. His view at the time of his death seems to have been that consciousness can be described with respect to the dimensions of quality, intensity, extensity, protensity (the temporal dimension) and attensity (the

dimension of clearness which varies with attention).

Titchener, who cultivated no formal school of psychology during his lifetime, left no school after his death. His views, however, have continued to provide a fulcrum for almost all that phase of American psychological thought which is directed against the behavioristic, the functionalistic and the practical trends that in general characterize American psychology. Recently Gestalt psychology, imported into America from Germany, has been replacing the Titchenerian concepts as the rallying ground for the mentalists.

EDWIN G. BORING

Other important works: *Lectures on the Elementary Psychology of Feeling and Attention* (New York 1908); *Lectures on the Experimental Psychology of the Thought-Processes* (New York 1909); *A Text-Book of Psychology*, 2 vols. (New York 1909–10); *Systematic Psychology: Prolegomena*, ed. by H. P. Weld (New York 1929).

Consult: Boring, E. G., *A History of Experimental Psychology* (New York 1929), especially p. 402–13, 428–29, and in *American Journal of Psychology*, vol. xxxviii (1927) 489–506; Heidbreder, Edna, *Seven Psychologies* (New York 1933) p. 113–51.

TOBACCO. The inhaling of smoke from burning herbs had already been a part of medical practise in mediaeval Europe when explorers brought tobacco from America to the Old World to be smoked for pleasure. In the middle of the sixteenth century the custom of smoking tobacco spread through western Europe and later throughout the world. Wonderful curative properties were claimed for it, and in spite of opposition from both secular and church authorities the habits of smoking and snuff taking soon took firm root. During Elizabeth's reign smoking was practised at the court and in polite society and thus became popular and respectable in England. The efforts of James I and Charles I to discourage it were unavailing; their edicts against its cultivation on English soil, which were issued more to increase customs revenues than for the benefit of Virginia planters, were commonly ignored. Under Cromwell the attempt to suppress the growing of tobacco in England was only halfhearted. But the drastic decline in price, coupled with greater vigilance on the part of the later Stuarts, brought about the end of tobacco cultivation in England by the last decade of the seventeenth century. Imports of Spanish tobacco were virtually prohibited by high tariffs and the English market was devoted almost exclusively to the colonial plantations. The prohibition in 1621 of colonial shipments to any country except England, and later Scotland, was persistently evaded.

Tobacco growing by English colonists had begun at Jamestown in 1612. Tobacco proved to be the colonies' only profitable export. Trade with Great Britain soon reached large proportions; exports increased from 20,000 pounds in 1618 to 500,000 pounds in 1627, to 7,000,000 pounds in 1663 and to 35,000,000 pounds annually by the end of the century. Rapid as was the growth of tobacco consumption in Europe, the flooding of the markets with leaf from Virginia and Maryland together with heavy import duties in England brought a speedy fall in price. From 55 cents a pound in 1618, the price dropped to 3 cents in 1664; even lower prices were recorded during the next hundred years. Legislation designed to fix prices and to restrict acreage met with little success. In spite of the low prices the planters of Virginia, Maryland and the Carolinas persisted in depending on tobacco for their export crop, although the kings and colonial governors sought to encourage more varied agriculture in these areas. Wars and severe depressions in England sometimes forced a measure of diversification, but with the first improvement in the market the areas planted to tobacco again increased. Although tobacco did not lend itself to cultivation in large tracts it was important to have enough forest land to allow for constant change from old fields to new ones, since tobacco rapidly exhausted the soil and abundant labor meant that new acres could be brought continually into use. Negro slavery had little to do with the early extension of tobacco culture in Virginia; there were three white servants to each Negro slave as late as 1671, and both were greatly outnumbered by freemen. During the eighteenth century, however, large planters in the south came to rely more and more upon slave labor in tobacco growing.

In the Connecticut valley tobacco was grown during the seventeenth century, although it was of little importance as an export crop until after 1800. Southeastern Pennsylvania became an important center for the cultivation of cigar leaf early in the nineteenth century. With the settlement of Kentucky and Tennessee the area of tobacco growing was extended west of the Appalachians, and for many years Kentucky vied with Virginia for leadership in production of leaf. Tobacco planting began in Ohio, Missouri and Florida early in the nineteenth century.

Although less than 1 percent of the crop area of the United States is now devoted to tobacco culture, only five or six crops exceed tobacco as sources of gross income to farmers. Tobacco requires more intensive cultivation than any other widely grown farm crop. The area planted to tobacco by the average farmer is small—4 or 5 acres; yet for thousands of farmers in the upper south of the United States it is the main if not the only cash crop. In the piedmont and in Kentucky and Tennessee the characteristic grower of tobacco is the small owner-farmer or the farmer with one or two tenants; but along the Atlantic coastal plain the percentage of tenancy on farms is very high: 25.6 percent of the farms of Virginia are operated by tenants, 43.5 percent in North Carolina, 64.5 percent in South Carolina and 66.6 percent in Georgia. The proportion of tobacco farms operated by Negroes is likewise very high in these states: 25.7 percent in Virginia, 28.3 percent in North Carolina, 56.6 percent in South Carolina and 41.9 percent in Georgia. Dependence on merchant credit is here very common, with high rates of interest adding to costs of production which would be heavy even on a cash basis, since much fertilizer must be used on the land in this area. The prevailing method of marketing tobacco of the cigarette and export types is the auction, a means which seems to have fostered the concentration of power in the hands of the few great buyers—large American and British manufacturers and the European governmental corporations—who dominate the leaf market. Efforts to unite growers for purposes of cooperative marketing and production control have had only brief successes; outbreaks of violence, as in the Night Riders episode in 1905–06 in Kentucky, have sometimes marked these attempts. Cigar leaf is commonly sold at the grower's barn or contracted for by the buyer before the crop is harvested. Grown largely in the northern states, its culture presents few of the problems of tenancy and merchant credit which characterize the growing of cigarette and export types of tobacco. In 1933 as a part of its agricultural relief program the United States government undertook to secure the consent of tobacco growers to control acreage in exchange for a bonus to be paid out of the proceeds of the processing tax.

In the years just prior to the American Revolution exports to Great Britain had amounted to about £100,000,000 annually. The trade suffered during the wars with England and the Napoleonic wars, and exports did not again reach this level until after 1840. A fairly steady increase in exports continued thereafter, but only after 1870 did they regularly exceed £200,000,000 a year and only after 1918, £400,000,000 annually. The reason for this retarded rate of growth of export trade lay in part in the increasing domestic manufactures of tobacco products.

As early as 1732 tobacco factories existed in Virginia, and snuff and smoking tobacco soon became relatively important manufactures in the colonies. During the 1790's about 80,000 pounds of snuff were manufactured annually. Manufactured tobacco was put in special packages with a trade label by a Baltimore firm as early as 1786. By 1810 cigar making had developed from a household to a shop industry in Connecticut, Kentucky and probably other parts of the country. New Orleans with 400 cigar makers in 1812 sold its product in cities as far north as Buffalo. During the second quarter of the century Essex county, Massachusetts, Philadelphia, Lynchburg and Richmond became important centers for cigar making. Between 1840 and 1860 the gross value of tobacco manufactures increased fivefold; at the latter date it exceeded $30,000,000, cigars accounting for one third and manufactured tobacco for the remainder. A single factory in St. Louis employed 500 workers in the manufacture of plug and fine cut tobacco and in the preparation of leaf for export.

Prior to the Civil War, however, cigar making was not typically a large scale industry, nor was tobacco manufacture exclusively so. The typical cigar shop was the establishment of an owner-worker, who bought his leaf, made his cigars and sold them locally. A common type of tobacco factory, especially in the planting regions, was the farmer's barn, where hands would lay the cured tobacco on long tables, beat it with flails and rake it over screens, sacking that which passed through and reworking the remainder. Marketing was equally simple; the entrepreneur would load his bags into a wagon and journey through the surrounding country, selling or bartering his wares.

The Internal Revenue Law of 1862 imposed a tax upon cigars and required the bonding of the factories, a burden which the small shops found difficult to bear. The introduction of the mold in 1869 made division of labor in cigar making economical and increased somewhat the advantage of the larger over the smaller shops. During the decade that followed the cigar industry experienced tremendous growth through

tariff protection and the swing of fashion toward cigar smoking, and the factory system became firmly established. Meanwhile the manufacture of chewing and smoking tobacco and snuff had been shifted rapidly to the factories, stimulated by the development of machinery for cutting, pulverizing and sacking; by the discovery and development of a new and very popular type of leaf, the "bright southern"; and by the expansion of the market through national advertising and improved transportation. From an average of 30 workers per establishment in 1860 the number rose to 40 in 1870, 69 in 1880 and 79 in 1890. It declined to 59 in 1909 and 74 in 1921 and rose again to 92 in 1931.

After its appearance following the Civil War the manufacture of cigarettes rose from 1,750,000 in 1869 to over 400,000,000 in 1880 and over 1,000,000,000 in 1885. The cigarette machine, which finally became established in the early 1880's, turned out 100,000 a day (expert hand rollers could hardly exceed 2500) and reduced the cost of manufacture in one case from 96 to 8 cents a thousand. An extensive advertising campaign on the part of the large manufacturers promoted the product.

To obviate an increasing bitterness of competition the American Tobacco Company was formed in 1890 by the merging of 5 concerns under the leadership of James B. Duke, and during the two decades that followed the history of the tobacco industry was largely the history of this trust. At the time of its formation it had fully 90 percent of the total cigarette business of the country, and to insure its continued dominance it acquired exclusive control of the best cigarette making machine then in use. Adverse decisions on patent questions in 1895 took away this advantage, but a vigorous policy of purchasing competitors was adopted and by 1899 the American Tobacco Company was turning out 95 percent of the cigarettes produced in the United States.

Meanwhile in a strenuous and costly effort to obtain similar dominance in the field of plug manufacture the American Tobacco Company encountered the opposition of the Union Tobacco Company, formed by a group of rival capitalists who had acquired control of the most important independent manufacturers. The two combinations merged in 1899. Subsequent purchases by the trust brought its share of the output of the United States to 75 percent or more of all tobacco products with the exception of cigars. Since machinery for cigar making had not yet been developed to a point where the large concern had a decisive advantage over the small one, the trust was never able to control more than one sixth of the total output of cigars. Its efforts in this direction were relaxed after 1905, the three preceding years having shown losses in cigar manufacture. In order to gain increased control of the retail market for tobacco products, especially cigars, the trust acquired the United Cigar Stores Company in 1901 and soon became the most important single distributor of tobacco products. In 1907 it reported (with its subsidiaries) 392 stores, with annual sales amounting to over $12,000,000. By stimulating sales through premiums and by pushing the sale of trust products it initiated the developments which are making chain store systems the dominant factor in tobacco marketing and are diminishing the importance of the once familiar tobacco shop.

During the decade following its formation the trust established a substantial foreign business, especially in cigarettes, and manufacturing properties were acquired in several foreign countries. In 1901 a large English company, the Ogdens, Ltd., was purchased, and the trust locked horns with a powerful British combination, the Imperial Tobacco Company. A brief period of severe competition ensued, ending in 1902 with an agreement which reserved to each its home market and turned over to a jointly owned corporation, the British-American Tobacco Company, the foreign trade of both combinations.

As a result of the changes that took place in the corporate structure of the trust, some of which appear to have involved deliberate manipulation in the interests of an inside ring, a new American Tobacco Company was formed in October, 1904, in which 60 percent of the stock was held by seven men, two estates and one bank. In this excessively capitalized company was centralized the control of the numerous corporations which comprised the trust, with total assets of approximately $200,000,000 and with earnings of 17 or 18 percent.

In 1911 the Supreme Court declared the corporation to be a combination in restraint of trade and ordered its dissolution. The plan arrived at provided for a division of the assets of the company among fourteen corporations, in such a way as to preclude the control of any one company in any of the chief branches of the industry and to prevent the twenty-nine individuals who were defendants in the suit from holding collectively a majority of the stock in

any of the new companies. Restrictions designed to prevent the continuance or revival of the practises which had been found objectionable in the trust were imposed upon the several companies and their stockholders. Since the latter had acquired so large a proportion of the total business in tobacco products, except cigars, it was inevitable that the successor companies should start with a tremendous advantage over the independent companies. They have since maintained this advantage. The four large companies which succeeded to the trust's business have handled nine tenths or more of the country's total cigarette business in the years since the dissolution of the trust, and their dominance in the production of chewing and smoking tobacco has been nearly as great. The four companies combined made a return on their net investment in excess of 10 percent during each of the years 1915–32 inclusive and the rate of return rose steadily until 1931, when it reached 16 percent. They have maintained and even advanced the prices of their products in spite of falling production costs. Their price policies have been strikingly uniform, particularly since the World War. The prestige of their leading brands has been maintained by enormous expenditures on advertising, which have made it exceedingly difficult for other companies with financial resources too limited to allow them the necessary advertising budget to offer serious competition. Charges have been made and partially sustained by evidence unearthed by the Federal Trade Commission in 1922, that the great tobacco companies practised collusion in the buying of leaf as well as in the sale of their products. The commission's recommendations for remedying the situation in the industry were not acted upon by the Department of Justice, because it was alleged that the practises complained of had been abandoned. However, it is vigorously contended by the tobacco farmers that such practises are still prevalent.

Cigar manufacturing was long a field in which the advantages of large scale production and extensive advertising were insufficient to bring any distinct trend toward centralization. But soon after the World War an automatic machine for making the complete cigar was perfected; within ten years the number of cigar factories had declined 50 percent, and large factories which each produced annually over 40,000,000 cigars had increased their combined share of the country's total output from one sixth to over one half. During the post-war decade the consumption of cigars gradually declined; chewing tobacco lost in popularity and smoking tobacco barely held its own. Cigarette consumption, however, grew at a phenomenal rate; in 1930 over 123,000,000,000 cigarettes were manufactured, five times as many as in any pre-war year. Of the 780,000,000 pounds of leaf tobacco consumed in manufacturing in 1930, about 44 percent went into cigarettes, about 18 percent into cigars and 38 percent into manufactured tobacco, which includes smoking and chewing tobacco and snuff.

Labor in the American tobacco industry has been organized in two unions, both affiliated with the American Federation of Labor. The Tobacco Workers' International Union, organized in 1895 by a group of ten local trade unions which had been directly affiliated with the A. F. of L., claims jurisdiction over the workers in all branches of tobacco manufacturing except cigar making; the latter branch is claimed by the Cigar Makers' International Union, organized in 1864 after the failure of several attempts to bring scattered locals together. The former union, faced by one of the most powerful trusts of the time, was unable to make much headway for several decades. Trade agreements with independent companies were not difficult to win, as long as the union label carried goodwill value; but the plants of the trust and, after 1911, of the successor companies were closed to unionism. During the World War and for a year or two after its close, the union was active and enjoyed virtual recognition from one of the four great successor companies. Thereafter it subsided into its normal inactivity until the National Industrial Recovery Act of 1933 again enabled it to increase in membership and in functioning. The changing technology of the industry caused the Cigar Makers' Union to lose in members and influence after 1910. The union persistently refused to accept new developments, such as the suction table, the bunch roller and the scrap filler bunching machine, while there was still time, and relied too heavily upon the union label. The automatic cigar making machine, introduced in 1918, was opposed bitterly until 1927; its official acceptance by the union in that year came too late to save any considerable measure of control over the industry for the union. The largest manufacturers of cigars were as obdurate and as successful in opposing unionism prior to 1933 as were the great cigarette companies. The Cigar Makers' Union has furnished a number of leaders for the American

labor movement, Gompers and Strasser among them. There has been in certain centers, notably Boston, New York and Tampa, a tradition of vigorous labor action among cigar makers, based upon ardently fought struggles to improve wages, to oppose the tenement system of manufacturing and to maintain certain rights, such as that of hiring a reader who furnishes entertainment or instruction to his fellows as they work at their benches. The left wing Tobacco Workers' Industrial Union affiliated with the Trade Union Unity League has during the last few years organized locals in the various tobacco centers; in Tampa a permanent federal injunction was issued against it after its strike of cigar makers in December, 1931.

Average earnings of workers in tobacco manufacturing are among the lowest to be found in American industry. Brissenden has estimated that actual money earnings in cigar and cigarette factories in 1925 averaged $978 for males and $543 for females, a third lower than the estimated average earnings of workers in all manufacturing industries. Over one half of the employees in the industry are women and their proportion is steadily increasing. In the south large numbers of Negroes are employed. Employment of children in tobacco factories, which was quite general at the close of the nineteenth century, has greatly declined in recent years. The sensitive machines used in making and packing cigarettes and in making cigars are generally operated by young persons; the displacement of older workers by the introduction of these machines, particularly in the cigar industry, has caused a severe unemployment problem among this group. Productivity per worker, in terms of leaf used in manufacturing, increased at a rapid rate during the period 1919 to 1929 in all branches; a decline in average number of wage earners employed, from 157,000 in 1919 to 116,000 in 1929, was accompanied by a doubling of cigarette production and a decrease of only 8 or 10 percent in the manufacture of other products.

In Great Britain over half of the manufacture of tobacco products is in the hands of the great Imperial Tobacco Company, yet the competition of some 300 other producers seems to have been effective in preventing monopoly control. Although heavy import duties on leaf tobacco, which is imported very largely from the United States, make prices of finished products relatively high, consumption averages over 3 pounds per capita annually—approximately one half that of the United States. British companies have a considerable oversea trade in manufactured tobacco, chiefly with the dominions and protectorates and China.

The tobacco industry is a government monopoly in at least 15 European countries and in Japan. The Netherlands has a monopoly of trade in tobacco leaf from the Dutch East Indies; Amsterdam and Rotterdam are important ports of transshipment to Germany, Belgium, England and the United States. There is also a substantial amount of manufacturing in the Netherlands as well as some exporting of finished products. The trade is little hampered by tariffs and trade regulations, as the government desires to maintain the greatest possible measure of freedom of movement for raw leaf and finished goods. Probably no other European country except Belgium has a greater per capita consumption of tobacco products—approximately 5 pounds annually.

In France the tobacco industry has been a government monopoly for over a century. Cultivation is strictly regulated as to both type and area planted; buying, manufacturing and selling are conducted wholly by the monopoly, which operates a score of factories in the chief growing and consuming centers. Since domestic production meets less than half of the country's requirements, much leaf is imported; the French monopoly is one of the most important buyers in the auction markets of southern United States and the chief buyer of Algerian tobacco. Consumption per capita is nearly 3 pounds annually.

The tobacco industry of Germany imports about 150,000,000 pounds or more of leaf annually, to supplement a domestic production of some 70,000,000 pounds. Most of the German imports are Java and Sumatra leaf, since the cigar is the favorite form of consumption, although the increasing demand for cigarettes has brought a rise in imports from the United States and the Balkans. Taxes are heavy on all tobacco products, yet consumption per capita is approximately 4 pounds annually.

The total world production of tobacco leaf is difficult to estimate because the amount grown in China is unknown; exclusive of China, world production of tobacco leaf is about 5,000,000,000 pounds, of which one third is grown in the United States. Slightly more than one half of the crop of the United States enters domestic consumption. Imports of tobacco to the United States equal in value a third of the exports of leaf (in weight, scarcely a sixth); they come

mainly from Greece, Cuba, Turkey and the Dutch East Indies, which countries grow a type of leaf not suited to the soil of the United States.

In the export trade of the United States no agricultural products exceed tobacco except cotton and in some years meats. Great Britain buys more than one half of the United States' exports, and the British dominions, especially Canada and Australia, are likewise important customers, as are China, France, Germany and the Netherlands. About 80 percent of the leaf exported from the United States is of two types, "flue-cured" leaf grown chiefly in Virginia, the Carolinas and Georgia and "dark-fired Kentucky and Tennessee" leaf, both of which are used chiefly in cigarettes and smoking mixtures. Two other types grown extensively in the United States are used almost wholly in domestic consumption; these are Burley, which is raised largely in central Kentucky, and cigar leaf, which is grown especially in the Connecticut valley, southeastern Pennsylvania, Wisconsin and Florida. The tobacco exports of the United States constitute almost one half of the international trade in tobacco leaf. Other important exporting areas are the Dutch East Indies, Greece, Turkey, Brazil and Cuba. Leaf of special excellence is produced in each of these lands and the culture and export of leaf are among the leading economic pursuits. On the east coast of Sumatra and in parts of Java a cigar wrapper leaf is grown whose paperlike thinness and even texture and color give it a high value. In western Cuba a district called the Vuelta Abajo yields the Havana leaf, unequaled for cigars. Attempts to grow this leaf elsewhere, especially in Florida and in the Bahia district of Brazil, have been only partially successful, although Brazil exports a large quantity of excellent leaf. In southern Macedonia and parts of Asia Minor the spicy tobacco known as Turkish is grown; this leaf is indispensable for the blended cigarettes now popular in the United States and elsewhere. World trade in tobacco is largely confined to leaf, a fact accentuated by post-war tendencies in tariff making and fiscal monopolies. Exports of manufactured tobacco by the United States have been of relatively small importance in late years; imports have seldom reached $25,000,000 in value and have consisted chiefly of cigars from Cuba and the Philippines.

Taxes on tobacco consumption have been a favorite source of government revenue in almost all countries since the seventeenth century. Vulnerable to the charge of being a luxury and characterized by extreme inelasticity of demand, tobacco is generally purchased by the consumer in small amounts; and various levies, although they may be high ad valorem, are accepted by the smoker with less protest than is encountered in most other forms of taxation. In the United States, for example, the federal excise on cigarettes—6 cents per package of 20—has at times amounted to more than 50 percent of the price paid by the consumer of popular brands; state taxes are also frequently imposed upon the federal tax. Of the total value of products reported by the tobacco industries of the United States in 1931, nearly two fifths (approximately $442,000,000) is accounted for by the federal excise stamps which the manufacturer is required to affix to each package. Changes in rates of taxation seem to have had little effect upon the growth of consumption of tobacco products, although they are usually reflected promptly in prices. Even in years of severe economic crisis government revenues from tobacco taxes decline but little; consumers' demands shift somewhat from more expensive to less expensive forms of smoking, but aggregate consumption maintains a high degree of stability.

Countries which grow tobacco in small quantities commonly depend on customs duties, both on raw leaf and on finished products, as producers of revenue from tobacco; Great Britain's customs revenue from this source amounted to £63,298,000 in 1931–32. Countries which grow as well as import leaf, like the United States, generally employ both customs and excise levies; protection of domestic growers is usually the chief factor in the determination of the amount of the impost. Evidence is inconclusive as to whether tobacco excises yield higher returns in the countries of Europe and in Japan, where they take the form of a government monopoly price, than in those which allow private enterprise in tobacco manufacturing and depend on taxes for revenues..

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See: PLANTATION; SLAVERY; FARM RELIEF; FARM TENANCY; MONOPOLIES, PUBLIC; EXCISE; COMBINATIONS, INDUSTRIAL; TRUSTS.

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TOCQUEVILLE, ALEXIS CHARLES HENRI MAURICE CLEREL DE (1805–59), French political theorist and statesman. De Tocqueville's active political career, during which he had served as deputy in the Louis Philippe government and minister of foreign affairs of the republic in 1849, was brought to an end by his intransigent opposition to the despotism of Napoleon III in the period following the coup d'état of 1852. During the remaining years of his life he lived in retirement, completely absorbed in historical work. The distinctive approach to political problems which is characteristic of all of de Tocqueville's mature writings was first systematically presented in his *De la démocratie en Amérique* (4 vols., Paris 1835–40; tr. into English, 2 vols., new ed. New York 1898). These volumes, although occasioned by the travels which he made to the United States in 1831, primarily with a view to studying at first hand the penitentiary system, did not stop at a mere descriptive account of public institutions. Confronted with a functioning democratic system of government, de Tocqueville was led to speculate in more analytical terms as to the essential nature of democracy itself, its advantages and its dangers. The emergence of the democratic regime he interpreted as a historical necessity, resulting inevitably from the diffusion of the idea of equality, which acts as a leveler of individual differences and traditional privileges. In the United States this development had been particularly favored by the similarity of conditions obtaining among the original colonists and by their Puritan outlook; in France the preparatory process of leveling had been the work of the centralized monarchy and of the revolution, which had built upon the older administrative machinery. In this diffusion of the principle of equality de Tocqueville was not unprepared to recognize a certain positive value arising from a more rapid circulation of public life and from the collaboration of all the individual members in the government of the state. But his critical spirit led him to throw the greater emphasis on the negative elements of democratic equalitarianism, which taken together make for despotism, since the leveling of all individuals annihilates the historical barriers by means of which these individuals are able to

defend themselves against incursions of state power. The absence of a single despot under a democratic tyranny is little compensation, for collective and anonymous despotism is even more oppressive and stultifying, penetrating as it does into every cell of the social organism. The only remedy against this danger is the reawakening of the feeling of liberty. The exercise of popular sovereignty through elections is not sufficient; if liberty is to survive, safeguards must be erected in all spheres of individual and social activity. Although his own attempts during the Revolution of 1848 to carry over these libertarian principles into practise brought only disillusionment, de Tocqueville's writings supplied most of the ideological premises of the so-called liberal democrats, who while accepting democracy as an inevitable development nevertheless sought to hedge it about with guaranties of personal freedom. During his final years of retirement de Tocqueville developed in *L'ancien régime et la Révolution* (Paris 1856; tr. by Henry Reeve, 3rd ed. London 1888) the thesis that the French Revolution, far from being the cataclysmic overturn which had been pictured by romantic historians and political theorists, was merely the dénouement of a long historical movement which could be traced almost continuously from Louis XIV to Robespierre. This radically new conception of the revolution brought about a marked reorientation of French historiography.

GUIDO DE RUGGIERO

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TOLAND, JOHN (1670–1722), initiator of English critical deism. Toland was born in Ireland of Catholic parentage but turned Protestant about 1685. He received his university training at Glasgow, Edinburgh and Leyden. His *Christianity not Mysterious* (London 1696, 2nd ed. 1696) came to much bolder conclusions than Locke's *Reasonableness of Christianity* (London 1695), of which it was an outgrowth. Without denying the possibility of revelation Toland held "that there is nothing in the Gospel contrary to reason or above it." His iconoclastic treatment of the accretions to Christianity that were "contrary to reason" led to persecution. When the work was frowned on in London, he retired to Ireland but promptly left when the Irish House of Commons burned the book publicly, forbade its sale and ordered the arrest and trial of the author.

In his *Life of John Milton* (London 1698) Toland offered the bold hypothesis that the Christian canonical books might have arisen as forgeries. He defended these conclusions in *Amyntor, or a Defence of Milton's Life* (London 1699), a volume that began English critical study of the canon. After visiting Hanover and Berlin Toland published *Letters to Serena* (London 1704), in which he discussed the origin and force of prejudices, the question of immortality and aspects of materialism. His *Dissertationes duae . . . et origines judaicae* (The Hague 1709) and the *Nazarenus* (London 1718, 2nd ed. 1718) continued the historical attack on early Jewish and Christian history. His last work, *Pantheisticon* (London 1720), was a parody of the English church service and liturgy.

Toland's political or semipolitical writings, such as his *Anglia libera* (London 1701) and the biographies of Milton, Sidney and Harrington which he published along with editions of their works, indicated the general tendency among the bearers of the English liberal tradition in the period following the Glorious Revolution to abandon republicanism and to seek reconciliation with monarchism. His chief significance, however, lies in his fearless initiation of critical deism. His *Christianity not Mysterious* elicited over fifty replies before 1760. Through Voltaire and Holbach, the latter of whom translated several of his works, he was well known on the continent. Toland was the first Englishman to be called a freethinker, and he coined the word "pantheist."

HOWARD ROBINSON

Consult: Stephen, Leslie, *History of English Thought in the Eighteenth Century*, 2 vols. (3rd ed. London 1902) vol. i, p. 101–19; Robertson, J. M., *A Short History of Freethought*, 2 vols. (3rd ed. London 1915), especially vol. ii, p. 147–49, and *The Dynamics of Religion* (2nd ed. London 1926), especially p. 106, 113–14; Lantoine, Albert, *John Toland* (Paris 1927); Torrey, N. L., *Voltaire and the English Deists*, Yale Romantic Studies, vol. i (New Haven 1930), especially ch. ii; Berthold, Gerhard, *John Toland und der Monismus der Gegenwart* (Heidelberg 1876).

TOLEDO, FRANCISCO DE (1517–84), Spanish statesman. Of noble birth, Toledo had served Spain as a soldier and diplomat before his appointment as viceroy of Peru in 1569. He remained in Peru until 1581, spending the first five years of his administration in traveling about the country and acquainting himself with its conditions. He then issued a series of decrees to govern the viceroyalty in which he regimented the relation between the Indians and their new overlords; systematized the collection of public revenue; fixed the conditions under which mines, industry and agriculture should be carried on; organized the Indian corvée system; established codes governing judicial procedure, the sale of land and methods of transportation; set up sanitary and police regulations; and provided water supplies for the principal cities. Interested in spiritual matters as well, he issued instructions for the systematic Christianization of the natives, established the Inquisition in Lima, gave permanent form to the University of San Marcos and opened schools in the principal centers. So broad was the scope of his legislation that he is often referred to as the "Solon of Peru." The governmental regulations which he adopted, and which were known as the *Libro de tasas*, endured for the whole colonial period; and some of them are still in effect in slightly modified form.

Critical evaluation of Toledo's achievements must take into account the fact that he arrived in Peru just as the conquest was completed, but while the newly acquired lands were still in a state of confusion. The social machinery of the Inca Empire had been disrupted and no European system had as yet taken its place. The foundations of the colony, however, were already laid: the encomienda system had been established, municipal governments had been organized to some extent, while the agrarian communities which constituted the base of the Inca Empire still survived. It was essentially on these bases that Toledo organized Peruvian society. By strong, even ruthless methods he established the authority of his sovereign and the church. Assuming the crown's right to the resources and population of the conquered territories, he tolerated no opposition. In order to bring the Indians under full control he issued decrees which bound them to the rural estates of the Spaniards or gathered them into settlements under supervision of civil and religious officials. In his attempt to forestall a move to restore the Inca Empire he dispersed the descendants of the Inca and beheaded the young pretender, Tupac Amaru, on a charge of treason.

Toledo has been condemned for accepting and intrenching socially injurious institutions, but it is questionable whether he could have altered the system already established. Undoubtedly he welded the diverse institutions of the Peruvian colony into a solid unit, establishing the authority of the Spanish crown upon a lasting basis.

GEORGE MCCUTCHEN MCBRIDE

Consult: Zimmerman, Arthur Franklin, *Francisco de Toledo; Fifth Viceroy of Peru, 1569–1581* (Urbana, Ill. 1929); Leguía y Martínez, German, in *Mercurio peruano*, vol. vi (1921) año iv, 86–101; Markham, Clements R., *A History of Peru* (Chicago 1892) p. 148–59, and *The Incas of Peru* (London 1910) p. 289–99; Means, Philip Ainsworth, *Fall of the Inca Empire and the Spanish Rule in Peru: 1530–1780* (New York 1932) p. 116–38, 153–65.

TOLERATION. *See* INTOLERANCE; RELIGIOUS FREEDOM.

TOLSTOY, LEV NIKOLAEVICH (1828–1910), Russian author, moralist and social critic. He was born into the aristocracy and until he reached fifty led the life that befitted a gentleman farmer who was also a man of letters. In his youth and middle years he wrote chiefly fiction, wherein may be discerned some of the dispositions and attitudes which were the roots of the ethical system he developed later. It is clear that from the first he was possessed by an exacting conscience, by an urge to find the meaning of existence and to lay down a rule of right conduct. Aside from his work as a novelist and the activities connected with his estate his great interest in these years was popular education. He was a disciple of Rousseau, but he outstripped his master in his aversion to any form of discipline. This libertarian and non-conformist was, however, then generally reckoned among the conservatives.

When he was completing *Anna Karenina*, in the 1870's, he experienced a spiritual crisis, the history of which is set down in his *Confession*. Thereupon he embraced a rationalist variety of evangelic Christianity, the cardinal principles of which were brotherly love and non-resistance to evil. He aimed primarily at the achievement of inner freedom and personal righteousness, but he also applied his ethical doctrine to the solution of social problems. He rejected the church, believing that it had corrupted Christ's teachings, and repudiated the state because, he held,

the taxes supporting it drove the peasant into industrial slavery and above all because it was maintained by force. Paradoxically enough this rigorous anarchist was an admirer of Henry George and advocated the single tax. He scorned the arts and the literature enjoyed by cultivated people as well as modern science and the products of technological advance, spurning a culture which was based on the exploitation of man by man. His ascetic streak led him to regard marriage as a compromise and to exalt celibacy along with other forms of renunciation and self-discipline, while his opposition to violence made him condemn alike patriotism, revolution, war, capital punishment and a diet requiring the existence of slaughterhouses. The one road to the good life for a propertied person was to surrender his possessions and with them the desires and appetites bred by an artificial civilization and to turn to manual labor and the simple rural routine that was the lot of the peasantry. For his own part he handed all that he owned over to his family, declared in 1891 that his later works were public property and for a while took up such trades as cobbling and masonry.

He set forth his views in numerous tracts, in private letters and also in the stories and plays he produced after his conversion. The authorities forbade the publication of most of these writings, but they dared not molest the author, although some of his followers, who were largely recruited from the intellectuals, were made to suffer for their opinions. Tolstoyan colonies, which with his distaste for organizations the master repudiated, had a brief existence in more than one country, including the United States. His teachings reached the masses also, affecting chiefly the dissenters and giving rise to a Tolstoyan sect in the southern provinces, the Caucasus and Siberia. If by his severe criticism of the social order Tolstoy helped the cause of revolution, he hindered it by his condemnation of violence. His "feudal socialism" was stigmatized by Lenin as "utopian" and "reactionary." It was only in the early years of the Soviet regime, when the government tolerated sectarians and exempted conscientious objectors from military service, that the Tolstoyans were rather active. At present some of the teachings of the man who in his lifetime was acknowledged "the conscience of Russia" are honored to a degree in Gandhi's India and by the pacifists of western countries.

AVRAHM YARMOLINSKY

Works: *Polnoe sobranie sochinenii* (Collected works) vols. i–vii, ix–xii, xxvii, xxxii, xliii–xliv, lxxii (Moscow 1928–); *The Works of Leo Tolstoy*, tr. by Louise and Aylmer Maude, Tolstoy Centenary Edition, vols. i–viii, xi–xiii, xvii–xix (London 1928).

Consult: Birukov, P. I., *L. N. Tolstoi*, 4 vols. (Moscow 1923); Maude, Aylmer, *The Life of Tolstoy*, Tolstoy Centenary Edition, vols. i–ii (London 1929–30); Noyes, G. R., *Tolstoy* (New York 1918); Lourié, O. D., *La philosophie de Tolstoï* (5th ed. Paris 1931); Lenin, N., and Plekhanov, G. V., *L. N. Tolstoi im Spiegel des Marxismus*, ed. by W. M. Fritsche, Marxistische Bibliothek, vol. xviii (Berlin 1928); Laurila, K. S., *Leo Tolstois politische Ansichten*, Annales Academiae Scientarum Fennicae, ser. B., vol. xvii, no. 1 (Helsingfors 1923); Gide, Charles, "Les idées économiques de Tolstoi" in *Revue des études coopératives*, vol. viii (1929) 225–48. For books by and about Tolstoy in Russian see: Bitovt, I., *Lev Tolstoi v literature i iskusstve* (Tolstoy in literature and art) (Moscow 1903); Balukhatiy, S., and Pisemskaya, O., *Spravochnik po Tolstomu* (Guide to Tolstoy) (Moscow 1928); Spiridnov, V. S., *L. N. Tolstoi, bio-bibliografiya*, vol. i (Moscow 1933–). See also: "Tolstoi in English, 1878–1929" in New York Public Library, *Bulletin*, vol. xxxiii (1929) 531–65.

TOMEK, VÁCLAV VLADIVOJ (1818–1905), Czech historian. Tomek studied law at Prague and became a tutor in the home of Palacký, the celebrated Czech historian, who recognized Tomek's ability for historical research and encouraged him to concentrate on this field. He served for a time as secretary to the patriotic publishing society Matice Česká and from 1851 to 1888 was professor of Austrian history at Prague. He served also as president of the Historický Spolek (Historical Society) of Prague. In 1848 he took part in the nationalist activities in Bohemia as a member of the National Committee. With the victory of the reaction in 1849, however, he became convinced that the interests of the Czechs demanded a compromise with the Hapsburgs rather than a struggle against them. From 1860 he was active as a member of the right wing, the Old Czechs, and served as a member of the Bohemian Diet and the Reichsrat in Vienna.

Although Tomek lacked the perspective and philosophic approach of Palacký, his historical works are scientific and thorough and constitute a significant contribution to Czech history. The most outstanding of his earlier books is his history of the University of Prague, *Geschichte der Prager Universität* (Prague 1848), the result of original and painstaking research. The Czech edition covers the story of the university until 1436; the German version, which was more concise, carries it to 1848. But Tomek's chief work is the monumental *Dějepis města Prahy* (12 vols., Prague 1855–1901; vol. i tr. into German, 1857),

the history of Prague from its origins to 1609. It consists of a very detailed study of every aspect of the political and cultural history of the city and in effect of the entire Czech nation, since Prague was its constitutional and spiritual center. The treatment of the Hussite movement in its relation to national development is especially interesting. Tomek's topographical study of Prague, *Základy starého místopisu pražského* (4 vols., Prague 1865–72), is a companion piece to the larger work.

Tomek also wrote histories of Austria and Bohemia, which were intended to bring Czech national sentiment into harmony with the dynastic views of the Hapsburgs and with their Catholic sympathies. In these works he proved the falsity of the *Stammlandstheorie* of the Viennese historians, which linked the history of the Hapsburg monarchy too closely with the Alpine countries and overlooked the importance of the Bohemian crownlands in its development. Among Tomek's other works mention should be made of *Jan Žižka* (Prague 1879; tr. into German, 1882) and *Sněmy české obnoveného žřízení zemského Ferdinanda II* (Prague 1868), a study of the Bohemian diets in which he tried to support historically Czech demands for autonomy.

JOSEF ŠUSTA

Consult: Urbánek, R., *W. W. Tomek* (Hradec Králové 1903); Novotný, V., and Vojtíšek, V., *V. V. Tomek 1818–1918* (Prague 1918); Goll, J., in *Český časopis historický*, vol. xi (1905); Denis, E., in *Revue historique*, vol. lxxxiv (1905) 205–11; Hantich, H., in *Revue des questions historiques*, vol. lxxix (1906) 207–13; Pekař, T., "Dějepisectví české" (Czech historiography) in *Vědecký a umělecký rozvoj v národě českém 1848–1898* (Prague 1898).

TOMMASEO, NICCOLÒ (1802–74), Italian publicist. Born in Dalmatia, Tommaseo was educated in Italy; after studying law in Florence he turned to journalism, contributing among other reviews to the *Antologia*, which Vieusieux had established in 1821 in order to stimulate national regeneration. His intellectual orientation was toward Italian cultural traditions and the political ideals of the Risorgimento. In 1849 he participated, first as minister of education and then as ambassador to Paris, in the provisional government of the Venetian Republic established by Manin.

Tommaseo's literary activity was extremely varied. He wrote poetry, novels and histories as well as studies in penology, education, politics and philology, achieving distinction in many of these fields but never attaining preeminence in any single one. His writings, all of which are characterized by a strongly moralistic point of view, display keen psychological penetration. As a novelist he followed the model of the "historical novel" developed by the Manzonian school, although he introduced a more sensual quality. His historical writings include "Pensieri sulla storia di Firenze" (published in *Archivio storico italiano*, n.s., vol. xiii, 1861, p. 3–30) and *Storia civile nella letteraria* (Turin 1872), the latter an attempt to correlate political and literary history. Tommaseo's rigid moral prejudices tended, however, to warp his historical judgments.

More interesting are his political writings, animated as they are by warm patriotic sentiments. *Libri dell'Italia*, written in 1835 and published in the same year in Paris as *Opuscoli inediti di frate Girolamo Savonarola*, propounds the fundamental theses of the neo-Guelphian program—the federation of Italian principalities under the presidency of the pope—before they appeared in the more famous writings of Balbo and Gioberti. After the events of 1848–49 Tommaseo revised his political doctrine, and in *La pace e la confederazione italiana* (Turin 1859) and *Rome et le monde* (Capolago 1851; new ed. in Italian, Naples 1862) he supported a program of Italian unification under the leadership of the Savoy monarchy. In *Il supplizio di un Italiano a Corfù* (Florence 1855) and *Discorsi sulla pena di morte* (Florence 1865) he urged the abolition of capital punishment.

The ideas expressed in Tommaseo's leading pedagogical work, *Della educazione, desideri e saggi critici* (2 vols., Turin 1856; new ed. by G. D. Valle, 1916), were developed further in a number of monographs. He insisted that emphasis should be placed upon religious and aesthetic training in the education of children and was one of the first Italian writers to realize the social significance of female education. Tommaseo's *Dizionario dei sinonimi* (Milan 1830; rev. ed. by G. Rigutini, 1925), *Dizionario della lingua italiana* (in collaboration with B. Bellini, 8 vols., Turin 1861–79; new ed., 7 vols., 1924) and *Dizionario estetico* (2 vols., Milan 1852–53) were valuable contributions to the study of the Italian language.

GUIDO DE RUGGIERO

Consult: Coari, A., *Niccolò Tommaseo* (Milan 1909); Lazzari, M., *L'animo e l'ingegno di Niccolò Tommaseo* (Rome 1911); Salvadori, G., *La giovinezza di Niccolò Tommaseo* (Rome 1909), and *Le idee sociali di N. Tommaseo e le moderne* (Città di Castello 1913); Croce,

B., *La letteratura della nuova Italia*, 4 vols. (2nd ed. Bari 1921–22) vol. i, p. 45–71, and "Niccolò Tommaseo" in *La storia della storiografia italiana nel secolo decimonono*, 2 vols. (2nd ed. Bari 1930) vol. i, p. 198–204.

TOOKE, THOMAS (1774–1858), English financier and business man. Tooke's first incursion into economic controversy was his composition in 1819 of the Merchants' Petition against protective tariffs, the first practical step in the conversion of Great Britain to free trade. The rest of his life was devoted largely to monetary and statistical problems, on which he not merely gave evidence before successive parliamentary and government commissions but also wrote a series of pamphlets and books, culminating in the famous *History of Prices . . . 1793–1856* (6 vols., London 1838–57), the last two volumes being written in collaboration with William Newmarch (*q.v.*).

The guiding principle of Tooke's monetary theory was the conviction that price fluctuations originate in changes in the supply of and demand for commodities, as caused in particular by wars, harvest variations and speculative optimism or pessimism. To monetary disturbances he was prepared at first to assign a significant if secondary influence; thus he held that the Bank of England was in part responsible for the rise in prices during the Napoleonic wars, although not for the slump which followed their termination. Later, however, he came to deny outright the power of banks to affect the quantity of money in circulation or through it the level of prices; and in consequence he vigorously opposed the restriction on note issues embodied in the Bank Charter Act of 1844. The strength of his case against this act lay not so much in the statistical investigations with which he sought to refute its principles as in his insistence upon the similarity in the monetary status of banknotes and of deposits payable on demand, which latter the act did not attempt to control. He did well also in emphasizing the inadequacy of any theory of price fluctuations which confines its attention to purely monetary factors. But in supposing that monetary stability would be insured so long as the banks confined their loans to customers of sound credit he undoubtedly underestimated the effect of too low discount rates in stimulating industry and raising prices.

LINDLEY M. FRASER

Chief works: *On the Currency in Connexion with the Corn Trade* (1st–2nd ed. London 1829); *Considerations on the State of the Currency* (1st–2nd ed. London 1826); *An Inquiry into the Currency Principle* (1st–2nd ed. London 1844).

Consult: Fullarton, John, *On the Regulation of Currencies* (2nd ed. London 1845); Wagner, Adolf, *Die Geld- und Kredittheorie der peelschen Bankakte* (new ed. by J. Plenge, Essen 1920) p. 16–19, 23–27; Kepper, Georg, *Die Konjunkturlehren der Banking- und der Currencyschule* (Leipsic 1933).

TOOMBS, ROBERT (1810–85), American statesman. As one of the leaders of southern policy Toombs exerted a decisive influence during the crisis of secession. Although he was riotous in college, he acquired somewhere a sound education in public finance, statecraft and high debate. In Georgia politics he was a conservative, a southern rights Whig. Reaching Congress in 1845 he became an outstanding defender of southern claims to territorial expansion. After the failure of his own project for the immediate admission of California, New Mexico and Utah as a single state under whatever constitution its people might adopt, he supported Clay's compromise. When the Whig party collapsed, he became a Democrat and shifted to the Senate in 1853. In the hope of settling the Kansas question he proposed a new registration of bona fide citizens and voters under federal supervision, and a prompt admission of the state under whatever constitution the delegates elected by them should adopt.

As a member of the committee of thirteen appointed by Vice President Breckenridge in 1861 to effect a compromise between northern and southern demands Toombs, in company with Jefferson Davis, proposed that nothing be considered as adopted unless ratified by a majority of the five Republican members and a majority of the eight other members. Under this rule all compromise proposals were rejected. Toombs then exhorted Georgia to secede. At Montgomery he was well considered for the Confederate presidency, but partly by reason of a misunderstanding Davis was chosen. Toombs' services during the Civil War, whether as secretary of state, brigadier general or member of the Confederate Congress, brought him comparatively little power or prestige. Upon Lee's surrender he fled to Europe. Returning after two years he avoided the oath of allegiance and considered himself only a citizen of Georgia.

ULRICH B. PHILLIPS

Consult: Phillips, Ulrich B., *The Life of Robert Toombs* (New York 1913); Reed, J. C., *The Brothers' War* (Boston 1905) ch. xi; Stovall, P. A., *Robert Toombs* (New York 1892); Bradford, Gamaliel, *Confederate Portraits* (Boston 1914) ch. vii.

TOPINARD, PAUL (1830–1911), French anthropologist. Topinard, who was associated with Paul Broca, first as a disciple and later as a colleague, has an important place as one of the founders of French anthropology. After a youth spent in the United States he returned to France and studied medicine, but in 1871 he abandoned his medical practise for the study of anthropology. He exerted wide personal influence on the development of this science as secretary general of the Société d'Anthropologie de Paris between 1881 and 1886, as editor of the *Revue d'anthropologie*, as curator of the collections of the Société d'Anthropologie, as director of the anthropological laboratory at the École des Hautes Études and as professor at the École d'Anthropologie.

Topinard's research was concerned primarily with human races, their evolution and anatomical variations. He shared Broca's delight in the development of new techniques and methods and was responsible for numerous technical improvements in physical anthropology. Influenced by the dominant scientific discussion of his time, he devoted a large share of his labors to the problems of evolution. In the controversy between the polygenists and the monogenists he sided with the former, favoring the transformism of Lamarck as the mechanism of evolution.

Topinard's interest was not exclusively given over to anatomy; he devoted considerable attention to man as a social and intellectual animal. He did not rule out the possibility of psychological correlates of race but preferred to wait for their scientific demonstration before accepting them. As was consistent with his earlier studies and his great erudition in physical anthropology, he approached sociology by way of anatomy and emphasized the biological roots of the social structure. He held that society consists of ordered aggregations of individual organisms each acting in accordance with his physical nature; that within each ego are the potentialities of development from an egocentric to a sociocentric orientation. The conflict which inevitably arises in the individual between these two points of view may be resolved only by insistence on the observance of a code for the social animal.

H. L. SHAPIRO

Important works: *L'anthropologie* (Paris 1878); *Éléments d'anthropologie générale* (Paris 1885); *Science et foi; l'anthropologie et la science sociale* (Paris 1900).

Consult: Verneau, René, in *Anthropologie*, vol. xxiii (1912) 111–14.

TORRENS, ROBERT (1780–1864), English economist. Torrens shares with Ricardo and Malthus the honor of having founded the classical school of political economy. He was one of the first writers to adopt the tripartite division of factors of production into land, labor and capital. He enunciated the principle of diminishing returns in agriculture, although he did not lose sight of the possibility that increasing returns might arise from the extension of the division of labor. He elaborated the "standard of life" theory of wages in almost the same form in which it was later expounded by Ricardo. His theory of profits, as a surplus over costs or as the difference between market and "natural" price, was superior to that of Ricardo in that it recognized the possibility that during times of technical progress profits might rise without an accompanying drop in wages; he denied moreover that mechanical improvements could harm the working classes as a whole. In international trade he laid primary stress upon the advantage to be gained if each country were to specialize in type of production for which it was best suited rather than upon Ricardo's problem of trade between two countries one of which has an "absolute" advantage in both the commodities exchanged.

Torrens' theoretical doctrines led him to important practical conclusions. On the principles of diminishing returns and the territorial division of labor he based his vigorous opposition to the corn laws, although he did not commit himself to the support of free trade in general. Torrens was moreover an active supporter of the "currency theory" of banknotes and he is said to have been the first to suggest in the formulation of the Bank Charter Act of 1844 that the issue department of the Bank of England should be separated from the banking department.

LINDLEY M. FRASER

Chief works: *The Economists Refuted* (London 1808); *An Essay on the External Corn Trade* (London 1815, new ed. 1829); *An Essay on the Production of Wealth* (London 1821); *On Wages and Combinations* (London 1834); *The Principles and Practical Operation of Sir Robert Peel's Act of 1844 Explained and Defended* (London 1848, 3rd ed. 1858).

Consult: Cannan, Edwin, *A History of the Theories of Production and Distribution in English Political Economy from 1776 to 1848* (3rd ed. London 1924); Hollander, J. H., *David Ricardo* (Baltimore 1910); Seligman, E. R. A., in his *Essays in Economics* (New York 1925) p. 70–77; Seligman, E. R. A., and Hollander, J. H., "Ricardo and Torrens" in *Economic Journal*, vol. xxi (1911) 448–68.

TORT. While there is no general agreement as to the exact meaning of tort, it may be said, without any attempt at rigorous definition, that tortious liability arises from a breach of duty fixed primarily by the law, that such duty is toward persons generally and that its breach is redressible by an action for unliquidated damages. It is to be distinguished from liability in contract, where the duty is fixed primarily by the contracting parties themselves and is toward a particular person; and from criminal liability, which is redressible by public punishment and which is not avoidable by any act of the offending party, whereas compromise of the sanctions for tortious liability is always possible.

It must be emphasized, however, that although these distinctions are fairly workable for literary and instructional purposes, they are misleading unless the history of the law is borne in mind. The same facts may, and frequently do, constitute a tort, a breach of contract and a crime or any combination of these. Moreover historically breach of contract was remedied by the action of assumpsit, which was tortious in character; and, although forms of action have been abolished, there is still an ill defined borderland between tort, contract and quasi-contract. Again, in origin tort and crime were not separated; and even when some sort of distinction between them began to be perceived, they remained a viscous intermixture. At the present day they are not readily distinguishable in the case of many wrongs which are petty offenses.

Another historical survival is the relation of the law of tort to the law of property. Many torts are wrongs to property, real or personal; namely, trespass to land or goods, interference with easements, infringement of copyright or trademark. Hence these topics are apt to be treated twice over in treatises on tort and on property law. The explanation is twofold. In the first place, several of the remedies for torts to property were once so much cheaper, quicker and less technical than the remedies for the recovery of property that they were applied by fictions to the latter purpose, and thus some of the law of tort became incorporated in the law of property. Secondly, from beginning to end there has never been any agreement in English law as to whether right or duty is the plinth upon which the law shoud be based. In the law of property the literary tendency is to make "right" the basis of exposition; in the law of tort the tendency is in favor of "duty." If either of these tendencies had been a dogma, then a great deal of the law of tort would have been descriptive of breaches of right in the law of property, or else much of the law of property would have appeared in the law of tort as the rights corresponding to the breaches of duty there described. In fact neither plan has been consistently adopted, partly for the historical reason stated, partly because the development of English law has never favored scientific arrangement. The result is that no one can say of topics like infringement of easements whether they are more germane to the law of property than to the law of tort.

Criticism has been directed against the distinction between tort and contract upon the ground that while liability in the former is fixed primarily by law, in the latter it is the result of the parties' own acts. It has been argued that in many contracts the parties find themselves committed to obligations of an onerous character which are fixed by law and of which they had either no knowledge or a very partial knowledge when they entered into them; this is notably so with innkeepers, common carriers and sellers and buyers of real or personal property. But this criticism does not touch the point that a person need not enter into any contract unless he wishes to do so, and in that sense he and not the law primarily determines his liability, whatever secondary and compulsory obligations may be imposed upon him by the law when once he has made the contract.

It is also true that while the remedy in tort is an action for unliquidated damages, this is by no means the only or indeed the primary remedy. Others are self-help, injunction and actions for the specific recovery of property. All these are, however, subject to restrictions which do not apply to the action for damages, which may therefore be taken as one of the tests of tortious liability. Injunctions were the only notable contribution of equity to the law of tort. Breaches of trust have been styled "equitable torts," but the better view is that the whole law of trusts is a separate branch of the law within the peculiar jurisdiction of equity.

The historical evolution of tort is to be found in the development of forms of action rather than in any theory of scientific liability. The parent of tort is the writ of trespass which became common in the latter part of the thirteenth century. It applied to direct and immediate injury to the person or to property. Its scope was greatly widened by the invention toward the close of the fourteenth century of the writ of trespass upon the case, which extended to in

direct and consequential injuries and which more than any other procedural device has been responsible for enlarging the law of tort. The writ of deceit was known very early in English law but was limited to swindling a court of justice in one way or another until 1789, when it was expanded by judicial legislation into the action for the modern tort which covers deception generally. For wrongful distraint of chattels there was the writ of replevin, which was important in the Middle Ages but not capable of much development. Appropriation of the goods of another, as distinct from trespass to them, was remedied by the writ of trover invented about the middle of the fifteenth century. This proceeded upon a fiction that the defendant had found goods casually lost by the plaintiff, and the tort corresponding to the remedy came to be known as conversion. Trover was greatly superior to the older remedy for detention of goods, detinue, in which it was possible for the defendant to reduce the proceedings to a farce by compurgation.

One of the most striking developments of the action of trespass upon the case was the action of assumpsit. Where a man had undertaken (assumpsit) a duty he was held liable if he performed it badly; for example, if a farrier pricked a horse's hoof in shoeing it. The next step was to hold him liable if he undertook to do something and did nothing. This extension of assumpsit from misfeasance to non-feasance made it possible to use what was really an action in tort for the redress of breach of any contract in which there had been an undertaking. Assumpsit is the foundation of almost the whole of the modern law of contract. At the same time it has made distinction between liability in tort and in contract difficult; and it has also blurred the lines between both these categories on the one hand and quasi-contract on the other, for by *indebitatus assumpsit* the writ of assumpsit was adapted to claims which were in the nature of debts and hence really quasi-contractual.

During the period in which a procedural approach completely dominated English law this confusion of tort with contract was unobjectionable in practise and indeed occasionally helped the growth of the substantive law; alternative remedies were useful at a time when the selection of the right form of action was vital to the success of the plaintiff. But when the importance of forms of action disappeared in the nineteenth century, the implications of tort, contract and quasi-contract had some unfortunate results. One was a tendency to hold that if there had been a contract between two persons, a third party injured by the breach of it could never sue in tort. Another was insistence on the idea that liability in quasi-contract is based on an implied contract, an idea which is frequently the most transparent fiction.

Isolation of the law of tort as an independent branch with its own scientific principles came very late in Anglo-American legal history. Indeed it was impossible prior to the abolition of forms of action in the nineteenth century. No book on the law of tort appeared before Francis Hilliard's, which was published at Boston, Massachusetts, in 1859; and the first to appear in England, apart from an insignificant work in 1720, was Charles Addison's *Wrongs and Their Remedies* (London 1860).

The foundation of liability in the modern law of tort has been a subject of controversy. According to one view there is a general principle that all unjustifiable harm inflicted by one person upon another is tortious. Another view holds that there is only a definite number of named torts—assault, battery, deceit and so forth—outside which no liability in tort exists. Considerable weight must be attached to the word unjustifiable in the first view. If the defendant can prove some justification recognized by the law for the injury which he has caused, the plaintiff has no case. Hence it does not follow for a moment that an injured person can expect success in an action for any and every harm which he has suffered. The courts may well deny him redress either because he has alleged that a particular tort, e.g. defamation, has been committed and has failed to establish its constituent elements; or because he demands compensation for a wrong which the courts consider it impolitic to remedy or which they prefer to leave to the legislature to deal with. But what they never have done and never will do is to deny a remedy simply because the claim is a novel one and the wrong alleged is incapable of being classified under any tort which has received a special name. They are naturally cautious in admitting the creation of new remedies; but the whole history of the law of tort has shown a steady expansion in the creation of new remedies or, what amounts to the same thing, new torts. This was so with the old action of trespass upon the case and has continued since forms of action have disappeared. The chief objection to the second view lies in this fact: its logical consequence is that the courts cannot create a new tort, which is

patently false. Its chief support is derived from some decisions in which the plaintiff failed to recover on the ground that the harm which he had suffered was *damnum absque injuria*; but these appear to be explicable by the fact that the injury sustained was justifiable by reason of one of the recognized legal excuses.

In the early law very little attention was paid to whether an injurious act was intentional or negligent; either way the doer was liable, and this was notably so in trespass. In fact liability for harm was often so stringent that it was imposed even where there was neither intention nor negligence on the part of the doer. It has been somewhat hastily inferred from this that liability was "absolute" or that "a man acted at his peril." This, however, is an overstatement, for throughout the history of the law inevitable accident, which often passed current under other less technical phrases, was generally reckoned a defense. At the present day liability in tort may exist not only for intentional or negligent wrongs but also in two chief classes of cases for wrongs in which neither intention nor personal negligence is discernible; these are, first, the vicarious responsibility of a master or a principal for the torts of his servants or agents committed in the course of their employment and, secondly, torts of strict liability. "Quasi-delict" has been suggested as the correct term for these two classes as well as for some other instances of what has been styled "responsibility without fault," but thus far the suggestion has not met with general acceptance.

Another mental element to be distinguished from intention and negligence is motive. For the last generation or more it has been settled that conduct otherwise lawful, e.g. fair business competition, does not become tortious merely because it is accompanied by an evil motive. Such evil motive has been infelicitously called "malice," as that term has occasionally been used to signify mere intention and not motive at all. Exceptionally malice in the sense of evil motive must be proved as an essential in some torts like malicious prosecution and malicious inducement of breach of contract. The law on this point is very unsatisfactory.

During the last century the law of tort has undergone a remarkable development. Although originally simply a particular mode of committing a tort, negligence in the earlier part of the nineteenth century acquired an additional aspect, becoming also an independent tort. Its expansion as such has been enormous. There can be no negligence unless the law holds that there is a duty to take care in the first instance, and there has been a steady tendency on the part of the judges to extend the duty to take care to an increasing variety of human relations. The laissez faire attitude of the law has been replaced by a much greater regard for the safety and health of citizens, and this attitude has been forced upon the citizen in his private dealings with his fellow men. This has been proved not only in the wide scope given to the tort of negligence but also in the invention of new forms of strict liability. The starting point here was the famous decision in Rylands *v.* Fletcher [Law Reports, (1868) 3 House of Lords, 330], where it was laid down that if a person keeps upon his own land anything likely to do mischief if it escapes, he is *prima facie* answerable for all the damage which is the natural consequence of its escape. What this decision did was, first, to state as of general application a rule which had long been applicable to damage done by the escape of fire, filth or cattle; and, secondly, to make the liability more strict than that in negligence by imposing it on an occupier of land for the default of a person hired by him who was not his servant but "an independent contractor" or indeed for the default of anyone who was not a trespasser. Such was the origin of torts of strict liability, and they have been extended in several directions since 1868, although the degree of strictness has not always been the same as that in Rylands *v.* Fletcher. Examples are liability of the occupier of premises to visitors for defects in the premises; of the manufacturer of dangerous chattels to the ultimate user or consumer of them; of the person who engages in a dangerous process which injures his neighbor. Another striking change in the law has been the creation of liability on the part of an employer to his employee for any injury suffered in the course of his employment. Exactly the opposite rule had been laid down in a law court in 1837, when the vicious doctrine of "common employment" was invented; and it was not until sixty years later that any really adequate legislation was passed to reform the law. Now, by successive workmen's compensation acts, the doctrine has been well nigh abolished. Yet another reform, albeit a crabbed and partial one, was the English Fatal Accidents Act, 1846, which to some extent got rid of the common law rule that if a person were killed by a tortious injury, his relatives could recover nothing. Similar legislation has been enacted in the United States.

If any broad general tendency can be traced in the growth of the modern law of tort, it is the idea that human life and safety ought to be protected at least as adequately as the ownership or possession of property. Formerly it was often much less expensive in law for a man to inflict careless harm on his neighbor's person than on his neighbor's property. Various causes have been responsible for the change of attitude. Mechanical inventions have greatly increased the dangers to life, and at the same time the rather harsh individualism of some of the earlier Victorian judges has been replaced by a wider and more humane legal conception of the duty which a man owes to another. This is not to say that the legal conception squares with the ethical idea of duty. It must of necessity fall short of the latter in many respects; but even allowing for this inevitability, there is still room for improvement in the law of tort in several directions. For instance, it is very doubtful whether offensive invasion of personal privacy (e.g. the unauthorized use of a photograph for advertising purposes) which does not amount to defamation or to a private nuisance is tortious in English law. It is tortious, however, in many states of the United States, probably because the need for protection there is stronger on account of the unscrupulousness of some advertisers. Again, the law as to combination in trade disputes is unsatisfactory, not so much upon any ethical ground as by reason of the confusion and uncertainty which still beset it. Trade unions, it is true, have been put by Parliament in a position of general immunity from actions in tort; but union officials still remain personally liable for any wrongful act done on behalf of the union, and it is still a vexed question whether there is any such tort as conspiracy, i.e. whether it may be unlawful to do in combination something which is lawful if done by one person only. Yet again, in spite of the development of the tort of negligence the courts are perhaps unduly sluggish in holding a man responsible for his omissions as distinguished from his acts. But he who does nothing has always been freer from legal liability than he who does ill.

In the developed Roman law of Justinian's time the idea of tort appears under *obligationes ex delicto* and *quasi ex delicto*. Some nine named wrongs were included in the former category; but some of them, for instance, *injuria* (injury to the person) and *dolus* (deceit), had a very wide application. From the point of view of its subsequent history the most important Roman tort was *damnum injuria* created by the *Lex aquilia*. The Aquilian action provided a general right of recovery for injuries to property arising from positive acts. It represented a new point of departure in Roman law. While intention was normally required for delictual liability, negligence sufficed as a basis for the Aquilian action. Again, while the Roman law of delict was dominated by penal conceptions, the Aquilian action was essentially compensatory.

The obligations *quasi ex delicto* in Roman law corresponded roughly to vicarious responsibility in tort. They included liability for damage caused by objects falling or thrown from a building and liability of carriers and innkeepers for theft or wilful damage by their employees. The expression *quasi ex delicto* is obviously the source (quite unhistorical) of the suggestion that vicarious liability in Anglo-American law be termed quasi-delict.

The Germanic law of delict was, like the Roman, dominated by penal ideas. The principle of strict liability, however, prevailed in the Germanic law. The former characteristic was abrogated by the development of a public law of crimes, while the latter was undermined by the reception of the Roman law. By virtue of its general and compensatory character as well as its recognition of liability for fault the Aquilian action became the basis of the modern European law of delict. It was necessary only to extend it to include injuries to persons as well as property and to omissions as well as positive acts.

While in substance the modern continental codes have attained at least much the same ends as the Anglo-American law of tort, they differ *toto caelo* from it in formal expression and method of development. They present superficially an appearance of extreme simplicity. The whole of the French law of tort is seemingly contained in only five articles of the *Code civil* (sects. 1382–86). The first of these lays down the general principle that "every act of any person which causes loss to another binds him by whose fault the loss occurs to make it good." The later German Civil Code is somewhat more detailed (arts. 823–53), but in both France and Germany jurisprudence (case law) and doctrine (professional literature) have created an entire body of interpretative law which makes the provisions of the codes by themselves nothing but vague direction posts as to what the law is.

In some respects the law of torts in various continental countries is more advanced than the Anglo-American. There has been applied a

doctrine of "abuse of rights," under which spiteful or malicious exercise by an individual of his private rights is reckoned as unlawful. Both German and Swiss civil codes, by expressly providing for liability for acts "against good morals," have provided the courts with a flexible principle for expanding the law of torts; in practice this principle is less flexible than might appear. Absence of liability in case of wrongful death has never prevailed in modern continental law.

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See: PROCEDURE, LEGAL; LIABILITY; DAMAGES; NEGLIGENCE; COMPENSATION AND LIABILITY INSURANCE; CONTRACT.

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TORY PARTY, GREAT BRITAIN. *See* PARTIES, POLITICAL, section on GREAT BRITAIN.

TOTEMISM. Among many primitive tribes divided into sibs (clans or gentes) the sib name is derived from an animal, plant or natural object; the sib mates display special attitudes toward these creatures or things, which in this connection are designated by anthropologists as totems. The institution which comprises the sibs, their totems and the attendant beliefs, customs and rituals is called totemism; whereas the sum total of totemic features in a particular tribe or tribal group is usually designated as a totemic complex. In North America totemism occurs in the northwest, in the eastern plains, in the woodlands, in the southeast and southwest and among some tribes of California; it is to be found among the Mexican Indians; in South America many Arawak and Ges speaking tribes have totemism, and probably not a few others; in Africa it is common in the vast territory between the Sahara and the desert of Kalahari and on the island of Madagascar; perhaps half of the more primitive tribes of India have totemism; in Australia it is universal except for some coastal tribes of the east, south and west; in Melanesia totemism exists in southeastern New Guinea, on the Solomon Islands and on the New Hebrides, on the islands of the Torres Straits

and in several other localities; it is found also in Fiji and among the more western Polynesians.

Totemic complexes vary greatly in their concrete composition; even the more typical totemic features fall short of universality. The sibs of the American northwest, for example, do not follow the common practise of deriving their names from their totems but are named after localities; in Africa also totems do not always function as sib eponyms. Among the Iroquois and the Zuñi the totem is merely a sib name and no other relevant ideas or practises are in evidence, not even the tabu on the totem, the prohibition to kill or eat the eponymous creature, which together with the totemic name is among the most regular features of totemism. In Australia and Melanesia this tabu is most pronounced; in Africa it frequently is the central aspect of a totemic complex—the very word for the totem in several Bantu languages means "the forbidden thing." In America, however, the totemic tabu is often but slightly developed or altogether absent. Totemic descent—whereby the totem is regarded as a remote ancestor—appears in a somewhat veiled form in Australia; it is marked and precise in Melanesia; in Africa it does not seem to occur; in America the Indians of the northwest coast believe that a member of an ancestral human group entered into a physical relationship with the crest animal, a notion related to the belief in totemic descent, in so far as both ideas emphasize the biological closeness of the totemic species and its human devotees. Exogamy of the totemic sib is very common and even typical in most totemic areas, yet among the Tlingit and Haida the exogamous social groups are really the phratries which also have crests like the clans comprised in the phratries, whereas the clans are exogamous not as clans but as parts of a phratry. In Australia also intermarriage within the totemic sib occurs only by way of exception among some of the central tribes, but here again the business of intermarriage is really attended to by phratries, classes or subclasses (non-totemic groupings within the phratry) and, in the last analysis, by groups of blood relatives. In Africa instances are common where the exogamous group is either wider than the totemic or constitutes a part of it; while among some tribes of the Atlantic coast, such as the Herero, Bavili, Tshi and others, two social groupings are observable, one into maternal sibs (clans) which are exogamous but non-totemic and another into paternal sibs (gentes) which are totemic but non-exogamous. Animals are generally preferred as totems, and next to animals, birds; among some Melanesian tribes, however, only birds occur as totems, and in others all the totems are plants. On Tikopia Island, in Fiji and in southeastern New Guinea "linked totems" are common, each sib having more than one totem; for example, a bird, a fish, a snake and perhaps a plant. In a number of tribes in Oceania, Africa and North America there are "split totems"—the tongue or tail or the horns of an animal figure as the totem instead of a whole creature.

From the standpoint of the relative role played by the different features in a totemic complex there is further variability. Thus in central Australia the magical totemic *intichiuma* ceremonies performed for its totem by each of the totemic sibs with the aim and supposed result of multiplying the animals and birds which figure as totems stand in the center of the totemic situation. Among the Indians of the northwest coast the central feature is the totemic art, consisting of carved totem poles from which the myths and ceremonies take their character. Here the crest, that is the totemic carving, is the sacred thing from which spring the emotional values of the totemic complex; the animal or bird itself is of no importance, nor are there special customs or attitudes associated with it. In Africa the totem as the tabued thing often plays a correspondingly predominant role.

The features associated with totemism are not specifically or inherently totemic but represent widespread cultural traits which occur also outside of totemism. Animal and bird names are bestowed upon religious societies, particular individuals and manufactured objects (boats, shields, houses). Not all tabued creatures are totems—the cow, although not a totem, is tabu in India; the sacred bull, also not a totem, was tabu in Egypt; the snake was tabu in many times and places that knew no totemism. The animal tabu moreover is only one aspect of tabu: the connotation of the Polynesian tabu is not totemic, and the religion of the Eskimo, who has neither totems nor sibs, is tabu ridden. The magical multiplication ceremonies are totemic in central Australia, but perhaps nowhere else; the Malay tribes perform such ceremonies but not for totems. The bond between totemism and exogamy is equally casual. Dual divisions or phratries, whether or not these have animal names, are at least as frequently exogamous as are totemic sibs. Sibs moreover are as a rule exogamous, whether

totemic or not; exogamy in other instances attaches to local groups, and practically universal avoidance of incest between close blood relatives expresses itself in an exogamous interdict.

Wherever totemism is more than a system of sibs with animal names the attitudes toward the totems, whether entertained as ideas or practised as rites, are not of the matter of fact or secular variety. To this extent Durkheim was correct when he stressed the sacred character of the totemic realm. Nevertheless, totem worship in a stricter sense is exceedingly rare; Jevons, Gomme, Wundt and others have made much of totemism as a religion, but the religious aspect in totemism is in fact relatively slight. The totem is regarded as a friend, a protector, something of one's own kind; it is usually treated with respect, but it is not a god, nor does the imagination of the totemite endow it with powers greatly beyond the human. The fact that the totem is not an individual but a species or a class and that totems vary from sib to sib seems to preclude, or at least render unlikely, a religious attitude of great fervor. The totemic attitudes do not moreover, in any known instance, exhaust the religious orientation of a group: there is always also magic and animism in addition to and beyond totemism.

Psychological attitudes toward totems are always of a kind to reveal the totems as objects of enhanced emotional value. Although the totemic species may not be any more powerful or awesome than natural things and creatures generally, as viewed by primitives, yet it is extraordinary to its own totemites in so far as it is mated to them by bonds of psychic or even physical relationship. Its powers, such as they are, are at the totemites' disposal, and they in turn owe it regard and protection. As a religion, then, totemism is democratic; a mildly sacred realm of nature is drawn into a human social system on terms almost of equality. This peculiar form of socialized mysticism is characteristic of totemism, differentiating it from the more marked forms of the religious attitude as manifested in magic, in the various kinds of animism and in the worship of more or less anthropomorphic deities. There is a further elaboration of the process in so far as each totem is socialized in a sib; this fact both unites the sibs and contrasts them, thus enhancing the socialization of the totemic features in each sib. With this in view, totemism has been defined as a "specific socialization of emotional values"; Reinach has characterized it as a "hypertrophy of the social instinct" and Thurnwald as a sort of "self adoration of the human group." If the concrete content of a totemic complex is totemically indifferent, the peculiarity, if any, of the totemic combination may rest in the way the different features are distributed or put together.

When a totemic complex is examined from this angle, one finds it to be constituted in the following way. The different totemic features appear as sib characteristics. Each sib is fitted out with a set of totemic features. These sets are strictly comparable, as between sib and sib; but descriptively speaking, each set is different, in so far as each sib has a different totem, and the associated myths, customs, rituals, are therefore also different, descriptively. Just as names serve to differentiate or classify a group of sibs, so here sets of totemic features, including names, serve to classify and distinguish the sibs. What we find then is that a totemic complex comprises or is carried by a group of totemic sibs which are identical in form but different in specific content.

There is, however, a further difficulty. A tribal set of religious societies frequently presents a somewhat distracting similitude to a group of totemic sibs; many of the concrete features are often the same, and there is further the element of socialization as well as the formal homology and descriptive disparity of the societies. The difference lies in the fact that totemism is an adjunct of a social system, that in an overwhelming preponderance of cases it is associated with sib systems. When a tribe is totemic therefore all of its members—male and female—are totemites. A religious society, on the other hand, is constituted a social unit solely by the common functions or preoccupations of its members; a tribal set of religious societies does not comprise all the members of the tribe—it may not include any of the women, and at best it comprises most of the men and some of the women. A further distinction lies in the fact that only in exceptional instances do religious societies tend to be hereditary. As a religious society is prevailingly a unisexual aggregate, there can be no question of exogamy here; in sibs, on the contrary, exogamy is a favorite trait, and as such it also becomes a faithful companion of totemism.

In the adhesion of totemism to sib systems may lie the deeper socio-psychological reason for the appearance and coalescence in totemism

of three features, which, totemism apart, represent wholly unrelated traits of culture: the formally identical but descriptively distinct sib characteristics, the drawing of a mildly sacred realm of nature into a social system, and exogamy. While not one of the three features is inherently totemic, all three are typical adjuncts of sib systems; and in this setting they combine into totemism with striking frequency.

Totemism, complex in its historical and psychological determinants, has not always developed in one way; on the contrary, the precise histories of the different totemic complexes have undoubtedly been extremely varied. The fact that the end products prove comparable may be ascribed to processes of convergence induced by the socio-psychological tendencies which cause totemism to flourish as an adjunct of sib systems.

In the days of evolutionary ideologies, theories of totemic origins were prolific and varied. Lang claimed that animal names came first, and Powell, in the United States, referred to totemism as the "naming" system of the Americas. Haddon and Somló and Pikler emphasized the original economic value of the creatures which later became totems and tabu. Schmidt, inspired by Melanesian data, spoke of "trade-totemism" as the root of the institution. Frazer first saw in totemism socialized "bush-souls," then a magical system of economic reciprocity, then an outgrowth of Australian notions about sexual conception. Hill-Tout, generalizing the customs of the Salish, envisaged totemism as a social "suliaism"— individual guardian spirits turned into sib totems. Finally, Freud traced totemism to a patricidal act in the hoary antiquity of the "Cyclopean family" and deduced from it religion, society, morality and art. Most of these theories contain a grain of truth, in so far as a more or less prominent factor in totemism or a local totemic complex has been noted; but they are all hopelessly inadequate as attempts to explain the origin and development of totemism.

Totemism has not survived the decay of sib systems and hence is not found in historic times. Survivals of totemism may perhaps be perceived in the animal tabus of Arabia, in the half human, half animal gods of Egypt, in the heraldic emblems of Roman legions; in each case, however, historians have the difficult task of demonstrating the validity of these conjectures. But fragments of totemism have survived in another form which calls for no historic continuity but mere analogy in social psychology. Men still like to romanticize about animals, ascribe to them qualities of reason or emotion peculiar to humans, or even superior to them. Animal names, slightly tinged with emotional overtones, are used to designate individuals, groups, societies, athletic teams and political parties. Mascots are cherished and in time of war are invested with a halo more than quasi-totemic. Sets of analogous social units—regiments, college classes, professional groups—are differentiated by pins, flags and gowns. All this is not totemism, but in these odds and ends of customs, notions and values there may be discerned bits of culture which, in a setting of sibs, might have coalesced and flourished as totemism.

ALEXANDER GOLDENWEISER

See: SOCIAL ORGANIZATION; RELIGION; ANIMISM; MAGIC; SYMBOLISM; TABU; FETISHISM; ANTHROPOLOGY.

Consult: Goldenweiser, A. A., Review of J. G. Frazer's *Totemism and Exogamy* in *Current Anthropological Literature*, vol. ii (1913) 199–212, and "Totemism" in his *History, Psychology, and Culture* (New York 1933) pt. iii; Frazer, J. G., *Totemism* (Edinburgh 1887), and *Totemism and Exogamy*, 4 vols. (London 1910); Durkheim, Émile, *Les formes élémentaires de la vie religieuse* (Paris 1912), tr. by J. W. Swain (London 1915) bk. ii; Gomme, G. L., *Folklore as an Historical Science* (London 1908); Freud, Sigmund, *Totem und Tabu* (Vienna 1913), tr. by A. A. Brill (New York 1918); Gennep, Arnold van, *Tabou et totémisme à Madagascar*, École des Hautes Études, Bibliothèque, Sciences religieuses, vol. xvii (Paris 1904), and *L'état actuel du problème totémique* (Paris 1920); Marillier, L., "La place du totémisme dans l'évolution religieuse" in *Revue de l'histoire des religions*, vol. xxxvi (1897) 208–53, 321–69, and vol. xxxvii (1898) 204–33, 345–404; Lang, Andrew, *Social Origins* (London 1903), *The Secret of the Totem* (London 1905), and "Australian Problems" in *Anthropological Essays Presented to E. B. Tylor*, ed. by N. W. Thomas (Oxford 1907) p. 203–18; Powell, J. W., "An American View of Totemism" in *Man*, vol. ii (1902) 101–06; Hartland, E. S., "Totemism and Some Recent Discoveries" in *Folk-lore*, vol. xi (1900) 52–80, "An American View of Totemism" in *Man*, vol. ii (1902) 113–15, and *Primitive Paternity*, Folk-lore Society, Publications, nos. lxv, lxvii, 2 vols. (London 1909–10) vol. i; Haddon, A. C., "Presidential Address to the Anthropological Section" in British Association, *Report*, vol. lxxii (1903) 738–52; "Totemism" in Cambridge Anthropological Expedition to Torres Straits, *Reports*, ed. by A. C. Haddon, vol. v (Cambridge, Eng. 1904) ch. iv; Pikler, Julius, and Somló, Felix, *Der Ursprung des Totemismus* (Berlin 1900); Schmidt, P. W., "Le totémisme en Océanie et en Indonésie" in *Semaine d'ethnologie religieuse. Compte rendu analytique* (Brussels 1912) p. 225–26; Hill-Tout, Charles, "The Origin of the Totemism of the Aborigines of British Columbia," and "Totemism: a

Consideration of Its Origin and Import" in Royal Society of Canada, *Proceedings and Transactions*, 2nd ser., vol. vii (1901) sect. ii, p. 3–15, and vol. ix (1903) sect. ii, p. 61–99; Rivers, W. H. R., "Totemism in Polynesia and Melanesia" in Royal Anthropological Institute of Great Britain and Ireland, *Journal*, vol. xxxix (1909) 156–80; Schmidt, P. W., and others, "Das Problem des Totemismus" in *Anthropos*, vol. ix (1914) 287–325, 622–52, vol. x-xi (1915–16) 234–65, 586–610, 948–70, vol. xii–xiii (1917–18) 338–50, 1094–1113, vol. xiv–xv (1919–20) 496–545, vol. xviii–xix (1923–24) 516–21; Wundt, W., *Elemente der Völkerpsychologie* (Leipsic 1912), tr. by E. L. Schaub (London 1916) ch. ii.

TOURIST TRAFFIC. The word tourist became current early in the nineteenth century as a somewhat contemptuous synonym for traveler, but it is now used in the social sciences, without color, to describe any person whose movements fulfil two conditions: first, that absence from home is relatively short and, second, that money spent during absence is money derived from home and not earned in the places visited. Thus tourists may be sightseers, holiday makers, religious pilgrims, invalids in search of health, students—any travelers who, as distinct from emigrants or immigrants, intend to return home within, say, twelve months, and who, as distinct from migratory laborers, move in the capacity of consumers, not producers. Tourist traffic may be either internal, within any given country or district, or external, crossing political frontiers.

In the ancient Greek world tourist traffic seems to have been fairly common—rather too common, Plato thought (*Laws*, sect. 950)—and in the Roman Empire there is abundant evidence that formal tours were regularly undertaken by the well to do, for pleasure or instruction, to the Bay of Naples, Sicily, Greece, Asia Minor or Egypt; keeping largely to the beaten tracks and furnishing a considerable revenue to innkeepers and guides in the principal centers. In succeeding centuries many streams of tourists are visible—pilgrims to holy places, such as Jerusalem, Rome or Mecca, and students to centers of learning, such as Bologna, Paris or Oxford. Much of the traveling by mediaeval journeymen also should be regarded as tourist traffic in so far as it had only a slender connection with paid work. After the Renaissance new and important groups of tourists began to set out in search of antiquities and the arts and, somewhat later, of the beauties or the wonders of nature, so that in the eighteenth century the so-called grand tour came to be regarded, in Britain particularly, as a necessary part of education for anyone who could afford it. In 1785 Gibbon was told that "upwards of forty thousand English, masters and servants, are now absent on the continent," although he himself regarded the number as incredible. With the vast improvements in transport by land and sea which took place during the nineteenth century and with rising incomes per head in many countries, touring became possible to increasing numbers of people, until the expenditure of tourists is now the livelihood of whole districts in many countries and an important element in international balances of payments.

On the social aspects of tourist traffic many different opinions are possible. Some thinkers, in antiquity no less than in modern times, have been ready to ascribe to travel the decay of manners which they charged against their own contemporaries. Others have agreed rather with Samuel Johnson that all travel has its advantages: "If the passenger visits better countries, he may learn to improve his own, and if fortune carries him to worse, he may learn to enjoy it." Others again have argued that travel is not advantageous merely, but is one of the most important elements in the life of society; H. T. Buckle, for example, put travel side by side with gunpowder and the "discoveries made by political economy" as the three chief agents which in modern times had lessened the love of war.

From the economic aspect modern tourist traffic is significant in that it indicates and to some extent itself occupies the large place belonging to services as distinct from goods in the economy of today. Physical goods, their production, distribution and consumption, were for long the familiar objects of economic analysis, while services remained comparatively neglected. In recent years, however, with increased mobility of persons and higher standards of living in many countries services have probably become a relatively larger part of total output, and they have certainly begun to receive more attention from theorists; not least the two groups of services in which tourists are principally concerned—transport and hotels. Moreover the short term movement of consumers is an important supplement and often an important alternative to the movement of goods and services. Many goods and services are traded by being moved physically to consumers; other goods and services which cannot be moved can be traded none the less if consumers will move to them. The effect of tourist traffic is thus to extend the possible range of trade and to increase its

possible volume. A snow clad range of mountains, a barren seacoast, a wilderness of heather, the objects of disgust to one generation—may become economic assets of first rate importance to the next. And with the caprices of fashion and the desire of tourists for change, a mere difference by itself may be valuable: country A may attract tourists from country B, simply because A is not B.

If the importance of tourist traffic is to be assessed, three principal questions must be considered: external movement, or the movement of tourists across national frontiers; internal movement, or the length of time which tourists, foreign or national, stay away from home; and tourist expenditure.

External movement may be recorded either at frontiers or, inside the country, at hotels and lodgings where tourists stay. Direct frontier records are generally used for sea traffic, as in the United States, the United Kingdom and New Zealand, and sometimes also for land traffic, as in Italy since 1930. The main condition for their effectiveness is that tourists should be classified, not by nationality but by their place of permanent residence. A German entering the United States is German by nationality, and if his residence is in Germany, he ranks as a foreign tourist, and his expenditure is an active or credit item in the balance of payments of the United States; but if his residence is in New York, he ranks as a United States tourist returning, and his expenditure abroad is classed as a passive or debit item. Hotel and lodging records, on the other hand, are generally characteristic of inland countries, such as Switzerland or Czechoslovakia, and of countries like Germany where tourists for the most part come and go overland. They have the advantage of giving the aggregate of tourist days (tourists *times* the number of days spent), upon which the fortunes of the tourist industry primarily depend, but they do not give the actual number of tourists. For most visitors probably shift their quarters at least once or twice in the course of a single visit to a country, and are registered afresh at each place; so that the total of recorded arrivals exceeds the total number of tourists by an unknown but probably large amount.

Length of stay may be estimated by several methods. Hotel and lodging records give the average length of stay in any one place, say four days. If the average length of stay in the whole country is to be arrived at, the four days must be multiplied by some estimate, probably precarious, of the average number of moves from place to place. A "census method" uses the principles commonly employed, for example, in measuring the velocity of circulation of money or of goods in a warehouse. Let n be the number of tourists counted in the country on December 31; let m be the number counted on January 31 following; and let a be the number arriving in the course of January. Then, if p be the number departing, $p=n+a-m$. Granted that arrivals and departures are spread evenly over the month, the average size of this changing colony of tourists is $\frac{m+n}{2}$, and the average change in it is $\frac{a+p}{2}$ and thus the average length of stay is $\frac{m+n}{2}$ divided by $\frac{a+p}{2}$, or simply $\frac{m+n}{a+p}$ (Bachi, R., "Sulla rilevazione statistica del movimento dei forestieri" in *Giornale degli economisti*, 3rd ser., vol. lxi, 1921, p. 277–89). This method may be used regularly if hotel and lodging records are available or occasionally, at decennial or other intervals, when the whole population is counted. A third system for estimating length of stay may be called the "in-and-out lag method." If tourist arrivals and departures move in pronounced curves, as they commonly do, with sharp peaks usually in the summer months, it may be possible to calculate an average date of arrival and an average date of departure for the period in question. The difference between these two average dates, the in-and-out lag, will be the average length of stay (Aitken, A. C., "Statistical Note on the Average Length of Stay" in Ogilvie, F. W., *The Tourist Movement*, p. 115–23). The questionnaire method has within recent years been used both by the United States and by Canada, and in several countries important results, responding reasonably well to tests of statistical sampling, have been reached in this way.

With regard to tourist expenditure there are three main elements to be considered: transport charges, maintenance charges and sundries. The last element can never be measured with any exactness from without, but the other two, transport and maintenance, often permit some sort of rough calculation. If we know the number of visitors who have come from certain countries and the average length of their stay, then we can estimate their minimum expenditures in reaching the country of their destination and in maintaining themselves during their stay.

If we know further the type of transportation and class of hotel used by these visitors, we can make estimates with greater accuracy. For purposes of international accounting transport receipts have then to be divided according to the national ownership of the means of transport; hotel receipts, on the other hand, unless some of the hotels are foreign owned, are a national credit simply. The third item, sundries, according to recent estimates, may possibly have amounted to as much as some 30 percent of total expenditures in certain countries.

Such calculations of expenditure, however, are poor things compared with information obtained from tourists themselves by questionnaire. The United States Department of Commerce pioneered in the application of this method to oversea tourists in 1927, and since then it has published in the annual compilations of the balance of international payments detailed estimates which are models of their kind. In 1929, for example, when tourist traffic was at its highest, tourists from the United States were estimated to have spent about $296,000,000 in Canada, $38,000,000 in Mexico and $534,000,000 overseas. This total of $868,000,000 tourist expenditure was by far the largest of the invisible debit items on current account; and, compared with credit items, it was more than four times as large as the amount collected from the rest of the world for war debts, interest and principal combined ($212,000,000). There can be no doubt that these large sums disbursed by American tourists abroad in the years after 1918 materially helped to ease the debtor position in which the world stood to the United States as a result of the World War and its aftermath. In the volume on *Balances of Payments* issued annually by the League of Nations estimates of tourist expenditure and receipts have been published for about thirty countries: the three largest credit balances being those of France, Canada and Italy and by far the largest debit balance being that of the United States.

The international aspects of tourist traffic are now so widely regarded as important that there is hardly a government in the world which has not devoted public money in one way or another to the development of tourist facilities, with the special object of attracting foreign visitors. In some countries a government department has been set up for this purpose, like the Italian Ente Nazionale per le Industrie Turistiche (ENIT), established in 1919, the Soviet Intourist or the French Office National du Tourisme, which in 1928 was put under the direct supervision of the Ministry of Public Works. In other countries semi-official or voluntary bodies, such as the Travel and Industrial Development Association of Great Britain and Ireland, the Swiss Tourist Bureau or the Jugoslav Putnik, have acted under government auspices and received grants from the central treasury or from local authorities. Among the methods used by these agencies to attract foreign visitors are advertising, including the publication of illustrated booklets, circulars and posters; the provision of a tourist information service; the arrangement of local fairs, expositions and festivals; and the reduction or abolition of visa charges. The regulation of tourist traffic, like the tariff, has been used also by some governments, notably Germany in 1933, as an instrument of policy.

The rapid acceleration during the years after the World War of transoceanic travel from America is apparent from figures contained in the annual reports of the commissioner general of immigration, 1918 to 1931 inclusive. In 1920, 137,601 citizens of the United States departed from Atlantic ports while in 1930 the number was 404,390. During the same decade departures from Pacific ports increased from 14,201 to 22,829. The economic depression beginning in 1929 has, however, resulted in a decrease in tourist traffic. Figures issued in 1931 indicate a slight reduction in the volume of travel not only from America to Europe but from the British Isles to Europe. This situation has been utilized by tourist agencies in most countries, both official and private, to promote travel at home or cruises in home owned ships. In the United States automobile travel has continued to mount since the World War and has been accompanied by a rapid development of tourist camps and other roadside lodgings for the accommodation of motorists. The importance of this automobile traffic is apparent in such states as California and Florida, where tourists often rank as a major source of income. In southern California, for example, the tourist industry, according to a recent unofficial estimate, is responsible for an annual income to the community of $160,000,000 as compared with only $132,000,000 from motion pictures and $17,000,000 from oil.

F. W. OGILVIE

See: RESORTS; HOTELS; CAMPING; LEISURE; JOURNEYMEN'S SOCIETIES; TRANSPORTATION; ROADS; AUTOMOBILE INDUSTRY.

Consult: Ogilvie, F. W., *The Tourist Movement* (Lon-

don 1933); Friedländer, L., *Darstellung aus der Sittengeschichte Roms*, 4 vols. (10th ed. Leipsic 1921–23), tr. from 7th ed. by L. A. Magnus and J. H. Freese as *Roman Life and Manners under the Early Empire* (London 1908–13) vol. i, ch. vii; Willey, M. M., and Rice, S. A., *Communication Agencies and Social Life*, Recent Social Trends Monographs (New York 1933) pt. i; Galloway, G. B., "Foreign and Domestic Tourist Traffic" in *Editorial Research Reports*, vol. ii (Washington 1930) p. 423–35; United States, Bureau of Foreign and Domestic Commerce, "The Balance of International Payments of the United States in 1931," by A. E. Taylor, *Trade Information Bulletin*, no. 803 (1932), "The Promotion of Tourist Travel by Foreign Countries," by H. M. Bratter, *Trade Promotion Series*, no. 113 (1931), and "Canadian-United States Tourist Trade in 1931," by A. E. Taylor and " 'Tourism'—the Business of Organized Hospitality," by H. M. Bratter in *Commerce Reports*, vol. xxxv (1932) 188–90 and vol. xxxiii (1930) 251–54; Motherwell, H., "The American Tourist Makes History" in *Harper's Magazine*, vol. clx (1929–30) 70–76; Miller, F. P., and Hill, H. D., "Europe as a Playground" in *Atlantic Monthly*, vol. cxlvi (1930) 226–31; Dale, E., "The Tourist Idea" in *Cornhill Magazine*, vol. lxix (1930) 210–16; Rae, W. F., *The Business of Travel* (London 1891); Industrie- und Handelskammer, Berlin, *Fremdenverkehr* (Berlin 1929); Bormann, Artur, *Die Lehre vom Fremdenverkehr* (Berlin 1931), and "Der Stand der Fremdenverkehrsstatistik in den verschiedenen Ländern" in *Allgemeines statistisches Archiv*, vol. xxii (1932) 589–95; Davidsen, H. C., "Germany's Tourist Traffic" in *German Commerce Yearbook, 1929*, ed. by H. Kuhnert (New York 1930) p. 65–73; Klafkowski, M., *Das Fremdenführungswesen*, and *Organisationsgrundsätze der Fremdenverkehrspflege in Europa*, Handelshochschule, Berlin, Forschungsinstitut für den Fremdenverkehr, Schriftenreihe, vols. i and iv (Berlin 1930–33); Grünthal, A., *Fremdenverkehrsanalyse der Provinz Oberschlesien*, Handelshochschule, Berlin, Forschungsinstitut . . . , Schriftenreihe, vol. v (Berlin 1932); Mariotti, A., *Corso di economia turistica* (Novara 1933); Benini, R., "Sulla riforma dei metodi di calcolo del movimento turistico" in Italy, Ente Nazionale per le Industrie Turistiche, *Statistica del movimento turistico in Italia 1926–27* (Rome 1929) p. 5–35; "Tourist Trade of France" in *Foreign Trade*, vol. v (Paris 1930) 13–17; Payen, Édouard, "Le tourisme en France en 1925" in *Économiste français*, année 54, vol. ii (1926) 387–89; Union de Banques Suisses, *Le tourisme et l'industrie hôtelière en Suisse* (Zurich 1927); Smutný, Pavel, *Platební bilance* (Balance of payments), Czechoslovakia, Státni Úřad Statistický, Knihovna statistického věstníku, vol. xi (Prague 1928) pt. ii, sect. 9; U. S. S. R., Chamber of Commerce for Western Trade, *Monthly Bulletin*, vol. ii (1930) no. 6; Berger, J., "Tourist Development in Palestine" in *Palestine and Near East Economic Magazine*, vol. vi (1931) 345–50; Jones, A. C., "A Workers' International Travel Movement in Europe" in *American Federationist*, vol. xxxix (1932) 905–11.

TOURVILLE, HENRI DE (1842–1903), French sociologist. Tourville received a thorough training in history and attended courses at Paris at the École des Chartes, where he became associated with a group of young liberal Catholics. In 1865 he entered the seminary at Issy and embarked on an ecclesiastical career, becoming vicar of the church of St. Augustine at Paris in 1873. Previously, however, he had made the acquaintance of Frédéric Le Play and had set out to devote himself to the study and teaching of the latter's doctrines of social science, which in France have stood opposed to the sociology of the positivists.

Tourville began by adopting Le Play's ideas, his theory of the classification of family types and his procedure for the study of family budgets, and from 1876 he concentrated upon organizing a regular course of instruction on the method and doctrine of Le Play. After his master's death, however, Tourville departed from the orthodox disciples who remained grouped about the review the *Réforme sociale*, in order to undertake the publication of a dissident organ, the *Science sociale*, with Paul de Rousiers, Edmond Demolins, Paul Bureau and Robert Pinot as its outstanding collaborators.

In Le Play's work Tourville distinguished the method from the conclusions. He criticized the method for being too narrow and artificial and for failing to take account of numerous aspects of social life; the classification, or nomenclature, of social facts which he formulated in 1883, and which served as a framework for the work of his disciples, was quite independent of the mathematical study of family budgets. Le Play's conclusions seemed to Tourville incomplete and hasty. He contended that even if the family were considered the social type of grouping, it should be studied not by itself but in terms of the factors which condition it. These factors are place, work, ownership, system of movable property, wages and savings. Furthermore the family ought to be studied not only with regard to its means of existence but also with regard to its organization, its various modes and phases of existence. Moreover the analysis of forms of private life includes the study of protective associations (commercial, intellectual and religious), of free associations (neighborhood and fraternal groupings) and of compulsory associations (communes, unions of communes, cities, sections, provinces and states). Such a survey should enumerate the different and successive points of view whereby a people might be studied in its relationship to a national territory, whether in its private or in its public life, and to this should be added the study of alien peoples, the effects of foreign developments and the history of the

particular people according to its rank in human development.

Tourville created a school of travel for research and then a school of social science. He participated in formulating the plans for the founding of the École des Roches subsequently established by Demolins.

RENÉ HUBERT

Works: *Histoire de la formation particulariste. L'origine des grands peuples actuels* (Paris 1905), tr. as *The Growth of Modern Nations* (New York 1907); *Piété confiante. Lettres de l'abbé de Tourville* (Paris 1928).

Consult: Bureau, Paul, "L'oeuvre de Henri de Tourville," and Rousiers, P. de, "L'école de la science sociale et sa méthode" in *Science sociale*, vol. xxxv (1903) 465–96, and n.s., vol. i (1904) 18–43.

TOUT, THOMAS FREDERICK (1855–1929), British historian. From 1890 until 1925 Tout was a professor in Owens College, Manchester, which became an independent university in 1900. During this period and largely as a result of his personality and devotion the Manchester school of history came to form one of the principal centers of historical inquiry in England. Tout was a great teacher and both directly and through his pupils he influenced the course of research in many different fields of mediaeval history. The distinctive and most important part of his own work was in the administrative history of England in the thirteenth and fourteenth centuries. The administrative as distinct from the constitutional history of the period had not attracted any of the great historians of the previous generation, and the treatment which it had received from other writers was antiquarian in character. Tout placed its importance beyond dispute in his two chief works, *The Place of the Reign of Edward II in English History* (Manchester 1914) and *Chapters in the Administrative History of Mediaeval England* (6 vols., Manchester 1920–33). Earlier historians had recognized the part played by the king's household in the government of England under the Norman and early Angevin kings. Tout showed that it remained of primary significance in the organization of the English state until the end of the fourteenth century, and that many constitutional crises resulted from the determination of successive kings to entrust the work of government, so far as possible, to officials over whom they had direct control. This view gave a new significance to the changes in the tenure of the household offices during this period; Tout investigated these in detail, devoting much research to the personal history of their holders. The details which he collected were related throughout his work to the general history of England, and the chapters which he devoted to the contemporary course of events showed that he possessed unusual gifts as a writer of narrative.

F. M. STENTON

Consult: Powicke, F. M., "Memoir" in *The Collected Papers of T. F. Tout*, University of Manchester, Publications, Historical series, no, 63, vol. i– (Manchester 1932–) p. 1–24; Little, A. G., in *History*, n.s., vol. xiv (1929–30) 313–22.

TOWN GOVERNMENT. *See* LOCAL GOVERNMENT.

TOWN MEETING. *See* POPULAR ASSEMBLIES.

TOWN PLANNING. *See* CITY AND TOWN PLANNING.

TOWNSEND, JOSEPH (1739–1816), English clergyman and geologist. After receiving a master's degree at Cambridge in 1765 Townsend studied medicine in Edinburgh. Subsequently he took orders and became rector of Pewsey, Wiltshire. He was a friend of William Smith, "the father of English geology," and was himself known among contemporaries as a geologist. He arranged an elaborate collection of English fossils and published a work entitled *The Character of Moses Established for Veracity as an Historian* (2 vols., Bath 1813–15). His best known works, *A Dissertation on the Poor Laws* (London 1786, 3rd ed. 1817) and *A Journey through Spain in the Years 1786 and 1787* (3 vols., London 1791; 3rd ed. Bath 1814), give him significance in the annals of social philosophy. J. R. M'Culloch averred that Townsend's ideas were "not so much a foreshadowing of Malthus' theory, as the theory itself. And only required to have been presented in a more detailed and systematic manner to have anticipated the Essay on Population." Malthus did not mention Townsend in the first (1798) edition of the *Essay on the Principle of Population*. In the second edition (1803) he expressed surprise that Townsend's ideas on population, with those of Franklin, Steuart and Arthur Young, had not excited public attention. Malthus moreover expressly omitted specific treatment of the population of Spain on the ground that he could add little to what had been so well done by Townsend. The *Dissertation* was a trenchant argument from the decidedly ruling class point of view of the time. The poor are a lower order of beings provided by God and nature for manual toil. In

general only hunger will spur them to work. Consequently the right to charity does not exist, and all public relief shoud be discontinued. The *Journey through Spain*, a curious medley on Spanish topography, mineralogy, soils, agriculture, population, industry, finance and manners, reflects Townsend's encyclopaedic interests. His importance, however, lies in the fact that he attacked the poor laws and anticipated most of the essentials and some of the details of the Malthusian theory.

A. B. WOLFE

Consult: Loch, C. S., in Palgrave's *Dictionary of Political Economy*, 3 vols. (new ed. 1923–26) vol. iii, p. 553–54; Malthus, T. R., *Essay on the Principle of Population* (8th ed. London 1878) p. 184–85, 448–49; M'Culloch, J. R., Preface to his edition of S. J. L. Overstone's *Select Collection of Scarce and Valuable Tracts* (London 1859) p. xx–xxi; Cannan, Edwin, *History of the Theories of Production and Distribution in English Political Economy from 1776 to 1848* (3rd ed. London 1917) p. 129–30.

TOWNSHEND, SECOND VISCOUNT CHARLES (1674–1738), British statesman and agriculturist. As secretary of state for foreign affairs under George I and George II Townshend exerted considerable influence upon English foreign policy. Following a number of increasingly serious disagreements with Walpole he retired from public life in 1730 and devoted himself to the development of his estates at Rainham in Norfolk. He was the first of the famous improving landlords of the eighteenth century. The popularity of his nickname, "Turnip Townshend," has led to the exaggeration of his importance as an innovator. He was not the first to grow turnips as a field crop, still less to introduce them into England. Turnips are "very advantageous, when sown in fields" says the *Dictionarium Rusticum* of 1704. Turnips became a field crop "sixty years ago," wrote William Ellis in 1733 (*Chiltern and Vale Farming*, London 1733). Nor was he the first to use marl on light soil. This was probably an old Norfolk practise—the old pits were there—and was being followed in Somerset and Staffordshire in his day. Yet within fifty years of Townshend's death the farming of Norfolk had been revolutionized, mainly by his influence. Farmers are afraid of novelties and cannot take extravagant risks. Townshend incorporated the best of the new ideas and new crops into a system which they could safely adopt. Marl, turnips and clover were the foundation of his system. He learned from Tull the importance of hoeing, but he did not adopt the drill. Norfolk turnips were sown broadcast. They were also plentifully manured. This made possible the four-course husbandry of wheat, turnips, barley, clover—eliminating the fallow—which spread widely in Norfolk and England, although in Norfolk a more elaborate six or seven-course rotation was often followed. Above all Townshend was a great example of the farming aristocrat and resident landlord to whose enterprise British agriculture is greatly indebted.

T. H. MARSHALL

Consult: "The State of Husbandry in Norfolk" in *Gentleman's Magazine*, vol. xxii (1752) 453–55, 501–04; Great Britain, Board of Agriculture, *General View of the Agriculture of the County of Norfolk* by Nathaniel Kent (2nd ed. 1813) p. 39–49; Ernle, Lord (Prothero, R. E.), *English Farming Past and Present* (4th ed. London 1926) p. 173–75.

TOYNBEE, ARNOLD (1852–83), English economic historian and social reformer. Toynbee was the son of Joseph Toynbee, a famous aurist who took an active part in the movements for public health and town improvement. He was a tutor of Balliol College, Oxford, from 1878 to his death. In that short time he made himself a great force both in Oxford and outside. His lectures on industrial problems, afterwards collected as *Lectures on the Industrial Revolution of the Eighteenth Century in England* (London 1884; new ed. 1908), established industrial history as a subject for serious study at Oxford. Outside he helped trade unions, friendly societies, the cooperative movement, church reform and all efforts to improve town life. The importance of his short life was twofold. As a teacher he had a profound influence in the field of economics, for he was at once a humanist and an economist. He thus approached economic problems with a wide and catholic interest in the history of man and the significance of character. If he had lived longer he would probably have written an important book on economic history, for he had historical imagination, vast knowledge, a passion for accuracy and a rare sense for what was relevant and important in the mass of facts that he studied. As it was he prevented the writing of economic history from falling under the blight of a narrow specialism. His lectures at Oxford made a profound impression. He shook the ascendancy of a doctrine of laissez faire, which was apt to leave humanity out of account. After his death his friends, who included Jowett, T. H. Green and Lord Milner, established Toynbee Hall in the East End of London

as a social settlement where rich and poor might be brought together in a common interest in the better government of a squalid and neglected district. Men from the universities, inheriting Toynbee's sympathy, working in government offices or in the professions, went to live at Toynbee Hall, helping their neighbors by taking part in local government or in the social life of which Toynbee Hall, under the rule of Canon Barnett, with its music, its art, its lectures and libraries, was the center. Similar institutions are now common in London and the chief towns of England and Scotland.

JOHN LAWRENCE HAMMOND

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TRACY, DESTUTT DE. *See* DESTUTT DE TRACY, ANTOINE LOUIS CLAUDE.

TRADE AGREEMENTS or joint trade agreements are collective arrangements regulating wages, hours of labor and conditions of work for a stated period and are reached through collective bargaining between a trade union and an employer or association of employers. The scope of the agreement, that is, whether it is applicable to a given craft or to all crafts in an individual plant, in a particular locality or thoughout the country, varies with the jurisdiction and bargaining power of the union and of the employers' association and the conditions of the industry. Historically the development has been from local agreements covering a single craft to those which, if not necessarily national in scope, are at least limited by the standards of the national or international unions. Functionally the trade agreement represents a system of joint voluntary regulation of labor conditions, the interpretation of its terms and the adjustment of grievances being provided for by a system of voluntary conciliation as a substitute for the methods of direct action.

The trade agreement appeared as a local manifestation in some crafts about the second half of the nineteenth century. In the United States the earliest recorded agreement with a national association was that of the Sons of Vulcan with the iron manufacturers in 1865. In England trade agreements on a wide scale came into being in the 1860's. In Germany the journeymen printers had demanded a national scale of wages as early as 1848, but their first agreement was not made until 1873, after the industrial code of 1869 had granted the right of combination to workers and employers. Beginning about 1890 the system of trade agreements in these countries gradually spread to industries in which the workers showed some organizational strength. In Germany almost from the outset these agreements were, as their name *Tarifverträge* signifies, mainly wage and hour schedules, except in the case of the journeymen printers. Here an elaborate system of governmental regulation caused the German trade unions and their socialist allies to attempt to effect improvements in working conditions through political activity. A similar situation prevailed in Australia and New Zealand with their systems of wage arbitration. In republican Germany after the World War the governmental role was strengthened by legislation giving the state the right to intervene to enforce collective trade agreements, which could be made binding on a whole trade, including the unorganized sectors and barring individual exceptions, at the request of one or both contracting parties through an order of the Ministry of Labor. In 1930 this power was so augmented that the government could compel the acceptance of an agreement by both groups, if it considered that public safety so required. While these agreements, affecting a majority of the industrial wage earners, were still restricted in the main to wage and hour schedules, a new semigovernmental institution, the industrial relations council (*q.v.*), was set up to pass on the many details of working conditions.

The development in England and in the United States, on the other hand, was almost entirely on a voluntary basis and never reached so large a proportion of workers, but where it was in force it represented a far more comprehensive scheme of regulation. This was true especially in the United States, where in many instances trade agreements regulated every detail of job conditions under varying situations and included provisions for an institutionalized machinery for interpretation and enforcement as well as for the adjudication of all disputes which might arise during the life of the agreement or at its termination.

The first significant national trade agreement, concluded in 1891 between the Iron Molders Union and the Stove Founders National Defense Association, stipulated a method of settling

industrial disputes without suspension of work and upon its renewal was extended to include the setting of a general rate of molders' wages each year as well as provisions determining the ratio of apprentices to journeymen and regulating the introduction of machinery. The success of this agreement led to attempts to make similar arrangements with the National Founders' Association in 1898 and with the National Metal Trades Union Association in 1900. These were of short duration, however, and in 1903 the iron molders' agreement was terminated because of a dispute over apprenticeship and use of machinery. An even more difficult problem confronting the trade agreement, especially in industries characterized by close corporate semi-monopolistic ownership, as in the case of the steel industry, was the capacity of the union to organize on a nation wide basis and thus to control wage conditions. It was this difficulty which led to the refusal in 1901 of the American Steel Hoop Company to negotiate a national agreement with the hitherto powerful Amalgamated Association of Iron and Steel Workers, and which culminated in an unsuccessful strike with disastrous results for the union.

A very significant development in this period was the joint agreement concluded in 1898 in the "central competitive field" of the bituminous coal industry, which has been characterized by wide variation in conditions of production. As early as 1886 the mine workers' union proposed a regional agreement in order to enforce "competitive equality" and to eliminate cut-throat competition in labor standards. But it was not until the victorious and widespread strike of 1897 that the operators of the four states in this area could be induced to act jointly. Since that time a number of similar agreements have been reached for other coal producing areas, the basic conditions of the central competitive field serving as the standard for adjustment. During and after the World War the bituminous coal agreements were negotiated on a national basis; no agreement was made in the outlying fields until negotiations had been completed in the central competitive field. The gradual encroachment of the non-union fields upon the markets of the union producers led to a breakdown of this system after a quarter of a century of operation; and the Jacksonville agreement of 1924, terminating in 1927, was the last widespread agreement in the bituminous fields prior to the inauguration of the National Industrial Recovery Act.

In the anthracite coal industry, on the other hand, with its close corporate ownership and restricted area of production the mine workers' union for some time was forced to depend on governmental conciliation for its agreements. The first agreement was the result of an arbitration award by a governmental commission, after the strike of 1902, settlement of disputes being entrusted to "outside" conciliators. The agreement, although signed by officers of the national union, did not recognize their affiliation; this situation persisted until 1912, when an agreement was signed on behalf of a non-existent union, the "Anthracite Mine Workers' Organization." The system of conciliation now more nearly resembles that in the bituminous coal industry.

Other examples of trade agreement as a method of regulating working conditions in highly competitive industries are to be found in the men's clothing and in the women's garment industries. In the former the trade agreement appeared after a long and violent strike in Chicago in 1910; since that time it has been extended to other centers. While wage and even hour schedules may vary for districts, the national union participates in regional negotiations. Although the preferential rather than the closed shop prevails, the trade agreement and the machinery for adjudication cover a wide range of conditions, including piecework rates, production standards and introduction of machinery. In Chicago a unique feature of the agreement in the men's clothing trade is the provision, dating from about 1923, for an unemployment insurance fund based on the joint contributions of workers and employers and administered through a joint office. While this fund does not provide for long time unemployment, it represents an attempt to furnish unemployment relief through collective bargaining and without governmental intervention. Similar provisions for unemployment insurance funds have been included in the New York and Cleveland women's garment markets and in the New York dress industry, under agreement with the International Ladies' Garment Workers' Union, which also has trade agreements in other localities and in numerous branches of the women's garment industry. In New York the scope of joint regulation in the industry has been extended to the enforcement of sanitary conditions through a joint board of sanitary control, which for a period also was entrusted with the issuance of a label testifying to the production of garments under prescribed conditions.

A type of agreement which establishes permanent united action among workers organized separately in different crafts has been developed among the railroad shopmen. The desire of the crafts to enter into agreements expiring simultaneously led to the formation of system federations, then to the Railway Employees Department of the American Federation of Labor and ultimately to one agreement covering all shop employees on a particular railroad system instead of single agreements with each craft. In September, 1919, the United States Railroad Administration and the shopmen's unions concluded national agreements which embodied very liberal principles in regard to rules and job conditions. Upon the return of the railroads to private management in 1920 employers' pressure for the abolition of the national agreements led to the national shopmen's strike in 1922.

The extent and coverage of trade agreements in the United States cannot be ascertained from any published statistics. Roughly they can be said to have corresponded to the number of organized workers, although in some localities and crafts where the union considers its power sufficient there is no use for the written agreement. Undoubtedly the depression beginning in 1929 and the loss of union strength tended to retard the development, both in scope and in effectiveness.

Generally speaking, despite many differences in details the trade agreements of Great Britain resemble closely those of the United States. National agreements or standards have been gradually replacing local and district agreements, which, however, still obtain in the industries and services supplying a limited market. According to a study by the Board of Trade for 1910, there were 1696 agreements covering 2,400,000 workers, a number almost equivalent to the trade union membership of that year. In the building trade, where agreements were for the most part local, there were no fewer than 803, covering 200,000 workers; whereas in the mining and quarrying industries, where agreements are regional in scope, only 56 were recorded for 900,000 workers. Although provision for governmental minimum wage regulation exists in certain sweated industries and in agriculture, there may be supplementary collective agreements. The coverage of trade agreements in England has kept pace on the whole with trade union membership.

Most American and British trade union leaders have considered the trade agreement to be the very essence of trade unionism. Violation of these agreements by "outlaw strikes" has been punished in many unions by suspension of charters or by expulsion.

Indeed the instrument of the trade agreement has been a powerful factor in the centralization of control in trade union organizations. While local autonomy may play some part in the negotiation of agreements and the setting of local standards, the necessity for national standards has minimized the importance of the local body. Moreover, although many unions provide for the selection of negotiators in a general representative convention, which may also pass on the scale, in others authority to make such agreements is vested in the officials.While this view is consonant with the conservative concept of the function of trade unionism, the syndicalists and other revolutionary unionists oppose the trade agreement as a manifestation of class collaboration and are at most willing to make only agreements of brief duration, which they do not consider binding. This explains in part the virtual non-existence of the trade agreement in pre-war France, dominated as it was by syndicalist unionism. In general American trade unions have looked with some suspicion on the use of the machinery of government to enforce agreements. Curiously enough, however, it was one of the more progressive of the American unions, the International Ladies' Garment Workers' Union, which when faced by an attempt of employers tc annul a trade agreement secured an injunction which was later made permanent.

The trade agreement is now a common institution in most industrial countries. In France, Sweden, Denmark, Switzerland, Holland, Belgium and Czechoslovakia agreements covering a large proportion of the workers are voluntary but regulated; in Austria and in Norway they are regulated and in part obligatory. In Italy and the Soviet Union trade agreements are compulsory. In both countries trade agreements were practically unknown in the pre-war period. The advent of Fascism halted the post-war development of voluntary agreements and substituted instead a system of agreements regularized and virtually enforced by the government. Hitlerite Germany has left the regulation of labor conditions almost entirely in the hands of the employers.

In Soviet Russia collective agreements are arranged between the unions and the various industrial trusts and include unorganized workers as well. It is forbidden to violate the pro-

visions of the Labor Code in regard to wages, working conditions and hours of labor or to depart from the wages and hours of labor specified in the planned control figures. Another check is that wage increases may be dependent upon increases in productivity. Within these limits modifications may be suggested by the workers in general meetings. Adjustments of grievances or disputes may be referred first to the "conflict commission" and then to an arbitration board or to a three-party board. Workers and management constitute the former, and in the latter the third member is elected by the other two or chosen by the organ of labor at their request. The decisions of both are binding.

The establishment of a system of legally enforceable labor codes under the National Industrial Recovery Act has raised some question as to the possible effect of governmental wage and hour fixing and conciliation on the development of the joint trade agreement in the United States. The codes provide in most cases only for minimum standards of wages and hours; and although the act allows for collective bargaining above these minima, it is by no means clear that these provisions necessarily require joint agreement. In fact thus far only in those industries which had hitherto been characterized by a well worked out system of joint agreements has the inauguration of the National Recovery Administration resulted in the revival, through collective agreements, of predepression conditions, extending because of the effectiveness of the organizing campaign to an even larger working population. On the other hand, organized labor, where it is represented in the code authority set up in these industries, has not the same power in the machinery of enforcement and conciliation as it had under the previous system of two-party impartial boards or chairmen; and in other code authorities labor, if not well organized, has secured no representation at all. Nor is the fact that these agreements and codes are enforceable at law regarded as an unqualified gain by those skeptics who see possible adverse effects in a system of regulation which makes the union part of the state apparatus and dependent upon governmental authority.

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See: COLLECTIVE BARGAINING; LABOR CONTRACT; ARBITRATION, INDUSTRIAL; CONCILIATION, INDUSTRIAL; COURTS, INDUSTRIAL; STRIKES AND LOCKOUTS; INDUSTRIAL RELATIONS; TRADE UNIONS; AMERICAN FEDERATION OF LABOR; EMPLOYERS' ASSOCIATIONS; CLOSED AND OPEN SHOP.

Consult: Raynaud, B., *Le contrat collectif à l'étranger* (Paris 1929), and *Le contrat collectif en France* (Paris 1921); Fuchs, R. F., "The French Law of Collective Labor Agreements" in *Yale Law Journal*, vol. xli (1931-32) 1005–36; Lange, Paul, "Tarifverträge des Zentralverbandes deutscher Konsumvereine" in *Internationales Handwörterbuch des Gewerkschaftswesens*, 2 vols. (Berlin 1931–32) vol. ii, p. 876–78; Hoxie, R. H., *Trade Unionism in the United States* (2nd ed. New York 1923) p. 263–78; Saposs, D. J. and B. T., *Readings in Trade Unionism* (New York 1926) p. 210–33; Suffern, Arthur E., *Coal Miners' Struggle for Industrial Status* (New York 1926); Bloch, Louis, *Labor Agreements in the Coal Mines* (New York 1931); Haber, William, *Industrial Relations in the Building Industry* (Cambridge, Mass. 1930); Powell, L. M., *History of the United Typothetae of America* (Chicago 1926); Lorwin, L. L., *The Women's Garment Workers* (New York 1924); McIsaac, A. M., *The Order of Railroad Telegraphers; a Study in Trade Unionism* (Princeton 1933); McCabe, D. A., *National Collective Bargaining in the Pottery Industry*, Johns Hopkins University, Studies in Historical and Political Science, extra vol., n.s., no. xvi (Baltimore 1932); Stockton, F. T., *The International Molders' Union of North America*, Johns Hopkins University, Studies in Historical and Political Science, 39th ser., no. iii (Baltimore 1921); United States, Bureau of Labor Statistics, "Trade Agreements, 1923 and 1924," and "Trade Agreements, 1925," *Bulletin*, miscellaneous ser., nos. 393 and 419 (1925–26); Rowe, J. W. F., *Wages in Practice and Theory*, London School of Economics and Political Science, Studies, no. 94 (London 1928) pt. ii; International Labour Office, "Collective Agreements in Agriculture" in *Studies and Reports*, ser. K, no. 11 (Geneva 1933); Saposs, D. J., *The Labor Movement in Post-War France*, Social and Economic Studies of Post-War France, vol. iv (New York 1931) p. 190–210; Kortenhorst, L. G., and Rooy, M. J. van, *De collectieve arbeidsovereenkomst*, Publick- en Privatrecht, no. xi (Zwolle 1930); Woll, Matthew, *Wage Negotiations and Practices* (Washington 1925); Erichsen, E., "Scandinavian Employers and Collective Labour Agreements" in *International Labour Review*, vol. xxvi (1932) 676–92, 826–40. See also bibliographies of CONCILIATION, INDUSTRIAL; TRADE UNIONS.

TRADE ASSOCIATIONS. The organization of producers in the same trade or industry is not a peculiarly modern development. It existed in one form or another in ancient Egypt and throughout classical antiquity and has been found in China as far back as records extend. Whether the Roman "corporations" were primarily professional groups interested in the development of the arts and the preservation of decent standards of living and of workmanship or were essentially capitalistic in character, designed to improve bargaining efficiency, it is impossible now to determine. To some extent the interpretation of the mediaeval craft guilds encounters similar difficulties. Their main purpose appears originally to have been social protection rather than self-help; but from what

were primarily police agencies with public responsibilities they developed more and more of the character of instruments for the exploitation of opportunities for gain, earning eventually a richly deserved opprobrium.

The distinction between the modern trade association and the mediaeval guild, in view of this functionally shifting character of the latter, may be based more definitely and concisely upon their structural peculiarities. The mediaeval organizations of persons in the same trade were composed of all those who made their livelihood by it—those who gave as well as those who took directions, although of course with varying powers and duties. On the other hand, the modern trade association is composed of and represents solely the interests of a special class in each industry: those who give directions, the enterprisers. It was the shift in the basis of control of production from skill to ownership accompanying the radical changes in width of the market and in technology during the seventeenth and eighteenth centuries which not only sharply differentiated the directors from the directed but opened up an almost impassable gulf between them. In these circumstances the more energetic, resourceful and versatile elements in every trade were alienated from the guilds by the advantages of independent pursuit of their own private interests regardless of any social responsibility toward either consumers or workers.

The trade associations, which are the modern counterpart of the guilds among the propertied enterprisers, as the trade unions are among the propertyless workmen, did not immediately take the place of the defunct guilds. It was only after about a century and a half, from 1700 to 1850, of freebooting competition, of unrestrained and largely unregulated rivalry in trade that the common interests of enterprisers were again recognized and organization was achieved. At the outset the revival of efforts toward associative action for mutual protection and advancement of enterpriser interests was characterized by tentative thrusts in many directions. Thus the difficulties of employment relations might lead to the establishment of an employers' association, sometimes for more effective resistance to the challenge of trade unionism, sometimes for the facilitation of collective bargaining. Again, the gamble involved in the granting of credit by commercially isolated manufacturers or wholesalers each intent upon extending his custom at all costs might finally persuade the improvident sellers on credit to organize themselves for exchanging credit information, standardizing credit terms and combating fraud. Or the expediency of securing legislative favors, perhaps by way of protection from foreign competition, or of winning judicial or administrative recognition for trade standards, usages and grades might prompt organization for these purposes.

Not infrequently these initial associations included several lines of trade. They might be organized upon a territorial basis, as was particularly true of the early British associations directed toward the prevention of credit abuses, although the localization of industry tended to make of them none the less trade associations in a narrower and more conventional sense. A similar regional jurisdiction is to be found in the chambers of commerce, which through the past century have played such a vital role in the commercial and industrial development of France as quasi-administrative organs for defining trade customs, settling trade disputes and protecting trade interests. The range of interests common to all members of such multitrade associations is too restricted, however, to afford the basis for any cohesive action with respect to the market.

If trade associations be defined then as voluntary organizations for mutual protection or advantage of proprietarily independent enterprisers producing or distributing similar goods or services, it is evident that the scope of their joint action is immaterial. Such trade associations are in the main a product of the last half of the nineteenth century; and it is curious how nearly simultaneous was the emergence of this type of organization in countries so widely different in historical background, stage of industrial development and nature of public policy as Great Britain, Germany, France, Italy and the United States. The clue is perhaps to be found in the changed situation of manufacturers and dealers consequent upon the rapid expansion of the railways; for with the removal of the geographic barriers which had afforded a measure of protection enterprisers were suddenly exposed to the rigors of a new and severe competition, which was only aggravated by the opportunity thus afforded for the expansion of each. The generic purpose of trade associations is in some way to allay the rigors of trade competition, in order to assure or increase profits. But there is more than one way to achieve such an end. The general direction taken is largely conditioned by the public policy within whose confines associations develop. Accordingly there has been in

some countries a predominant emphasis upon activities aimed primarily at the reduction of costs and in others upon activities designed to raise or maintain selling prices. In general there is a growing tendency to limit the term trade association to those organizations whose paramount interests lie in cost reduction as distinct from such organizations as pools, cartels, syndicates or *comptoirs*, which are structurally similar but functionally oriented toward price control. But this usage is by no means universal, and since in countries, like Germany, where public policy has long sanctioned cooperation among business rivals to control prices trade associations in this narrow sense are practically unknown, the discussion which follows will embrace all organizations falling within the structurally defined category.

The rapid industrialization of Germany in the latter half of the nineteenth century was accompanied and aided by a general policy of removal of legal bars to free contract and free enterprise. Germany took over from England with the machine technique a substantial measure of laissez faire. Nevertheless, it retained enough of the mercantilist tradition to countenance, indeed to encourage, collective regulatory measures for softening the harsh consequences of individualist economic action. The Prussian fisc not only encouraged general participation in cartel agreements but was itself an adherent of one of the first cartels formed, that in the potash industry in 1879. The movement thus started in the mining industries soon extended to manufactures and finally to distributive trade, becoming a characteristic feature of German industrial organization. In spite of recurrent difficulties various legal devices, like the *Zwangsyndikat* law of 1920 and notably the Cartel Decree of 1923, have been adopted for strengthening the hold of the associations upon their membership and fortifying their market control.

In Italy after unification and prior to the World War numerous trade associations had been established, but under the parliamentary regime they appear to have functioned principally in the sphere of cost reduction. They negotiated employment contracts with the trade unions, standardized products, grades and trade terms and exerted their collective influence upon legislation and administration. Under Fascism, however, the syndical organization of business has become in effect compulsory and in practise ubiquitous. Nor are the functions of the syndicates confined to employment relations. They embrace in their jurisdiction control of output, interchange of technical formulae and process patents and in some cases direct control of prices, subject of course to the supervision and approval of the Ministry of Corporations. These Fascist syndicates of business enterprisers represent not a deviation from but the culmination of trade association development. They are the concrete embodiment of the philosophy of capitalistic syndicalism.

It has already been remarked that the early and extensive development of chambers of commerce in France represented an incipient trade association movement in the sense that localization of industry contributed to their specialization in the protection and promotion of particular lines of business. Their functions, largely determined by their constitution, were and are confined to the provision of market information, legal advice in such matters as customs regulations and factory legislation, a sort of police administration for the protection of trade standards and similar activities. Trade associations limited to single industries began to appear in the 1860's, the first on record being the Comptoir des Salines de l'Est. The most important, both on account of its size and power in its own field and on account of the example it set for other industries, was the Comptoir de Longwy (1876). This was the progenitor of the present Comité des Forges, which rules the metallurgical industries of France with an iron hand. But although the *comptoir* movement has spread to other so-called heavy industries, it has never attained the prevalence and pervasive influence of the parallel cartel movement in Germany. This may perhaps be accounted for partly in terms of the continuing vitality of the chambers of commerce; but probably an even more important factor is the resistance to standardization, regimentation and mass production which has characterized French industrial development.

In continental countries generally as well as in Scandinavia public policy appears to have admitted free enterprise and free contract in trade as more or less alien elements. For the governance of peoples habituated through centuries of experience to one form or another of collective autonomy or hierarchical discipline these doctrines were singularly inept and inadequate. The basic assumption behind the faith in the salutary character of free contract and free enterprise has always been that they would foster free competi-

tion. In view of the historical development of the continental economies it was indeed shortsighted if not fatuous to expect the removal of the bars to free enterprise to assure there the realization of free competition. The revolutionary tendencies in Europe today, in so far as they have economic origins, may be taken as the logical reaction to the evils of capitalistic exploitation. The inadequacy if not the absence of safeguards and limitations upon free enterprise (voluntary trade association) characterizing the public policy of European countries in the nineteenth and twentieth centuries accounts sufficiently for the callous indifference to social responsibilities so typical of the modern business man. In other circumstances the growth of an essentially professional outlook and fiduciary responsibility among the members of trade associations might not have been so meager as to be quite insignificant.

The justification of this view is found in the development of trade associations in Great Britain and in a lesser degree in the United States. Laissez faire, or more properly economic liberalism, was neither a sudden accretion to nor a change in the public policy of England; an indigenous growth, by the middle of the nineteenth century it had reached a certain maturity after three centuries of cultivation. The notions of self-dependence, self-assertion and self-responsibility were ingrained in the habits of thought of the English people. It was in these circumstances that trade cooperation developed in Great Britain, from its beginning in credit safeguarding and collective bargaining activities to the integral national trade associations constituting the units of the Federation of British Industries. These associations have more of the genuinely professional character than is to be found in their counterpart anywhere else. Their technical staffs are engaged in constant research, testing and standardizing of productive processes. Their trade missions are exploring new markets and studying the causes for the decline of old markets in all parts of the world. Their employment committees are scrutinizing union demands, enforcing the terms of joint agreements and surveying labor efficiency throughout the industry. Yet despite this training in cooperative action and the absence, even more than in some continental countries, of legal safeguards against price maintenance their activities have not frequently or generally been shifted away from cost reduction and trade expansion into that easy road to profits. The flurry of "Birmingham alliances" around the turn of the century and the imitation of the continental salt cartels and *comptoirs* by the Salt Union and the subsequent North-Western Salt Company joint sales agency (1906) represent exceptions. In a few branches of industry also the American trusts have been copied, as, for example, in J. and P. Coats' sewing thread combine and the Mond's Imperial Chemical consolidation. In the main, however, freedom of enterprise in Great Britain has not received a practical interpretation as freedom to combine for the more effective exploitation of the consumer. And if price agreements are far from unknown among British trade associations, the privilege does not appear to have been so flagrantly abused as to give rise to vehement, widespread protest, as has generally been the case elsewhere.

That British public policy does not itself supply safeguards against the perversion of trade association activities may be made clear by brief reference to some of the leading cases involving the legal limits of joint action by competing traders. Upon the basis of earlier decisions, notably in Wickens *v.* Evans [(1829) 3 Y. & J. 318] and Jones *v.* North [(1875) L. R., 19 Eq. 426], it was held in Mogul Steamship Co. *v.* McGregor [(1892) A.C. 25] that a conference of shipping lines which endeavored to secure for its members all the traffic from certain ports by offering rebates to shippers who patronized these member lines exclusively as well as by deliberate rate cutting was not an actionable conspiracy. It had even been held in the case of Jones *v.* North that an agreement similarly eliminating competition within an association of competitive enterprises was an enforceable contract. Later, in an action based upon an Australian anticombination statute [Attorney General for Australia *v.* Adelaide Steamship Co., (1913) A.C. 781], the House of Lords held that even under the statutory prohibition there must be proof of evil effects of a trade combination to establish liability. Such a rule assures a wide discretion to trade competitors in regulating jointly their market policies, as was confirmed in a subsequent case involving the notorious English salt monopoly, North Western Salt Co. *v.* Electrolytic Alkali Co. [(1914) A.C. 461]. Furthermore the absence of any legislation in Great Britain regulating the sphere or policies of trade combination is significant of the degree to which British public policy relies upon freedom of contract and of enterprise to protect public interests.

In the United States trade associations have developed under a far more skeptical and restrictive public policy. The frontier tradition made competition almost an end in itself. Lacking the British trust in free enterprise, given freedom of contract, public policy has sought positively to enforce free competition. By common law rule the elimination of competition in the market by joint action of traders was unenforceable, and by statutory enactment (the Sherman Anti-Trust Act of 1890) it was made penalizable, without regard to the actual consequences of a particular agreement. In these circumstances the trade association movement which developed in the United States in the latter part of the nineteenth century took two chief directions. Association was usually either primarily social, designed to foster more friendly and congenial relationship among competitors, or of a clandestine character. The former type of trade association (represented by the New England Cotton Manufacturers' Association, 1865, Manufacturing Chemists' Association of the United States, 1872, National Jewelers Board of Trade, 1874, and American Bankers' Association, 1875) was legally innocuous but in an age of hard headed business ruthlessness economically ineffectual. Trade associations of the latter type were usually ephemeral, although they might operate for a time, as in the wire nail trade, very much to the benefit of the confederates. Not infrequently both types of association might coexist or flourish alternately in the same industry.

Gradually the realization of the perils of market manipulation led to a divorce of such activities from the recognized trade association. By the turn of the century most of the associations formed or forming had become more or less inoffensive social organizations of business men who came together once or twice a year for convivial banquets and an occasional appeal for higher tariff protection or for lower freight rates upon their products or for a better insurance rating upon their plants. The endeavor to extend the functions of these "legitimate" trade associations in order to make of them more effective agencies for serving the interests of their members, in particular for tempering the fury of their own competitive warfare, while at the same time avoiding the snares of the antitrust laws constitutes the essence of trade association history in the past quarter century.

The movement was given strong impetus by the enunciation of the "rule of reason" by the Supreme Court in 1911 in the Standard Oil case (221 U.S. 1) and by the publication in 1912 of a book on *The New Competition* by A. J. Eddy. The judicial contribution represented an interpretation of the Sherman Anti-Trust Act which seemed to place great stress upon the requirement of proof of nefarious acts directed against outsiders to a combination and of "undue" cupidity manifested by the associates. The professional contribution (Eddy was an attorney for numerous trade associations) represented what was put forward as the discovery of a technique for "cooperative competition." This was commonly, although inaccurately, denominated the open price plan, whereunder the members instead of agreeing upon prices or output or market territory undertook simply to furnish detailed information concerning these and cognate aspects of their business operations and transactions to a common bureau which was to make them available to the entire group. The aim was to afford that full knowledge of the market predicated by economic theory, although it should be observed that there was no suggestion of proffering the assembled information to those on the buying side of the market.

Under the spell of hopefulness induced by these promising developments and also prompted by the need experienced during the World War for some instrument for mobilizing productive resources in each industry and for giving concerted expression to the views of the trade, there took place during the next few years an unprecedented activity in the organization of trade associations. In the seven years from 1913 to 1919 seventy-six representative trade associations were formed and many old organizations were revived by the discovery of new avenues of usefulness, which for the most part were quite legitimate just because the inflation of prices took the emphasis off the pressure to safeguard profits.

With the end of the war, however, the traditional American skepticism of business confederation for self-help reasserted itself. In the American Column and Lumber Company case in 1921 (257 U.S. 377) and again two years later in the American Linseed Oil Company case (262 U.S. 371) statistical services conducted on the open price model were condemned, although it is true that the adverse decisions may have been influenced by the fact that in these cases the services were accompanied by various practises, such as official interpretations of the data and penalties for failure to adhere to certain

rules or to posted prices. In contrast, however, with the marked constriction of the scope of the antitrust law prohibitions as applied to outright proprietary amalgamations, or corporate mergers, as in the United Shoe Machinery and the United States Steel cases [247 U.S. 32 (1918) and 251 U.S. 417 (1920)], under the accommodating terms of the doctrine of reasonableness, the tenor of these decisions was unmistakably antagonistic to the efforts of small, independent businesses to achieve through association the stability and security already won by big business. The conviction that the rule of reason had a different significance for trusts than it had for cartels was confirmed by the decision in the Trenton Potteries case in 1927 (273 U.S. 392), which condemned a comprehensive price agreement in the trade without stopping even to examine upon their merits pleas predicated upon economic necessity and business prudence. This evident discrimination rankled in the minds of the small scale business men and gave rise to a persistent movement for amendment if not outright abolition of the antitrust laws.

Before this movement reached substantial fruition in the National Industrial Recovery Act of 1933, however, a series of judicial decisions had gone far toward modifying the strict construction of the antitrust laws in reference to trade association activities. In 1923 a joint program for curtailment of output in the window glass industry was held not to constitute a violation of the law, because it was accomplished through the medium of a national trade agreement between the organized employees and the trade association of the manufacturers. And in 1925 the Supreme Court evinced a willingness to tolerate a much wider latitude of direct trade cooperation among business competitors in the cases of the Cement Manufacturers Protective Association (268 U.S. 588) and the Maple Flooring Manufacturers Association (268 U.S. 563). These decisions conceded to enterprisers in the same line of trade the privilege of interchanging full statistical information upon their current operations and past transactions. Furthermore they upheld the concerted adoption of uniform basing points, credit standards, cost formulae, turn-in allowances and a detective system for checking up on compliance with the terms of association. Subsequently even greater leniency toward trade wide cooperation for "stabilizing" the market was evinced in the validation of the cracking patents pool in the oil industry [283 U.S. 163 (1931)]. Finally, in the Appalachian Coals case [288 U.S. 344 (1933)], decided only a few months before the suspension of the antitrust laws under the Recovery Act, it was held that even the organization of a joint sales agency among the producers of about three quarters of the total supply of a product entering the market was not in violation of the antitrust laws in the absence of proof of the abuse of the price fixing power thus established.

Meanwhile there had been other indications than judicial decisions that the changing temper of public opinion in post-war America might be ready to tolerate an enlarged scope of trade association activity in the government of industry, such as was finally granted in the National Industrial Recovery Act of 1933. Around 1926 the Federal Trade Commission initiated a unique procedure known as the trade practise conference primarily as a method of securing recognized definition of trade terms, grades and standards. But under the unremitting pressure of trade associations this developed within a brief period into a device for controlling prices through definitions of "unfair" and "discriminatory" price policies. The eager response of trade associations to the opportunity to turn a species of cooperation upon an essentially professional plane into a means of exploiting consumers is significant. Again in 1931 the launching of the Swope plan for securing to trade associations a wider responsibility in the government of industry and the not unfavorable response elicited by the high pressure publicity campaign in its favor showed that the American public was amenable to suggestions looking toward some type of capitalistic syndicalism, suggestions which a generation earlier would certainly have encountered the most vehement hostility.

The passage of the National Industrial Recovery Act of 1933 marks a sharp break in the traditional economic policy of the United States. Although the act exhibits the greatest confusion of purposes, the first year of its application reveals beyond dispute its practical effect of abandoning trust in trade competition and giving over to the self-regulation of business men organized in trade associations the power and responsibility of administering industry. The supposition that this will be done in the public interest because the actions, policies and decisions of the code authorities set up by and representing solely these trade associations are subject to rescission or annulment by the president upon advice of the administrators of the act—

executives who are already charged with an oversight of some 450 codified industries—may well be left to further experience to demonstrate how far it is warranted. And if the act sanctions coercion of minorities of business men, in the sense that they are bound by the rules formulated by the majority in a trade whether or not they subscribe to the code or join the trade association, it may be speculated how much this will conduce to national economic planning. One thing only is certain as to the eventual consequences of this new public policy for the place of trade associations in American industrial organization. It assures that, so long as the experiments in this direction continue, the professional side or aspect of their functioning (cost reducing and custom expanding activities) will be more and more eclipsed by their market controlling functions. And this is unfortunate. For if genuine economic stability is the end to be sought, then genuine economic cooperation is plainly the means. Trade associations, representing as they do the special interests of business enterprisers, are scarcely qualified for the responsibilities of industrial control in a genuinely cooperative society whose chief concern is security of livelihood.

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See: COMBINATIONS, INDUSTRIAL; CARTEL; TRUSTS; EMPLOYERS' ASSOCIATIONS; CHAMBERS OF COMMERCE; GUILDS; LAISSEZ FAIRE; STABILIZATION, ECONOMIC; GOVERNMENT REGULATION OF INDUSTRY; FEDERAL TRADE COMMISSION; MONOPOLY; COMPETITION; CUT-THROAT COMPETITION; UNFAIR COMPETITION; PRICE DISCRIMINATION; RESALE PRICE MAINTENANCE; RESTRAINT OF TRADE; BUSINESS ETHICS; TRADE AGREEMENTS.

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